

Queenstown Lakes District Proposed District Plan – Stage 1

**Section 42A Hearing Report
For Hearing commencing: 28 November 2016**

Report dated: 2 November 2016

Report on submissions and further submissions
Chapter 12 Queenstown Town Centre

File Reference: Chp. 12 - S42A

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I have also referred to and relied on the following evidence filed alongside this section 42A report:

- Ms Jacqueline Gillies, Architecture - statement dated 2 November 2016.
Dr Stephen Chiles, Acoustic Engineering – statement dated 2 November 2016.
Ms Sian Swinney, Alcohol Licensing - statement dated 2 November 2016.
Mr Timothy Church, Urban Design – statement dated 2 November 2016.

1. EXECUTIVE SUMMARY

- 1.1. While the policy direction and general intent of the notified Proposed District Plan (**PDP**) Queenstown Town Centre (**QTT**, **QTTC**, or **QTTCZ**) Chapter 12 provisions remain largely unchanged, this evidence recommends a relatively large number of changes aimed at improving the extent to which the chapter contributes toward meeting the purpose of the Resource Management Act 1991 (**RMA**) and supporting the Strategic Direction of the Proposed District Plan (**PDP**). The provisions as recommended to be amended in this report are considered to be effective and efficient and an appropriate means of achieving the purpose of the RMA.
- 1.2. Merits of the recommended provisions include:
- a. The objectives enable the Queenstown Town Centre to continue to develop as a high quality and vibrant hub that offers a range of activities, which is crucial to its economic viability, and significantly contributes to the overall resilience of the community. Equally, applying limits on Town Centre activities enables appropriate levels of amenity to be enjoyed both within the Town Centre and in nearby residential zones, without unduly constraining the range of activities that can occur.
 - b. The policies enable increases in height and building coverage, provided that design quality and the key design outcomes are not compromised; provide affordable development opportunities at the periphery of the Town Centre within an environment that is compatible with the adjacent zone; ensure the town remains compact and walkable; encourage an increased focus on pedestrians, cyclists, and public transport users; encourage development to contribute to a safe, high amenity environment; and recognise the important contribution that night time activity makes to the vibrancy and economic prosperity of the Queenstown Town Centre.
 - c. The framework and style is concise and legible.
 - d. The key resource management issues are addressed.
- 1.3. While the objectives and policy direction remains fundamentally unchanged, I have recommended several changes to the proposed rules, standards and other provisions in order to better achieve the purpose of the RMA and the PDP objectives. While a number of these relate to minor changes, or wording changes that do not amount to substantive policy shifts, the key substantive changes that I recommend relate to:
- a. Minor wording changes to notified Objective 12.2.1 and to various policies to improve legibility and add further direction.
 - b. Changes to building heights in the Man/ Hay/ Shotover/ Brecon Street block, replacing two areas notified as height precinct 4 (**Precinct 4**) with height precinct 5 (**Precinct 5**),

thereby reinstating a more restrictive recession plane, and clarifying the permitted heights in height precinct 1A (**Precinct 1A**) and height precinct 2 (**Precinct 2**).

- c. Adding an additional matter for consideration in notified Rules 12.4.6 and 12.5.9, when considering consents for additional height and when considering restricted discretionary buildings in terms of design.
 - d. Amending notified Rule 12.5.11 to exempt noise from commercial motorised craft and to clarify that the more enabling limits relating to music, voices and loud speakers do not apply to the Town Centre Transition Zone; and making consequential amendments to chapter 36 (noise) in order to ensure consistency and therefore improved administrative efficiency.
 - e. Amending Figure 1 'Location of Pedestrian Links between the Queenstown Town Centre' contained within chapter 12 and notified Rule 12.5.8 relating to pedestrian links and laneways such that existing links/ lanes are required to be retained and future potential ones are encouraged to be uncovered (i.e. open to the sky).
 - f. Removing notified Rule 12.5.14.4 regarding glare from building materials/ colours.
 - g. Removing the need for storage to be within a building (notified Rule 12.5.4.1) and for a veranda to be provided on Hay Street.
 - h. Amending notified Rule 12.4.6 to exempt pop up buildings that are in place for no longer than 6 months and artworks (permanent and temporary) from requiring resource consent in respect of design.
 - i. Amending notified Rule 12.5.1.1 to trigger the need to comply with a maximum coverage rule on all properties/ developments over 1400m² in area and to change the reference from site to property.
 - j. Removing the street scene setback requirements on Beach Street (notified Rule 12.5.2).
 - k. Amending the notified planning maps 35 and 36 to clearly show the Waterfront subzone boundary.
 - l. Minor amendments to notified Rules 12.4.7 and 12.4.8 to refer to the waterfront area as a subzone of the Town Centre, rather than a stand-alone zone.
- 1.4. I note that the amendments to the figures have been undertaken in draft for the purposes of this report and more refined figures can be provided for inclusion in the decision if the Hearing Panel (**Panel**) accepts the recommended changes.

2. INTRODUCTION

- 2.1. My name is Victoria (Vicki) Sian Jones. I am a private consultant contracted by the Queenstown Lakes District Council (**Council**) to prepare the Section 42A (s 42A) report on Chapter 12 of the PDP. I am a full member of the New Zealand Planning Institute. I hold the qualifications of Bachelor of Resource and Environmental Planning (first class honours), with a major in economics from Massey University. I have over 21 years planning experience, and have worked as a planner in the Queenstown Lakes District (**District**) for 17 years. During my time in this District, I have held the positions of Consent Planner, Policy Planner, and Policy Manager with CivicCorp Limited and Strategy and Planning Manager with the Council; and have worked as a planning consultant for the past 9 years. During that time, I have presented Environment Court evidence in the hearings on the (now operative) District Plan and was responsible for dozens of variations and plan changes to that Plan (either as the author or in a management role).
- 2.2. Specifically relevant to the Queenstown Town Centre chapter, I provided planning advice to the Tomorrows Queenstown (2020) Plan (2002); managed the preparation of the Growth Options Study, the Growth Management Strategy (2006) and Queenstown Town Centre Character Guidelines (2007); provided planning advice on the Flood Mitigation Strategy Learning to live with flooding (2006) which was prepared jointly by the Council and the Otago Regional Council (**ORC**); established and was a member of the Queenstown Urban Design Panel (2006); and provided planning advice to the Councils Inner Links Project (2014) as part of the consultant team contracted to undertake the project.
- 2.3. I note that I was the author of the notified QTTC chapter in the PDP.

3. CODE OF CONDUCT

- 3.1. Although this is a Council hearing, I confirm that I have read the Code of Conduct for Expert Witness contained in the Environment Court Practice Note 2014 and that I agree to comply with it. I confirm that I have considered all the material facts that I am aware of that might alter or detract from the opinions that I express, and that this evidence is within my area of expertise, except where I state that I am relying on the evidence of another person.
- 3.2. I am authorised to give this evidence on the Council's behalf.

4. SCOPE OF THIS EVIDENCE

- 4.1. My evidence addresses the submissions and further submissions received on notified Chapter 12 and any subsequent amendments to the planning maps as they relate to the Town Centre Entertainment Precinct (**TCEP**); the Special Character Area (**SCA**); the Town Centre Transition subzone (**TCTZ**), and the Town Centre Waterfront subzone. Otherwise I do

not consider or make recommendations on re-zonings, which are to be heard in the rezoning hearings in 2017.

- 4.2. This evidence analyses submissions for the benefit of the Panel in order to assist it to make recommendations on the text of Chapter 12. I have only recommended deleting a very limited number of provisions. I have not updated the numbering of provisions in Appendix 1 (i.e., the numbering of any deleted provisions, remained in the recommended chapter). Therefore, all references to provisions in this s42A, are to the notified version.
- 4.3. The Table in **Appendix 2** outlines whether individual submissions are accepted, accepted in part, rejected, considered to be out of scope, or deferred to another hearing stream. A separate table has been provided within Appendix 2 containing all those submissions that were originally allocated to Chapter 12 that relate to the Plan Change 50 land and which are on provisions that have not been withdrawn from the PDP. The Panel therefore does not need to make a recommendation on those particular submission points. Where a submission is related to other matters as well as the Plan Change 50 land, that submission has been retained in the main summary of submissions table. Also included in **Appendix 2** is another separate table of those submitters who lodged submissions on Chapter 36 (noise) who could be potentially affected. This is further explained in section 12 of this report.
- 4.4. Although this evidence is intended to be a stand-alone document and to meet the requirements of s 42A of the RMA, the Queenstown Town Centre s 32 report is also attached as **Appendix 3**.
- 4.5. In this evidence, I discuss the issues raised by submitters under broad issues and where I recommend significant changes to the proposed provisions, I assess those changes in terms of s 32AA of the RMA (as set out in **Appendix 4**).
- 4.6. In preparing this evidence and reaching the conclusions herein, in addition to relying on the Council's expert evidence, I have also drawn on other work that has been undertaken by and on behalf of the Council and other parties over the last decade,¹ which also contributes to the evidence base for the chapter's section 32 report.

5. STATUTORY BACKGROUND AND RELEVANT BACKGROUND DOCUMENTS

- 5.1. The s 32 report attached as **Appendix 3** provides an overview of the legislation and higher order statutory and planning documents that were considered when preparing Chapter 12. In addition to that, the following, more detailed summary of relevant legislation and documents is also provided.

¹ Refer S 32 Evaluation Report - Queenstown Town Centre, Pages 4-5.

The Resource Management Act (RMA)

- 5.2. The RMA and in particular the purpose and principles in Part 2, which require councils to promote the use, development and protection of the natural and physical resources for current and future generations in order to provide for the four well beings (social, economic, cultural and environmental). While chapter 12 does not relate to any matters of national importance (s 6) the following Section 7 matters are relevant and shall be had regard to when preparing the chapter:
- a. the efficient use and development of natural and physical resources;
 - b. the maintenance and enhancement of amenity values;
 - c. maintenance and enhancement of the quality of the environment; and
 - d. any finite characteristics of natural and physical resources.

The Local Government Act 2002 (LGA)

- 5.3. The LGA and in particular Section 14, which emphasises the importance of taking an intergenerational approach to decision-making and the need to take into account the four well beings.

Operative Otago Regional Policy Statement (1998) (Operative RPS)

- 5.4. Section 75(3) of the RMA requires that a district plan prepared by a territorial authority must "give effect to" any regional policy statement. In particular Chapter 9 of the Operative RPS relates to the Built Environment.
- 5.5. The relevant objectives and policies include Objectives 9.4.1 and 9.4.3 and Policies 9.5.1 - 9.5.5. Together these strive to achieve sustainable management of the built environment in a manner that meets the needs of the community and which avoids, remedies, or mitigates adverse effects by recognising cultural relationships; promoting the efficient development and use of infrastructure (including the transport network); minimising effects of urban development on the environment (including in relation to noise, amenity, and community values); and enhancing people's quality of life (including people's health and safety).
- 5.6. In my opinion, for the reasons outlined in the s 32 Evaluation Report, the Queenstown Town Centre Zone chapter is consistent with this policy framework, contributing toward a compact urban core, which makes efficient use of resource, will meet the foreseeable future needs, minimises adverse effects, and indeed, strives to result in positive effects.

Proposed Otago Regional Policy Statement 2015 (PRPS)

- 5.7. Section 74(2) of the RMA requires that a district plan prepared by a territorial authority shall "have regard" to any proposed Regional Policy Statement. The PRPS was notified for public submissions on 23 May 2015, and decisions on submissions were released on 1 October 2016.
- 5.8. The following objectives and policies² are relevant to Chapter 12:
- a. Objective 4.4 (notified as 3.6) and Policy 4.4.6 (notified as 3.6.6).
 - b. Objective 4.5 (notified 3.7 and 3.8 combined) and policies 4.5.1, 4.5.3, 4.5.4, 4.5.5, 4.5.6 (notified as 3.8.1, 3.7.1, 3.7.2, 3.7.3, 3.7.4).
 - c. Objective 5.3 (notified 4.3) and Policy 5.3.3 (notified as 4.3.4).
- 5.9. In summary, together these objectives and policies aim to ensure energy supplies to communities are secure and sustainable; that urban growth and development is well designed, reflects local character and integrates effectively with adjoining urban and rural environments; and that sufficient land is managed and protected for economic production.
- 5.10. The changes made to the PRPS through its decision are relatively minor and, in my opinion, will not have any effect on the appropriateness of the recommended revised PDP Chapter 12. I consider that revised Chapter 12 will give effect to the PRPS.

Iwi Management Plans

- 5.11. When preparing or changing a district plan, section 74(2A) of the RMA states that Councils must "take into account" any relevant planning document recognised by an iwi authority and lodged with the territorial authority, to the extent that its content has a bearing on the resource management issues of the district. Two iwi management plans are relevant:
- a. *The Cry of the People, Te Tangi a Taurira*: Ngāi Tahu ki Murihiku Natural Resource and Environmental Iwi Management Plan 2008 (**MNRMP 2008**); and
 - b. *Kāi Tahu ki Otago Natural Resource Management Plan 2005* (**KTKO NRMP 2005**).

Proposed National Policy Statement on Urban Development Capacity (NPSUDC)

- 5.12. The Minister for the Environment notified the proposed NPSUDC for public consultation on 2 June 2016, with submissions closing on 15 July 2016. The scope of the proposed NPSUDC relates to the provision of development capacity in local authority plans to address both housing and business needs. The proposed NPSUDC does not hold any statutory weight.

2 Decision version of the PRPS, 1 October 2016.

- 5.13. The proposed NPSUDC identifies Queenstown as a high growth urban area (projected to experience population growth of over 10% in the next 10 years) and applies objectives and policies for local authorities to implement through their planning documents.
- 5.14. The following objectives of the proposed NPSUDC are of relevance to the Queenstown Town Centre:
- a. OA1: To support effective and efficient urban areas that enable people and communities to provide for their social, economic and cultural wellbeing.
 - b. OA2: To provide sufficient residential and business development capacity to enable urban areas to meet residential and business demand.
 - c. OA3: To enable ongoing development and change in urban areas.
 - d. OB1: To ensure plans and regional policy statements are based on a robust, accurate and frequently-updated evidence base.
 - e. OC1: To promote coordination within and between local authorities and infrastructure providers in urban areas, consistent planning decisions, integrated land use and infrastructure planning, and responsive planning processes.
 - f. OD1: To ensure that planning decisions enable urban development in the short, medium and long-terms.
 - g. OD2: To ensure that in the short and medium terms local authorities adapt and respond to market activity.
- 5.15. The above objectives (although they hold no legal weight) are reflected in the Queenstown Town Centre provisions through enabling slightly more capacity within the Town Centre, and more diversity in terms of the type of commercial space that might be provided to market.
- 5.16. I became aware on 1 November 2016, when finalising this s42A report, that the final NPSUDC³ has been approved. I have not had an opportunity to consider the approved version in this s42A, but will do so prior to the Business hearing.

Monitoring Report for the Town Centre Zones - May 2012

- 5.17. This report monitored the efficiency and effectiveness of the operative Queenstown Town Centre provisions. It was based on a desk-top analysis of consent applications processed between 2004 and 2011 and the findings from this were considered alongside the consultation that was undertaken as part of preparing the respective Town Centre strategies. In summary, the monitoring report identified that:

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http://www.mfe.govt.nz/sites/default/files/media/Towns%20and%20cities/National_Policy_Statement_on_Urban_Development_Capacity_2016-final.pdf.

- a. The provisions are relatively effective but that various changes were necessary to improve effectiveness, including a need for stronger objectives and policies, a revision of the provisions in order to better manage reverse sensitivity in regard to noise, and a review of site and zone standards and assessment matters.
- b. An average of 50 resource consents were processed annually for activities/ development within the Queenstown Town Centre between 2004 and 2011, with just 2% being notified (although I note that the total equals only 67% which I assume is because notification was unclear from the decisions in some instances); a high proportion being for Discretionary (37%) and non-complying activities (33%), (noting however that those recorded totalled just 94% and that 56% of the discretionary consents were for variations and 54% of non-complying consents were for signs; and that the number of non-complying consents are likely to be over-stated due to recording methods); and the most commonly breached standards related to coverage (68% of all breaches) and height (59% of all breaches). Of note, no analysis of costs was undertaken.

PDP Strategic Directions Chapter 3

- 5.18. The Strategic Directions chapter sets out the over-arching strategic direction for the management of growth, land use and development in the District and gives direction to the rest of the plan. The following objectives⁴ are relevant to Chapter 12:

Objective 3.2.1.1 - The Queenstown and Wanaka town centres are the hubs of New Zealand's premier alpine resorts and the Districts economy.

Objective 3.2.1.4 - The significant socioeconomic benefits of tourism activities across the District are provided for and enabled.

Objective 3.2.1.5 - Development of innovative and sustainable enterprises that contribute to diversification of the Districts economic base and create employment opportunities.

Objective 3.2.2.2 - Development in areas affected by natural hazards is appropriately managed.

Objective 3.2.3.1 - A built environment that ensures our urban areas are desirable and safe places to live, work and play.

Objective 3.2.3.2 - Development is sympathetic to the Districts cultural heritage values.

Objective 3.2.6.3 - A high quality network of open spaces and community facilities.

Objective 3.2.6.4 - Safe and healthy communities through good quality subdivision and building design.

- 5.19. Chapter 12, as recommended (see **Appendix 1**), is considered to implement these objectives and the supporting policies which, in my view, provide clear and concise direction in relation

⁴ Strategic Direction Hearings – Recommended Revised Chapter – Reply 07/04/2016.

to how the Council aims to maintain and enhance the existing key commercial, civic and cultural hubs of the District.

PDP Urban Development - Chapter 4

- 5.20. This chapter sets out the objectives and policies for managing the spatial location and layout of urban development within the District. The following objectives⁵ are relevant to Chapter 12:

Objective 4.2.1 - Urban development is integrated with infrastructure and services and is undertaken in a manner that protects the environment, rural amenity and outstanding natural landscapes and features.

Objective 4.2.3 – Within Urban Growth Boundaries, provide for a compact and integrated urban form that limits the lateral spread of urban areas, and maximises the efficiency of infrastructure operation and provision.

Objective 4.2.4 - Manage the scale and location of urban growth in the Queenstown Urban Growth Boundary.

- 5.21. Chapter 12, as recommended (see **Appendix 1**), is considered to be consistent with these objectives and the supporting policies which, in my view, provide clear and concise direction in relation to how the Council aims to manage growth within the urban growth boundaries.

PDP Tangata whenua - Chapter 5

- 5.22. The Tangata Whenua chapter sets out the objectives and policies for ensuring tangata whenua issues are appropriately considered throughout the District Plan. The following objective and policy⁶ are most relevant to Chapter 12:

5.4.2 Objective - Provide for a Ngāi Tahu presence in the built environment.

5.4.2.1 Collaborate with Ngāi Tahu in the design of the built environment including planting, public spaces, use of Ngāi Tahu place names and interpretive material.

- 5.23. Particularly with the recommended amendment to notified Rule 12.4.7 in Appendix 1, I consider that Chapter 12 is consistent with this objective and policy.

6. SCOPE ISSUES

- 6.1. This section of my report describes submissions on the Queenstown Town Centre Zone that were allocated to the QTTC chapter but are out of scope or have been deferred to another hearing stream. I have therefore made no recommendations in respect to these submissions.
- 6.2. A number of submissions⁷ relate to the geographic area and/ or provisions of Plan Change 50. The Council's resolution on 29 October 2015 formally withdrew all provisions in the PDP

5 Strategic Direction Hearings – Recommended Revised Chapter – Reply 07/04/2016.

6 Strategic Direction Hearings – Recommended Revised Chapter – Reply 07/04/2016.

that applied to this area, meaning that these submissions are no longer within scope of stage 1 of the PDP.

- 6.3. Submission 474.5 (Evan Jenkins) requests that the busking rules be amended to forbid the amplification of music. No specific rules exist in the District Plan but, rather, busking is regulated by the recently adopted Control of Activities in Public Places Bylaw (2016) and therefore the submission is beyond the scope of the District Plan. That bylaw specifies that there be no amplified music (as the default position) and that if such music is proposed then an application needs to be made to the Council.
- 6.4. Submissions 20.4 (Aaron Cowie) and FS1059.5 (Erna Spijkerbosch) relate to the pedestrianisation of the Queenstown Town Centre. Whether a street should be pedestrianised or not is beyond the scope of the District Plan.
- 6.5. The following submissions and further submissions have been allocated to other hearing streams or other parts of this business hearing stream:
 - a. Submission 630.5 (Downtown QT) and FS1043.12 (Grand Lakes Management Limited) have been reallocated to the Business Mixed Use Zone s42A report, which is also considered as part of this hearing stream, as they relate to the mixed business zone on Gorge Rd; and
 - b. Submissions 663.7 (IHG Queenstown Ltd and Carter Queenstown Ltd), FS1139.8 (Carl & Lorraine Holt), FS1191.7 (Adam & Kirsten Zaki), and 672.7 (Watertight Investments Ltd) were reallocated to hearing stream 1A (tangata whenua) as they request the deletion of Policy 12.2.2.7, which relates to cultural heritage and incorporating reference to tangata whenua values in the design of public spaces. The s 42A report recommended that the relief sought be rejected and I concur with that opinion. I have also considered these in section 18 of this report, relating to objectives and policies.
 - c. Submission 810.34 (Te Runanga o Moeraki, Kati Huirapa Runaka ki Puketeraki, Te Runanga o Otakou and Hokonui Runanga collectively Manawhenua) was reallocated to hearing stream 1A (tangata whenua) as it requests an assessment matter relating to the effect of structures in the waterfront subzone on the values of wahi tupuna. I note that Appendix 2 of the Tangata Whenua chapter (5) s 42A report recommended that the relief sought be rejected but I am unaware of the reasoning behind that. I have also considered these submissions in Section 16 of this report relating to the waterfront subzone.

7 Submissions 516.4 (MacFarlane Investments), 517.4 (John Thompson), 548.1 and part of 548.6 (Maximum Mojo Holdings Limited), FS1097.516 (Queenstown Park Limited), 807.77 (Remarkables Park Limited), FS1117.212 and part of FS1117.217 (Remarkables Park Limited), 663.2 and 663.19 (IHG Queenstown Ltd and Carter Queenstown Ltd), FS1139.3 and FS1139.20 (Carl & Lorraine Holt), FS1191.2 and FS1191.19 (Adam & Kirsten Zaki), 667.4 (Cedric Hockey), and 672.17 (Watertight Investments Ltd).

- 6.6. Further submission FS1260.9 (Dato Tan Chin Nam) relates to a point made by submitter 187 (Nicholas Kiddle), which related to building height in the High Density Residential Zone, and so has been reallocated to the residential hearing stream. While FS1260.9 (Dato Tan Chin Nam) does not appear in Appendix 2 of the High Density Residential chapter S42A, this further submission point is, in fact, a duplicate of FS 1260.8 and that was considered in that S42A. As such, the Panel can be assured that it was considered within that hearing stream and it was recommended that it be rejected.
- a. Further submission FS1242 (Antony & Ruth Stokes) is not relevant to Queenstown Town Centre Zone and has been reallocated to the Business Mixed Use Zone s42A report, which is also considered as part of this hearing stream.
 - b. The following parts of submission 574.4 (Skyline Enterprises Limited) (opposed by FS1063.22 (Peter Fleming and Others) have been reallocated to the mapping (rezoning) hearing):
 - i. that the gondola facility be rezoned as a new Commercial Tourism & Recreation Sub-Zone, which should encompass the lower terminal building site and car parking area at the northern end of Brecon St, or alternatively;
 - ii. that, if the Council decides to re-zone the submitters leasehold land then the proposed zoning should cover all the land depicted within Appendix [C] (i.e. an expansion of the Town Centre zone over rural zoned land).

7. OVERVIEW OF THE ISSUES

Purpose

- 7.1. The purpose of the QTTCZ recognises that it provides a focus for community life, retail, entertainment, business and services and provides a vital function for both residents and visitors. It notes that it provides a diverse range of visitor accommodation and visitor-related businesses and tourism activities and serves as the principal administrative centre for the District. Over time, it is intended to become an increasingly dynamic and vibrant centre, continue to offer a wide variety of activities and will evolve into a higher intensity and high quality urban centre. The SCA of the Town Centre Zone will develop in a manner that is consistent with the Queenstown Town Centre Design Guidelines 2015.
- 7.2. The review of the operative provisions sought to address a number of key issues, through strengthening the existing policy framework, amending some key rules, and increasing the overall legibility of the chapter. The resource management issues the proposed zone provisions strive to address are:
- a. A lack of capacity within the Town Centre and whether there is an opportunity to provide for further capacity within the existing Town Centre Zone.

- b. The existing Town Centre Zone and whether it can be expanded in a manner that still retains the compactness and walkability of the Town Centre, provides legible boundaries, and does not exacerbate reverse sensitivity issues.
- c. The appropriateness of the existing rules (including those relating to building height, bulk, and location) and whether they achieve quality urban design and built form efficiently and effectively and result in efficient land use and intensification.
- d. Management of flood risk in the Queenstown Town Centre.
- e. Management of the interface between the Town Centre and lakefront.
- f. Noise and reverse sensitivity issues and acoustic insulation.
- g. The need for integrated landuse and transport planning.

7.3. Having identified the resource management issues facing the Queenstown Town Centre, it is necessary to consider to what extent the Operative District Plan (**ODP**) has been effective and efficient at addressing these issues or, in other words, consider what the issues or shortcomings of the ODP zone are. The Town Centres monitoring report draws on resource consent information, the outcomes from consultation, and case studies. It concludes that, while it was difficult to identify clear patterns from the consent data and a number of known issues are not apparent from the monitoring data (such as noise), on balance it appeared the zone is working relatively effectively but that amendments are required to increase effectiveness in a number of areas. It also concludes that the objectives and policies need strengthening.⁸

7.4. In response to the findings of the monitoring report and the subsequent s 32 analysis, the notified QTTCZ in the PDP differed from the ODP QTTCZ in the following key ways:

- a. More prescriptive and directional policies were added and the assessment matters removed.
- b. Building heights were increased in particular precincts within the Town Centre and the building coverage rule removed other than for the development of large areas, in order to enable more efficient landuse and consenting and encourage improved built forms within the height limits.
- c. The Town Centre Zone was expanded in a number of small, discrete areas to establish more legible boundaries which better reflect the proposed Inner Link Road and to provide for a more diverse range of commercial uses within the Town Centre.

8 Monitoring for the Town Centre Zones (2012), Page 2.

- d. A new Town Centre Transition Zone (**TCTZ**) was introduced to provide a transition between the Town Centre and the Residential Zone and the TCTZ on Man Street was removed.
- e. The noise limits were increased slightly throughout the Town Centre Zone (other than in the TCTZ) and a higher level of noise enabled in a newly identified TCEP in order to encourage noisier venues to locate in the most central part of town, where they will have the least effect on residential zones (within which acoustic insulation is not required).
- f. Acoustic insulation requirements were introduced for residential and visitor accommodation within the Town Centre to help mitigate the effects of night time noise on amenity.
- g. All buildings became a restricted discretionary activity, with quality urban design being the key outcome, and all buildings in the SCA were required to adhere to revised Design Guidelines.
- h. The protection of existing key pedestrian links from development and the creation of additional links was encouraged through the restricted discretionary activity building rule, and through maximum coverage and structure planning requirements in relation to larger scale developments and those in the TCTZ.

8. ANALYSIS OF SUBMISSIONS

- 8.1. The PDP was notified on 26 August 2015. The submission period closed on 23 October 2015 and summaries of submissions were notified on 3 December and 28 January 2016. A total of 316 original submissions have been received on Chapter 12 from 65 submitters and 422 further submissions have been received from 31 further submitters.
- 8.2. In addition, two late further submissions were received from Man Street Properties Limited (MSP) (being FS1368.1 and FS1368.2) on 28 September 2016 in support of that part of submission 20 (Aaron Cowie) that relates to supporting higher building heights and that part of submission 238 (NZIA) that relates to promoting additional height within the Town Centre Zone. These submissions have been acknowledged in this report.
- 8.3. Submissions are generally considered by issue in this evidence and where applicable are considered by provision. The summary of the submissions received on the notified chapter and recommendations of whether the submission should be rejected, accepted, or accepted in part is attached at **Appendix 2**. I have read and considered all of these submissions.
- 8.4. The RMA, as amended in December 2013 no longer requires a report prepared under 42A report or the Council decision to address each submission point but, instead, requires a summary of the issues raised in the submissions.

- 8.5. Some submission points canvass more than one issue, and will be addressed where they are most relevant within this evidence. At times, a submission will be addressed under a number of issues.
- 8.6. I have discussed the relief sought in submissions under the following issues/ topics in this evidence:
- a. The appropriate role of the Queenstown Town Centre (purpose).
 - b. The appropriateness of the proposed building heights and relevant objectives.
 - c. The appropriateness of the proposed extensions to the Queenstown Town Centre Zone.
 - d. The appropriateness of the proposed provisions relating to noise, the TCEP, acoustic insulation and ventilation, and licensed premises.
 - e. The appropriateness of the provisions and Guidelines to achieve quality urban design and built form.
 - f. The appropriateness of the proposed coverage and setback rules and the requirement to provide a structure plan for large developments and within the TCTZ.
 - g. The appropriateness of the proposed provisions relating to visitor accommodation and residential activity in the Town Centre.
 - h. The appropriateness of the provisions relating to surface of water and waterfront subzone.
 - i. The appropriateness of the transportation-related policies.
 - j. Miscellaneous issues: Natural hazards including flooding; alignment with the Town Centre Strategy; the appropriateness of permitted activities; efficiency and the notification of resource consents; and general support.

9. ISSUE 1 - THE ROLE OF THE QUEENSTOWN TOWN CENTRE AS THE ADMINISTRATIVE CENTRE

- 9.1. In summary, the only recommended changes are to make a minor amendment to the notified purpose and Objective 12.2.1 by replacing the references to 'administrative' with 'civic'.
- 9.2. Submitter 807 (Remarkables Park Limited) requests that the Zone Purpose be amended to recognise that the Queenstown Town Centre may not be the administrative centre of the District, whereas submitters 380 (Villa del Lago) and 217 (Jay Berriman) support the Queenstown Town Centre Zone Purpose.

- 9.3. Submitters 217 (Jay Berriman) and 630 (DowntownQT) support notified Objective 12.2.1 while submitter 238 (NZIA)⁹ requests that notified Objective 12.2.1 be amended as follows in order to clarify what administrative means:

A Town Centre that remains relevant to residents and visitors alike and continues to be the District's principal mixed use centre of retail, commercial, ~~administrative~~, local government, entertainment, cultural, and tourism activity

- 9.4. In response to these submissions, while the District Plan can only enable rather than require the establishment of administrative activities within the Town Centre, I am of the opinion that it is an appropriate part of the zone purpose and notified Objective 12.2.1. In my view, maintaining and enhancing the administrative functions of the Town Centre is an important component of it remaining relevant to local residents (as well as to visitors), remaining diverse, retaining a sense of place, and providing a relatively rare visitor experience whereby the town continues to feel real. I also note that use of this term is consistent with the Town Centre Strategy (2009) and the preceding Tomorrows Queenstown (2002) and Growth Management Strategy (2006) (GMS). In my view, such policy direction does not conflict with the fact that secondary civic facilities are likely to be developed at Frankton over time, in line with the Council's GMS.
- 9.5. As to whether the term administrative is too ambiguous and should be replaced by local government I agree that administrative is potentially unclear and may be interpreted either too narrowly (e.g. not taken to include civic buildings such as a library) or too widely and taken to mean private sector administration/ offices. Similarly, the term local government may be too narrow. Although still potentially ambiguous, I prefer the term civic in this instance as it is consistent with the term used in both the Tomorrow's Queenstown Plan (2002)¹⁰ and Town Centre Strategy, which both discuss the Queenstown Town Centre being the "civic heart" of Queenstown and refer to facilities such as council offices, and community and cultural facilities such as the Memorial Centre and the library. This change has been made in **Appendix 1** (redraft Purpose 12.1, and Objective 12.2.1).
- 9.6. Submitter 238.65 (NZIA)¹¹ requests that the Queenstown Town Centre Design Guidelines 2015 be expanded to include various additional matters or, failing that, the Zone Purpose is amended to acknowledge the importance of natural features, existing circulation patterns, roads and pathways, grid patterns, public open spaces, the quality, scale, and configuration of

9 Opposed by FS1107 (Man Street Properties Ltd), FS1226 (Ngai Tahu Property Limited & Ngai Tahu Justice Holdings Limited), FS1234 (Shotover Memorial Properties Limited & Horne Water Holdings Limited), FS1239 (Skyline Enterprises Limited & O'Connells Pavilion Limited), FS1241 (Skyline Enterprises Limited & Accommodation and Booking Agents), and FS1248 (Trojan Holdings Limited & Beach Street Holdings Limited), FS1249 (Tweed Development Limited, FS1117 (Remarkables Park Limited).

10 A long term (20 year) non-statutory community planning document prepared through an inclusive charrette process for the wider Queenstown area, which was the precursor to the Growth Management Strategy and other strategic documents.

11 Opposed by FS1107.70 (Man Street Properties Ltd), FS1226.70 (Ngai Tahu Property Limited & Ngai Tahu Justice Holdings Limited), FS1234.70 (Shotover Memorial Properties Limited & Horne Water Holdings Limited), FS1239.70 (Skyline Enterprises Limited & O'Connells Pavilion Limited), FS1241.70 (Skyline Enterprises Limited & Accommodation and Booking Agents), FS1248.70 (Trojan Holdings Limited & Beach Street Holdings Limited), FS1249.70 (Tweed Development Limited).

the built form, experiences, and Council landscaping (hard and soft) in achieving a well-designed, high quality Town Centre.

- 9.7. The request to include such matters within the Queenstown Town Centre Design Guidelines 2015 is recommended to be rejected in section 13 of this report. Having considered including a statement in the Zone purpose in the manner suggested, I am of the opinion that this is not appropriate as it would have little if any statutory weight and would very likely only complicate consent processing as many of the design considerations highlighted by the submitter are not able to be considered through Chapter 12 but, rather, are dealt with through mechanisms outside the District Plan or through the subdivision chapter of the District Plan. As such, no amendment has been included in **Appendix 1**. See section 13 of this report for more detail on this submission.

10. ISSUE 2 - THE APPROPRIATENESS OF THE PROPOSED BUILDING HEIGHT PROVISIONS AND THE RELATED OBJECTIVES

- 10.1. This section considers all submissions on the proposed objectives, policies, and rules that relate specifically to building height. It deals with those submissions that are of a general nature and/ or relate to the specific wording of policies and then with those that relate to particular height precincts or blocks of land.
- 10.2. Notified chapter 12 introduces the concept of mapped height precincts as a clearer way of applying different heights to the various parts of the QTTC. The approach is similar to that of the ODP which applies a variety of height rules via rules which refer to the various character precincts and other discrete areas. In this section I rely on the evidence of Mr Church and the shade modelling work that was undertaken to inform the notified provisions and which Mr Church and I have worked on together in the preparation of our evidence (modelling outcomes are attached to Mr Church's evidence).
- 10.3. In summary, the recommended changes to the height provisions relate to:
- a. Changes to notified Policies 12.2.2.3 and 12.2.2.4 to acknowledge wind effects and that Rules 12.5.9 and 12.5.10 are intended to provide greater certainty and that Rule 12.5.9 may enable minor reductions in sunlight provided these are offset.
 - b. Changes to Rule 12.5.10 and to Figure 2 to amend the building heights in the Man/ Hay/ Shotover/ Brecon Street block.
 - c. Change Figure 2 to amend the height precincts of those areas on upper Beach Street and on Church Street which were notified as Precinct 4 to Precinct 5.
 - d. Change notified Rule 12.5.9 to acknowledge the contribution that landmark buildings can make to a town within the restricted discretionary height rule.

- e. Remove the reference to 4 storeys in the restricted discretionary height rule (notified Rule 12.5.9), acknowledging that 4 storeys is not a desirable outcome within the heights allowed by that rule (and that to include the statement is misleading) and in recognition that there would be no risk of more than 4 storeys above ground level being achievable in any case.
 - f. Change figure 2 to extend Precinct 3 to include 2 more sites and reinstate the parapet rule from the ODP.
- 10.4. These changes are reflected in an amended Figure 2 (Height Precinct Map) and redraft Rules 12.5.9 and 12.5.10 in **Appendix 1**.

Policy framework related to building height

- 10.5. Submitter 398 (Man Street Properties Limited) (opposed by FS1274.18 (John Thompson and MacFarlane Investments Limited) partly supports the objectives and policies that enable and promote development in the Town Centre Zone and that support height precinct 7 (Precinct 7).
- 10.6. Submitter 621 (Real Journeys Limited) requests that notified Policy 12.2.2.3 be amended to acknowledge that the height and mass of buildings should also be controlled to minimise wind tunnel effects of buildings and ensure the pleasantness of the environment for pedestrians is maintained. Submitters 672 (Watertight Investments Ltd) and 663 (IHG Queenstown Ltd and Carter Queenstown Ltd)¹² request it be amended to acknowledge that the height and mass of buildings should also be controlled in order to provide certainty in terms of potential building height and mass.
- 10.7. In response, I agree that notified Policy 12.2.2.3 should be amended to incorporate both of these points. These amendments are included in **Appendix 1**.
- 10.8. With regard to notified Policy 12.2.2.4:
- a. Submitters 59 (Lynda Baker), 82 (Toni Okkerse) and 206 (Lindsay Jackson)¹³ variously request that the policy be removed and, as such, that no provision is made for buildings to exceed the height limits in the CBD.

12 Opposed by FS1139.5 (Carl & Lorraine Holt) and FS1191.4 (Adam & Kirsten Zaki).

13 Submitter 59 is supported by FS1063.45 (Peter Fleming and Others) and opposed by FS1236.3 (Skyline Enterprises Limited). Submitter 82 is supported by FS1063.40 and FS1063.41 (Peter Fleming and Others) and opposed by FS1107.4 and FS1107.5 (Man Street Properties Ltd), FS1226.4 and FS1226.5 (Ngai Tahu Property Limited & Ngai Tahu Justice Holdings Limited) FS1234.4 and FS1234.5 (Shotover Memorial Properties Limited & Horne Water Holdings Limited), FS1236.5 and FS1236.6 (Skyline Enterprises Limited), FS1239.4 and FS1239.5 (Skyline Enterprises Limited & O'Connells Pavilion Limited), FS1241.4 and FS1241.5 (Skyline Enterprises Limited & Accommodation and Booking Agents), FS1248.4 and FS1248.5 (Trojan Holdings Limited & Beach Street Holdings Limited), FS1249.4 and FS1249.5 (Tweed Development Limited), and FS1274.24 and FS1274.25 (John Thompson and MacFarlane Investments Limited). Submitter 206 is supported by FS1063.53 (Peter Fleming and Others), and opposed by FS1274.33 (John Thompson and MacFarlane Investments Limited) and FS1236.11 (Skyline Enterprises Limited).

- b. Submitter 621 (Real Journeys Limited) requests that it be amended to acknowledge that buildings should be allowed to exceed the discretionary height standards where views of the surrounding ONLs are maintained and the additional building height does not worsen wind tunnel effects on pedestrian areas.
 - c. Submitter 238 (NZIA)¹⁴ requests that, rather than the policy allowing extra height where the outcome is of a higher quality design than would be achievable under the permitted height, it should state that it should be allowed where the design has been reviewed by the Urban Design Panel (**UDP**) and there is positive public engagement with the street.
 - d. Submitters 663 (IHG Queenstown Ltd and Carter Queenstown Ltd)¹⁵ and 672 (Watertight Investments Ltd) request amendments that require discretionary buildings to be of high quality (rather than superior to alternatives), and to allow for minor additional shading or an offset for any more than minor shading.
 - e. Submitter 630 (Downtown QT) supports additional height allowances and an intensification of residential development and request that if developers achieve a Green Star rating they should be able to add additional height to a building.
- 10.9. In response and bearing in mind that the purpose of notified Policy 12.2.2.4 is to clearly stipulate the circumstances when additional (discretionary) height would be appropriate, I have recommended partially accepting many of these submissions and, in turn, have recommended some amendments to the policy which, in my opinion, make it more appropriate (effective or efficient) for the following reasons:
- a. Fundamentally, in my opinion, some clearly identified criteria for allowing buildings to exceed the permitted height (as in notified Policy 12.2.2.4) are appropriate. In this respect, I do not support deleting the policy as sought by some submitters. This policy provides guidance regarding when it is likely to be appropriate to breach a restricted discretionary height standard (e.g. a building in Precinct 1 between 12 and 14 m in height). In respect of the restricted discretionary standard this is considered to be an appropriate, efficient, and effective method albeit that some re-wording is appropriate (as outlined above and in **Appendix 1**). In this respect it is considered that such directive and detailed policy is important to ensure the consistent administration of the restricted discretionary activity rule, particularly in the absence of assessment matters.
 - b. Issues of wind, views, and the quality of the streetscape are already captured in notified Policies 12.2.2.2 and 12.2.2.3, and therefore are expected to be considered in relation to

14 Opposed by FS1107.76 (Man Street Properties Ltd), FS1226.76 (Ngai Tahu Property Limited & Ngai Tahu Justice Holdings Limited), FS1234.76 (Shotover Memorial Properties Limited & Horne Water Holdings Limited), FS1239.76 (Skyline Enterprises Limited & O'Connells Pavilion Limited), FS1241.76 (Skyline Enterprises Limited & Accommodation and Booking Agents), FS1248.76 (Trojan Holdings Limited & Beach Street Holdings Limited), FS1249.76 (Tweed Development Limited).

15 Opposed by FS1139.6 (Carl & Lorraine Holt) and FS1191.5 (Adam & Kirsten Zaki).

all development in the Town Centre regardless of height and therefore need not be repeated in notified Policy 12.2.2.4. To do so would risk applicants claiming benefits from the additional height which should be integral to all designs in any case.

- c. The second bullet point of notified Policy 12.2.2.4 has been amended to enable a small increase in the shading of public pedestrian space if this is offset by the provision of additional public space or pedestrian space within the site, and to add 'and' between the first and second bullet points in order to improve administration.

10.10. In response to adding specific reference to the PDP relating to the Urban Design Panel reviewing projects in the Town Centre, while I am of the opinion that most new buildings and significant projects (such as a comprehensive development plan in the Town Centre) should be reviewed by a panel of urban design professionals or an urban design professional, I consider that not all buildings in the Town Centre (which pursuant to notified Rule 12.4.6 includes alterations) will warrant such a review (as reflected by the terms of reference of the UDP). At times it may be sufficient for a report to be commissioned by the Council pursuant to section 92 of the RMA rather than using a panel. As such, I do not consider that making a review mandatory in the PDP is appropriate.

10.11. With regard to notified Policy 12.2.2.5:

- a. Submitters 59 (Lynda Baker), 82 (Toni Okkerse) and 206 (Lindsay Jackson)¹⁶ variously request that the policy be removed and, as such, that no provision is made for buildings to exceed the height limits in the CBD.
- b. Submitter 238 (NZIA)¹⁷ requests that it be amended such that pedestrian links that are provided in lieu of height should be open to the sky; and that the approval of additional height could be a tool to promote the restoration and opening up of Horne Creek.
- c. Submitters 663 (IHG Queenstown Ltd and Carter Queenstown Ltd) and 672 (Watertight Investments Ltd)¹⁸ request that notified Policy 12.2.2.5 be amended to enable buildings

16 Submitter 59 is supported by FS1063.45 (Peter Fleming and Others) and opposed by FS1236.3 (Skyline Enterprises Limited). Submitter 82 is supported by FS1063.40 and FS1063.41 (Peter Fleming and Others) and opposed by FS1107.4 and FS1107.5 (Man Street Properties Ltd), FS1226.4 and FS1226.5 (Ngai Tahu Property Limited & Ngai Tahu Justice Holdings Limited) FS1234.4 and FS1234.5 (Shotover Memorial Properties Limited & Horne Water Holdings Limited), FS1236.5 and FS1236.6 (Skyline Enterprises Limited), FS1239.4 and FS1239.5 (Skyline Enterprises Limited & O'Connells Pavilion Limited), FS1241.4 and FS1241.5 (Skyline Enterprises Limited & Accommodation and Booking Agents), FS1248.4 and FS1248.5 (Trojan Holdings Limited & Beach Street Holdings Limited), FS1249.4 and FS1249.5 (Tweed Development Limited), and FS1274.24 and FS1274.25 (John Thompson and MacFarlane Investments Limited). Submitter 206 is supported by FS1063.53 (Peter Fleming and Others), and opposed by FS1274.33 (John Thompson and MacFarlane Investments Limited) FS1236.11 (Skyline Enterprises Limited).

17 Opposed by FS1107.76 and FS1107.77 (Man Street Properties Ltd), FS1226.76 and FS1226.77 (Ngai Tahu Property Limited & Ngai Tahu Justice Holdings Limited), FS1234.76 and FS1234.77 (Shotover Memorial Properties Limited & Horne Water Holdings Limited), FS1239.76 and FS1239.77 (Skyline Enterprises Limited & O'Connells Pavilion Limited), FS1241.76 and FS1241.77 (Skyline Enterprises Limited & Accommodation and Booking Agents), FS1248.76 and FS1248.77 (Trojan Holdings Limited & Beach Street Holdings Limited), FS1249.72 and FS1249.76 (Tweed Development Limited), and FS1242.100 Antony & Ruth Stokes.

18 Submission 663 is opposed by FS1139.7 (Carl & Lorraine Holt) and FS1191.6 (Adam & Kirsten Zaki) and submission 672 is opposed by FS1236.15 (Skyline Enterprises Limited).

to exceed the non-complying height standards in situations where adverse effects arising from the additional building height are no more than minor or, failing that, in those instances specified in the notified policy (but deleting the explanation of what is considered to be beneficial urban design outcomes).

- 10.12. In response, I have recommended some minor amendments to notified Policy 12.2.2.5 in order to a) retain its focus on ensuring positive outcomes or net environmental benefits as a result of enabling additional height rather than simply minimising adverse effects and b) ensure that a breach may be considered appropriate but only in exceptional circumstances and only where specific public benefits are provided which outweigh negative effects. I note that including a policy stating that increases in height are appropriate provided the effects are no more than minor is not necessary as the test in s104D will determine this.
- 10.13. In my opinion, in the absence of assessment matters or guidelines beyond the SCA, additional policy guidance regarding what constitutes beneficial urban design outcomes should result in more efficient administration of the District Plan. I have recommended accepting in part those submissions seeking its deletion by changing the emphasis from allowing buildings to exceed height to preventing such breaches unless certain circumstances justify otherwise; adding a requirement that adverse shading effects must be minor; to acknowledge that pedestrian links/ lanes provided in lieu of extra height should be open to the sky, and that initiatives to restore and uncover Horne Creek are considered to be a public benefit. These recommended changes have been made to Policy 12.2.2.5 in **Appendix 1**.
- 10.14. In the below section I have recommended a number of changes to the height rules primarily in order to better protect public pedestrian and outdoor space from unacceptable winter shading. As a consequence of this I consider it is important to acknowledge the contribution that maintaining reasonable sunlight access into such spaces makes to the vibrancy of the Town Centre and to the quality of the pedestrian environment. As a consequential amendment I am therefore recommending adding a new policy to Objective 12.2.3 (redraft Policy 12.2.3.7) regarding vibrancy) and amending notified Policy 12.2.4.2 (regarding improvement of the pedestrian environment).

Zone-wide height rules

- 10.15. Submitter 20 (Aaron Cowie), opposed by FS1059.4 and FS1059.7 (Erna Spijkerbosch) and supported by FS1368.1 and FS1368.2 (MSP), seeks that all areas should have significantly higher property heights, especially towards the centre of Queenstown and far greater density with houses of 4-5 stories as the norm, with hotels even higher.
- 10.16. Submitter 187.14 (Nicholas Kiddle) requests that the building height limits under review be retained as raising building heights is generally supported and submitter 438 (The New Zealand Fire Service) requests that notified Rule 12.5.10 be retained.

- 10.17. Submitter 159 (Karen Boulay)¹⁹ opposes increasing building height allowances in the Town Centre, considering it is not productive for Queenstown as a tourist mecca, and submitter 417 (John Boyle)²⁰ requests that the maximum building heights enabled in the Queenstown Town Centre are no greater than those in the ODP and any other related, consequential or alternative relief.
- 10.18. Submitter 238 (NZIA)²¹ suggests that there could be incentives within the rules, such as additional height in exchange for linkages offered in desired areas. While this is related to the height issue (and has been relied on in part to recommend changes to Precinct 7 which enable greater height in lieu of confirming the view shafts will also provide open space) it is also discussed under the broad topic of urban design.
- 10.19. To assist the Panel, the following table provides a comparison between the ODP and PDP height rules.

19 Opposed by FS1236.7 (Skyline Enterprises Limited), FS1076.1 (Oxford Holdings Limited), FS1236.8 (Skyline Enterprises Limited).

20 Opposed by FS1107.158 and FS1107.159 (Man Street Properties Ltd), FS1226.159 and FS1226.160 (Ngai Tahu Property Limited & Ngai Tahu Justice Holdings Limited), FS1234.159 and FS1234.160 (Shotover Memorial Properties Limited & Horne Water Holdings Limited), FS1239.159 and FS1239.160 (Skyline Enterprises Limited & O'Connells Pavilion Limited), FS1241.159 and FS1241.160 (Skyline Enterprises Limited & Accommodation and Booking Agents), FS1248.159 and FS1248.160 (Trojan Holdings Limited & Beach Street Holdings Limited), and FS1249.159 and FS1249.160 (Tweed Development Limited).

21 Opposed by FS1107 (Man Street Properties Ltd), FS1226 (Ngai Tahu Property Limited & Ngai Tahu Justice Holdings Limited), FS1234 (Shotover Memorial Properties Limited & Horne Water Holdings Limited), FS1239 (Skyline Enterprises Limited & O'Connells Pavilion Limited), FS1241 (Skyline Enterprises Limited & Accommodation and Booking Agents), and FS1248 (Trojan Holdings Limited & Beach Street Holdings Limited), FS1249 (Tweed Development Limited), and supported by FS1368.3 and FS1368.4 (Man Street Properties Limited).

Area (PDP)	ODP	PDP (as notified)	Comments	Submissions
Precinct 1	<p>Permitted up to 12 m and 45° recession plane commencing at 10m; NC thereafter.</p> <p>Except:</p> <p>Where the new Precinct 1 is proposed over land zoned HDR in the ODP, the height is currently permitted up to 7 m on sloping and 8 m on flat sites with 45° recession plane; NC thereafter.</p> <p>The sites either side of Precinct 7 (fronting Hay and Brecon) are within the operative Transition Zone and buildings permitted up to 8 m and up to the max height permitted on any adjacent site (which is variously 1.5 m and 4 m above the level of Man St at the boundary with the sites to the south); NC thereafter.</p> <p>Secs 23-26 (The Lofts and Hamilton extension): 12m and no more than 1.5m above Man St; NC thereafter.</p> <p>All other sites in the block bound by Man, Shotover, Brecon, and Hay streets: 12m max and no more than 4 m above level of Man St; NC thereafter.</p>	<p>Permitted up to 12 m above ground level; RDIS between 12 m and 14 (15 m with 45° recession plane commencing at 12 m on single lakefront site adjacent to Earnslaw Park) and 4 story max; NC thereafter.</p> <p>Ballarat St corner site also subject to 7 m horizontal height plane commencing at the level of the proposed Inner Links road alignment.</p>	<p>Very little difference in reality as 10 m routinely breached via Resource Consent.</p> <p>Sites surrounding Precinct 7 are no longer subject to a horizontal plane requirement (to protect against high buildings at the rear of these sites and adjacent to Man St). Such building protrusions could potentially block views from (and overlook) 11 m high buildings atop the carpark building and may affect pedestrians views from Man St.</p>	<p>Yes - general and site specific; both in support and opposition.</p>
Precinct 1A	<p>Permitted up to 7 m on sloping parts and 8 m on flat with 45° recession plane on flat parts of the site; NC thereafter.</p>	<p>Permitted up to 14 m with a 45° recession plane commencing at 10m, and NC thereafter.</p>	<p>Significant difference in allowable height but in the context that the heights on the land around the site have all been increased via PC50.</p>	<p>Yes - in opposition and support.</p>

Area (PDP)	ODP	PDP (as notified)	Comments	Submissions
Precinct 2	Permitted up to 12 m and 45° recession plane commencing at 10m off Shotover St and 30° commencing @ 6.0m off Beach St; NC thereafter.	12 m and no recession plane on Shotover Street and a recession plane of 30° commencing at 6.5 m on Beach St and parapet on Beach St to be 6.5 - 7.0 m.	Higher buildings enabled on Shotover St and higher façades (by 0.5m) on Beach St to enable better 2 story design and/ or roof design without significantly affecting shading.	Yes - in opposition and support.
Precinct 3	Permitted up to 8 m (no recession plane) for the Church St block but for the area along the waterfront from Church St to Beach St a parapet height rule of 7.5-8.5 m and 45° recession plane commencing at 7.5 m is also applied.	8 m max height and no recession plane or parapet height rules.	Unchanged for the Church St/ Earl St block but the parapet height/ recession plane rule that applied to the lake front area is deleted.	Yes - in support and in opposition (to the extent that the operative rules are sought).
Precinct 4	Permitted up to 12 m and 45° recession plane commencing at 10m; NC thereafter. Except that On the north side of Church St (Nomads site and Night and Day) and the south side of Beach St (O'Connells and Stratton House) recession planes commence at 7.5m.	Provisions as per the ODP. Geographic application of this rule increased to include the north side of Church St and the south side of Beach St.	Provisions unchanged, except that they now also apply to the north side of Church St and the south side of Beach St (i.e. Nomads/ Night and Day, O'Connells, and Stratton House sites).	Yes - in support and in opposition (only to the extent that the recession plane for the identified sites has changed from 7.5m to 10m).
Precinct 5	Permitted up to 12 m and 45° recession plane commencing at 7.5m; and the street front parapet between 7.5m and 8.5m high; NC thereafter.	Provisions as per the ODP. Geographic application of this rule decreased to exclude the north side of Church St and the south side of Beach St.	Provisions unchanged, except that they no longer apply to the north side of Church St and the south side of Beach St, as outlined above.	No.
Precinct 6 (Soffitel)	12m and 45° recession plane commencing at 10 m and restricted to a level plane at 332.20 masl.	As per Operative District Plan.	Unchanged.	No.

Area (PDP)	ODP	PDP (as notified)	Comments	Submissions
Precinct 7 (Man Street carpark)	Permitted up to 8 m above ground level and up to the height allowed on any adjacent site (sites below can be 1.5 m above the level of Man St); NC thereafter.	11 m above 327.1 masl (carpark roof) and 4 m above 321.7 ²² within the viewshafts.	PDP potentially enables increased height in some places and lower height in others, depending on ground levels.	Yes - in support and opposition (seeking it be as per the ODP).
Buildings on wharves, etc.	Permitted up to 4 m above RL 312.0 masl (412.0m Otago Datum).	As per Operative District Plan.	Unchanged.	No.

22 The rule states "321.7 masl" however 2 original submissions request this be rectified to reflect the level of the concrete pad on the site, which is 321.7 masl.

10.20. In summary, in the PDP:

- a. Permitted heights in Precinct 1/ Precinct 1A have increased by virtue of the fact that the recession plane rule has been removed and buildings between 12m and 14m (15/ 15.5m on identified sites) are restricted discretionary rather than non-complying. However, given the 4 story maximum rule, the amount of additional floor space/ mass provided for by the rules is unlikely to change significantly. Of significance, Precinct 1 sites adjacent to the proposed Precinct 7 are no longer subject to a horizontal plane rule.
- b. Permitted heights in Precinct 2 have increased along the Shotover Street frontage and a minor (0.5 m) height increase has been provided along the Beach Street frontage in order to achieve better design while minimising shading effects.
- c. The rules relating to Precinct 5, Precinct 6, and buildings on wharves/ jetties are unchanged and no submitter has opposed these.
- d. Two large developed areas which were previously subject to restrictive (character-based) recession plane rules are now included in Precinct 4.
- e. In Precinct 7, the maximum height enabled is set at 11 m above the existing concrete slab (created by the underground carpark), which means the height enables a consistent building height across the site which is higher than under the ODP in some parts of the site and possibly lower in others.

10.21. The monitoring report identified that 59% of all breaches in the Town Centre between 2004 and 2011 were for over-height buildings. Further to this, the following table provides a list of relatively recently constructed buildings, which obtained resource consent between 1999 and 2015. This list is based on my own knowledge of development in the Town Centre over the past 17 years, rather than being an exhaustive list.

Resource Consent	Building description/ location	Extent of breach
RM010438	Discovery lodge, Shotover Street (val. 2910637200) - next to public open space in front of Man St Carpark PDP - Precinct 1.	Meets the 12 m but breaches the recession plane (is set back 700 mm to mitigate effect). Contains 4 storeys.
RM070263	Nomads backpackers, Church Street - between Church and Searle lane. PDP – Precinct 4/SCA.	Breaches 12 m height (approx. 15.75 m at the apexes/ chimney tops) and 7.5m recession plane significantly. Contains 4 storeys.
RM070600	Ngai Tahu (post office) development, corner of Camp and Stanley Street. PDP – Precinct 4.	Post office building exceeds 12 m height (12.83) and breaches recession plane by 2.83 m.

Resource Consent	Building description/ location	Extent of breach
-	Rear part of the Station building (2910632500), Duke Street. PDP – Precinct 1.	Breaches height (12.5 m) and slight breach of recession plane.
RM140381	New outside sports building/ old AMI building, 9 Shotover Street. PDP – Precinct 1.	Breaches 12m height (12.48 m) and breaches the recession plane by 2.1m.
RM990598	Stratton house, south side of upper Beach Street. PDP – Precinct 4/SCA.	Meets the 12 m and breaches the 7.5 m recession plane (even though setback 4 m)
RM051210	Mountaineer building, corner Shotover and Rees Streets.	Meets the 12 m maximum height. Includes a recessed 4 th storey and a basement level.
RM030719	Forge building, corner of Camp and Shotover streets.	Meets the 12 m maximum height but breaches the recession planes by up to 750mm.
RM010019	Brazz building, corner, 50 Stanley Street - opposite the Courthouse.	Breaches the maximum 12 m height (chimneys and the apex of the roof).
RM030889	Northface/ Barkers/ Huffer Building (Old outside sports building), Shotover St.	RM030889 – no height breach (breached other rules however, including coverage).
RM150881	23- 27 Beach St. Old vudu redevelopment.	Meets 12 m maximum building height and but breaches recession plane by 760mm (vertically).
RM010322/ RM150935	Forsyth Barr building, lower Shotover Street (Lot 1 DP350318) NB - this was approved prior to the rules being amended (to prevent such height in the rear of the site) as is the case in the Operative District Plan.	Breaches 12m maximum height limit (glass balustrading) and alterations breached the 12m maximum limit in three places by a maximum of 0.58m.
RM140212	New building comprising World and others next to Eichardts Hotel, 9-11 Marine Parade.	Breaches the street front parapet and recession line and the max height (8m) by up to 3.2m.
RM000812	ASB building, Camp Street.	Meets the maximum height rules but exceeds the recession plane controls.
RM000902	Church Street development (Church/ Earl/ Camp/ Marine Parade block).	Meets the maximum 8 m building height limit. However, it breaches the building coverage rules however.

- 10.22. As evidenced by the above examples, very few buildings manage to be designed within the ODP height rules and, as such, the emerging character does not reflect those rules. This suggests to me that:
- a. While the height rules might be an effective (albeit indirect) way of improving building design and enabling case by case assessment of effects and overall design, they are not efficient and do not provide any certainty or direction as to what height breaches may be appropriate and why.
 - b. The ODP rules do not accurately reflect the existing character/ environment and that the PDP rules proposed are a more accurate reflection of the bulk and form that has been evolving, particularly in Precinct 1, over recent years via non complying resource consents.
- 10.23. Shading modelling, using CityEngine software was undertaken by Council's IT Department in 2014 to test the extent of additional shading under various height scenarios and to inform the height rules. It has proven to be a valuable tool in this respect. While not its primary purpose, the model also provides an indication of the outcome that could be expected in terms of bulk and mass of buildings relative to street widths and adjacent buildings and open spaces. In the case of Precinct 7 and the surrounding Precinct 1 sites, the effect that the various scenarios may have on visual amenity, architectural outcomes, economic viability, and public and private views within the zone has also been able to be considered. Usefully, for all areas other than Precinct 1A, the existing built environment is also included in the model, which provides useful context in terms of the existing use rights/ receiving environment of the Town Centre and shows how extensively the buildings encroach beyond the permitted heights.
- 10.24. For those streets/blocks/sites where height has been specifically (and in the case of Precinct 1 generally) opposed by submitters, snapshots of various scenarios have been created from CityEngine and these are attached as Appendix A to Mr Church's evidence. Where possible these snapshots provide an indication of the shading and visual dominance effects created by the heights permitted by the ODP, those permitted by the PDP, those heights sought by submissions; and/or those recommended by me in consultation with Mr Church.
- 10.25. In terms of the methodology, assumptions and limitations of the model itself as I understand it, the key points are:
- a. Zoning envelopes were created in CityEngine automatically from land parcels by applying a number of rules to control the geometry of the zone (height, width, recession angles).
 - b. The heights are generated from a LiDAR 0.5m digital terrain model for each site. This was loaded into the City Engine modelling software and the average height across each site was calculated and used as the basis for existing ground level and all further

analysis. Noting that on sites that have variable elevation there would be many factors that would determine the actual ground height for any one development.

- c. The existing built environment has been automatically generated from the building footprints and LiDAR and are organised according to the Local Government Information Model schema, part of the Local Government Scenes solution.
- d. The shadows scenarios (i.e. the screenshots from CityEngine) for zoning envelopes and modelled buildings use the azimuth and elevation of the sun calculated at the time and date specified using www.sunearthtools.com/dp/tools/pos_sun.php.

10.26. In terms of how the model has been used for the purposes of considering submissions on the notified chapter, I make the following additional comments:

- a. The heights are based on the LiDAR data for each site.
- b. The snapshots are taken at the middle of the traditional lunchtime on 11 July and 11 August, with the rationale being that this is a busy time for pedestrians and diners may wish to eat outside. The July date was chosen as it falls within the winter peak season when it is usual for the New Zealand and a number of Australian states school holidays to coincide and when the ODP building heights generally provide acceptable sunlight to the opposite side of the wider streets. The August date was chosen as it is still relatively busy and is when the ODP building heights provide an acceptable extent of sunlight to the opposite side of the narrower pedestrian streets.
- c. In regard to the Man Street block, the CityEngine model was used primarily to test the shading on Shotover Street and secondarily to illustrate the indicative height envelope for the block. The Reduced Levels (**RLs**) of the Man Street carpark concrete slab were used as a basis for modelling the building heights and viewshafts that are being recommended on that site. The model for the remainder of the block (i.e. the adjacent sloping sites) was imported from SketchUp software. This was used to model the rolling height limits that are being recommended for the block and was based on stringing together the cross sections of the interpolated ground levels and using the surveyed levels of Shotover, Man, Brecon, and Hay streets. In my opinion this is a reasonably accurate reflection of the methodology that will be used to determine ground levels and allowable heights when someone applies for resource consent on these sites.

10.27. While many submissions generally support the increases in height (discussed in more detail under each height precinct), others are opposed to such increases. In response to these general submissions and for the reasons outlined below, I consider it is appropriate in principle that building height be increased beyond those set in the ODP in some parts of the Town Centre in order to achieve the objectives of high quality urban design, character, heritage values, and sense of place.

10.28. Each of the precincts is discussed in turn below in relation to the submissions received specifically on each precinct, and I also rely on the expert evidence of Mr Tim Church.

Height Precinct 1

10.29. Notified Precinct 1 includes generally that land outside the SCA, that still offers considerable potential for redevelopment and that results in the least shading effects (over and above the existing situation). It includes most of the land fronting Shotover and Stanley Streets, the newly added Town Centre zoning on upper Brecon Street, and 48-50 Beach Street which is adjacent to Earnslaw Park. The latter is recognised as a unique case due to its existing use rights and the opportunity the site provides to create a landmark building when redeveloped in the future. The highest building heights in the Town Centre are allowed in this area.

10.30. With regard to notified Rule 12.5.10.1, Submitters 59 (Lynda Baker), 82 (Toni Okkerse) and 206 (Lindsay Jackson) seek that the maximum height limit in Precinct 1 be changed from 12m to 8.5m. The reasons given by submitter 59 are that increasing height will adversely affect views, sunlight, and the quality of public spaces; contradicts notified Policies 12.2.2.2 (regarding maintaining the existing human scale of the CBD and contributing to the quality of public spaces and footpaths and positively responding to the Town Centres character) and 12.2.2.3 (regarding retaining and providing important view shafts of surrounding landscapes and maintaining sunlight access to public spaces and footpaths); and will increase the number of workers and visitors to the Town Centre and this will increase traffic congestion, pollution and parking. These are variously opposed and supported by a number of further submitters.²³

10.31. Similarly Submitter 599 (Peter Fleming) opposes Precinct 1 (notified Rules 12.5.9 and 12.5.10) as it affects the village square proposal and the waterfront.

10.32. To the contrary, Submitter 606 (Skyline Investments Limited & O'Connells Pavilion Limited) supports the 15m height allowance for secs 4-5 Blk Xv Queenstown Tn (the lake front site adjacent to Earnslaw Park currently occupied by AVA backpackers) (opposed by FS1063.24 and FS1063.26 (Peter Fleming and Others); submitter 609 (Skyline Properties Limited & Accommodation and Booking Agents Queenstown Limited) supports the 14m height allowed on the Chester building site on Shotover Street (opposed by FS1063.31, FS1063.32 and FS1063.33 (Peter Fleming and Others); Submitter 614 (Shotover Memorial Properties Limited & Horne Water Holdings Limited) supports the inclusion of 9 Shotover St in Precinct 1 and the

²³ Submitter 59 is supported by FS1059.6 and FS1059.43 (Erna Spijkerbosch) FS1063.43 and FS1063.44 (Peter Fleming and Others) and opposed by FS1236.1 and FS1236.2, (Skyline Enterprises Limited), FS1075.1 (Oxford Holdings Limited), and FS1125.8 (New Zealand Fire Service). Submitter 82 is supported by FS1063.39 (Peter Fleming and Others) and opposed by FS1107.3 (Man Street Properties Ltd) FS1125.9 (New Zealand Fire Service) FS1226.3 (Ngai Tahu Property Limited & Ngai Tahu Justice Holdings Limited), FS1234.3 (Shotover Memorial Properties Limited & Horne Water Holdings Limited), FS1236.4 (skyline Enterprises Limited), FS1239.3 (Skyline Enterprises Limited & O'Connells Pavilion Limited) FS1241.3 (Skyline Enterprises Limited & Accommodation and Booking Agents), FS1248.3 (Trojan Holdings Limited & Beach Street Holdings Limited), FS1249.3 (Tweed Development Limited), FS1274.23 (John Thompson and MacFarlane Investments Limited). Submitter 206 is supported by FS1063.51, FS1063.52, and FS1063.56 (Peter Fleming and Others) and opposed by FS1060.1 (Oxford Holdings Limited) FS1236.9 and FS1236.10 (Skyline Enterprises Limited), FS1274.31 and FS1274.32 (John Thompson and MacFarlane Investments Limited).

14m/ no recession plane height rule that applies (supported by FS1200.1, FS1200.2, and FS1200.3 (Stanley Street Investments Limited and Stanley Street Limited and Kelso Investments Limited), and Submitter 438 (The New Zealand Fire Service) requests that notified Rule 12.5.9 be retained.

- 10.33. For the reasons contained in Mr Church's evidence and in the S32 report²⁴ and as further discussed below, in my opinion, with the exception of removing the reference to 4 stories and enabling the creation of landmark buildings to be considered at resource consent stage, the Precinct P1 height rules are the most appropriate when compared with the alternatives sought (i.e. a maximum 8.5 m height, the ODP rules, or increasing heights beyond the 12 m proposed).
- 10.34. In my opinion, the proposed height rules for Precinct 1 will be both effective and efficient at achieving the objectives of creating/maintaining a Town Centre that is relevant to both residents and visitors (driven in part by enabling more affordable upper floor space through reduced compliance costs) (notified Objective 12.2.1); achieving high quality urban design outcomes and creating a sense of place (notified Objective 12.2.2); and creating a compact and easily accessible Town Centre (notified Objective 12.2.4). The rules strike a balance between the status quo and enabling some modest increases in height which will help design and efficiency without adversely affecting shading to an extent that I consider to be unacceptable.
- 10.35. More specifically, the proposed Precinct 1 height rules will achieve notified Policies 12.2.2.2 (regarding human scale and the quality of public spaces and footpaths and character) and 12.2.2.3 (regarding retaining and providing important view shafts of surrounding landscapes and maintaining sunlight access to public spaces and footpaths). I also concur with Mr Church (paragraph 5.16) that the proposed height is within the commonly accepted building height to road width ratios (ideally between 1:3 and 1:1.5 range), with the rules enabling a ratio of around 1:1.6, which I consider to be appropriate given the objective of a compact Town Centre contained by the surrounding topography.
- 10.36. Relying on the shade model (refer Figures 10 and 12 in Mr Church's Appendix A),²⁵ in my opinion, the increase in shading of public places that may result from removing the recession plane rule will be minimal. In concluding this I note that, through modelling and visual analysis, it was clear that heights over 12 m could potentially have unacceptable adverse effects on sunlight access to public space (including footpaths) and, as such, the 14 m height allowance is as a restricted discretionary activity and there should be no presumption that it will be appropriate in all instances. Provided the cumulative effects of any additional height can be assessed and that there is a net overall benefit from the additional height (as identified in notified Policy 12.2.2.4) then allowing some buildings to extend up to 14 m on a case by

24 S 32 Evaluation Report Queenstown Town Centre, pages 19 – 21.

25 At pages 10 and 11.

case basis would be appropriate (and beyond this in limited instances subject to non-complying consent). Of particular note, as discussed in some detail by Mr Church and as illustrated in Appendix A of his evidence the shading effects from the heights permitted on the sites specifically mentioned in submissions in my opinion, are appropriate.

- 10.37. Whereas I had undertaken shading analysis using the model in the drafting of the provisions, Mr Church and I conducted further analysis in the preparation of this evidence. Our analysis was based on criteria that the maximum permitted building height should not create any more than minor additional shading on a 2.5 m strip of public pedestrian space on the opposite side of the road up until at least 12.30 pm (i.e. mid lunchtime) and that this should be assessed at or around the time of the year that this strip comes into full sun under the ODP rules (i.e. following the mid-winter months). We acknowledged that on most streets this strip will be in full shade during the busy lunch hour for many of the winter months even under the ODP rules and that, on this basis, there was little point in considering shading effects during those months as essentially they would be nil.
- 10.38. Furthermore, we considered that this key strip of public space should be in sunlight for as many months of the year as possible; noting how important the amenity and vibrancy of the Town Centre is to the economic and social wellbeing of the wider community and that, during the day, access to sunlight is an important component. We also concluded from the model that using the equinox as the key date was of little use as, in most instances, there would be little if any effect on sunlight over the critical public space at the time of the year regardless of the height being tested. For the reasons outlined above regarding the amenity, social and economic benefits that accrue from providing sunny outdoor space, I considered it inappropriate to impose heights that would provide little or no sun to key spaces and busy footpaths for up to 6 months of the year. This all translated to testing the model on wider streets such as Shotover Street on 11 July (which is also one of the busiest months in terms of tourism) and the narrow pedestrian streets of Beach St and the Mall on 11 August.
- 10.39. In my opinion, 14 m high buildings can be designed to achieve a human scale and to accommodate 4 storeys of reasonable internal quality and an interesting roof. Enabling this as a restricted discretionary activity (as opposed to being non complying under the ODP) is far more efficient than triggering a non-complying consent and should have the indirect effect of discouraging those wishing to develop 4 storeys from the temptation to squeeze them into 12m as has occurred in the past in at least two instances; with relatively poor results, in my opinion. These two examples are shown in Appendix A of Mr Church's evidence.
- 10.40. Specifically in relation to 48-50 Beach Street, I concur with Mr Church that the shading effects of the proposed height limits as compared with the ODP building height are minimal. Taken holistically, the effects of enabling redevelopment of this important, potentially landmark site in the future by providing more permissive rules which would enable rooftop 'plant' to be incorporated in the roof form, higher stud heights, and a higher quality form overall are

positive. As such, I am of the opinion that applying Precinct 1 to this site is most appropriate. Furthermore, based on the submissions of Submitter 606 (Skyline Investments Limited & O'Connells Pavilion Limited) who supports the 15m and submitter 20 (Aaron Cowie) who seeks higher heights, I agree with Mr Church that the role of landmark buildings should be included as a matter of discretion in relation to whether granting restricted discretionary height is appropriate (see amended Policy 12.5.9 in **Appendix 1**).

- 10.41. Relying on the analysis that I have undertaken in relation to the added capacity enabled by the changes in the height rules, I am of the opinion that any increase in capacity will be insignificant. As evidenced by existing resource consents approved within Precinct 1 in recent years²⁶ (as outlined earlier) and the shading model, the extent to which existing built form has been allowed to encroach into the recession planes and, to a lesser extent, the height limit in order to maximise gross floor area (**GFA**) (and enable 4 storey development where desired) is widespread. As such, I am of the firm view that while the PDP rules will impose a lesser consenting barrier and lower consenting costs, the increased height is likely to enable or encourage only a modest increase in capacity and will have no significant effect on the number of workers and visitors to the Town Centre, traffic congestion, pollution, or parking.
- 10.42. In relation to Precinct 1A, Submitter 383 (QLDC) requests that notified Rules 12.5.9 and 12.5.10.1 be amended such that building height up to 12 m is permitted, heights between 12 and 15.5 m are restricted discretionary, and those beyond that are non-complying. This is opposed by FS1236.12 (Skyline Enterprises Limited), who requests an absolute height limit of 17.5 m over Section 1 SO 22971 in order to accommodate future upgrades to the Gondola bottom terminal.
- 10.43. Submitter 574 (Skyline Enterprises Limited) requests that the proposed maximum height allowed in Precinct 1A be changed to 15.5m to avoid the current ambiguity and contradiction. This is opposed by FS1063.22 (Peter Fleming and Others).
- 10.44. Submitters 663 (IHG Queenstown Ltd and Carter Queenstown Ltd), 667 (Cedric Hockey), and 672 (Watertight Investments Ltd) suggest some minor wording amendments to the Precinct 1A rule, which I recommend accepting (see Rules 12.5.9 and 12.5.10 in **Appendix 1**), noting that they are for clarification only. Submissions 663 and 667 are opposed by FS1139.14 (Carl & Lorraine Holt), FS1191.13 (Adam & Kirsten Zaki), and FS1236.13 (Skyline Enterprises Limited) respectively.
- 10.45. For the reasons contained in the original S32 assessment²⁷ and in the further S32AA assessment included as **Appendix 4**, I consider that the amendments sought by the QLDC in terms of height within Precinct 1A are the most appropriate, when compared with the

26 S 32 Evaluation Report Queenstown Town Centre, pages 19 - 21

27 Appendix 3

alternatives of imposing the operative permitted building height (i.e. 7/ 8 m); retaining the notified PDP provisions (i.e. permitted up to 14 m and non-complying thereafter); or enabling the height requested by the further submitter (17.5 m). Of relevance, since the s 32 report was prepared and the PDP notified, Plan Change 50 has become operative. As such, the sites on the opposite side of Isle Street from this site are subject to a 12m height limit plus an additional 2 m roof bonus (and height can extend up to 15.5m if the site exceeds 2,000m² and fronts Isle or Man Street) and the site on the opposite side of Brecon Street, adjacent to the cemetery is subject to a 15.5 m height limit plus an additional 2 m for any roof that is set back from boundaries and is limited to 40m² in area.

- 10.46. In summary, the key reasons for recommending the 12 m as permitted (with a recession plane) and up to 15.5 m as restricted discretionary are that it utilises the rule framework that is proposed for Precinct 1 (i.e. a base level of allowable height and additional height provided the building is well designed) but enables more height (i.e. 15.5 m rather than 14 m) than is enabled in most parts of Precinct 1 in order to be as consistent with building heights on surrounding properties as possible. To the contrary, the ODP 7/ 8 m limit is inconsistent with the heights enabled by Plan Change 50, which affects many of the adjacent properties.
- 10.47. The notified limits are somewhat nonsensical in that Rule 12.5.10.1 makes all building over 14 m non complying, thereby making the discretionary rule (which in theory enables buildings up to 15.5 m) redundant; permitting either a 14 m or 15.5 m height limit as per the PDP or as sought by Skyline are considered too high in the context of the site, which is highly prominent from Gorge Rd and Hallenstein Street and the cemetery and may result in unacceptable shading on Brecon Street. The further submitter's request for a 17.5 m height is considered to be out of scope in that it goes beyond what is allowed by the PDP or is sought by the original submission.
- 10.48. The recommended changes to notified Rules 12.5.9 and 12.5.10 are included in **Appendix 1** and a Section 32AA of the amended height rules is included in **Appendix 4**.
- 10.49. Submitter 630 (DowntownQT) supports an intensification of residential development along with additional height allowances; regards the caveat around Green Star ratings as being worthwhile; and agrees that if developers achieve a Green Star rating they should be able to add additional height to a building provided new buildings must be fit for purpose.
- 10.50. I am aware that in her s42A report on the Medium Density Residential Zone chapter, Ms Leith has recommended against retaining the provision allowing greater density where 6 star Homestar rating is proposed. While some of her concerns (e.g. the zone turning into a de facto HDR zone) are not relevant in the QTTC context, I do share her concerns regarding the implementation of the Homestar rating tool and that there is a real risk that increased height may be granted on the basis of compliance with the tool and yet if it is not constructed to that standard the height would be difficult to reverse. While notified Policy 12.2.2.5 could be

amended to include this as a possible reason for allowing additional height, on balance I am not recommending any change to the rules or policy in this regard in order to achieve a consistent approach across the PDP. I also note that the stringent insulation requirements for all residential and visitor accommodation in the QTTC Zone will go some way toward assisting with achieving sustainable buildings.

Height Precinct 2

- 10.51. Precinct 2 covers the block bound by Shotover, Camp, Rees, and Beach Streets. It is unique in that the narrow width of upper Beach Street means that buildings within this precinct must adhere to a shallow recession plane off this boundary yet there is no adverse shading effects from enabling heights to extend up to 14 m in this block subject to complying with that recession plane.
- 10.52. Submitter 383 (QLDC) requests that notified Rule 12.5.10.1 be amended to clarify that Precinct 2 is subject to notified Standard 12.5.10.1 and that, as such, buildings can extend to 14 m in Precinct 2. As notified it could be interpreted that Precinct 2 is subject to this rule (as alluded to by 12.5.10.1(d)) or that it is subject to a 12 m height limit as per notified Rule 12.5.10.5. The amendment proposed in **Appendix 1** accepts the submission and this reflects the rationale outlined in the S 32 report that the greater height is enabled in order to offset the relatively restrictive recession plane/ façade height enabled on the Beach Street frontage of that block and recognising that a considerable proportion of ownerships within the block run through the whole block and have frontage to both streets.
- 10.53. Submitter 616 (Trojan Holdings Limited & Beach Street Holdings Limited) requests that notified Rule 12.5.10.1(d), which sets a maximum and minimum parapet height along part of Beach St, be deleted. The submitter considers that the recession plane on the north side of Beach Street (along with the setback rule) will limit the efficient use of a scarce resource, will place significant limits on development potential without any identifiable benefits, is not necessary as a suitable design can be achieved without arbitrarily imposing additional bulk and location controls, and will be ineffective and unnecessary in encouraging sunlight into Beach Street, considering that the angle of the sun is such that the recession plane control has no impact on the level of sunlight in the street.
- 10.54. While there are no other submissions that specifically relate to Precinct 2, the submission from submitter 417 (Mr Boyle) which seeks that the operative height rules be retained allows the Panel to further consider its appropriateness.
- 10.55. The following scenarios were modelled for Precinct 2, using the CityEngine software:
- a. 6.0 m facade and a 30° recession plane (i.e. ODP).
 - b. 6.5 m facade and a 30° recession plane (i.e. PDP).

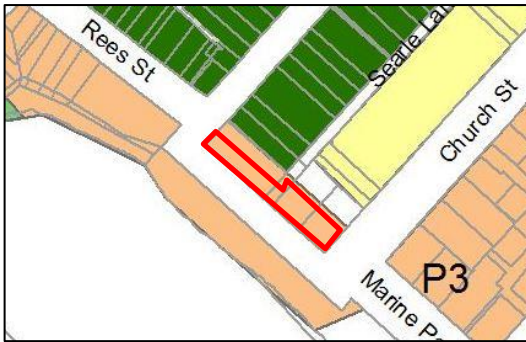
- c. 7.0 m facade and a 30° recession plane (i.e. to test the merit of the submitters request to delete the recession plane entirely and the effect of deleting the setback but continuing to allow a parapet to protrude through the recession plane by 0.5 m).
 - d. 6.5 m facade and a 45° recession plane (i.e. to test the merit of submitters request to delete the recession plane entirely).
- 10.56. The first three of these are illustrated (in accordance with the criteria outlined earlier in this report) in the visuals attached as Appendix A of Mr Church's evidence. In summary that modelling concluded that at 12.30 pm on 11 August the 2.5 m of public space was fully in sun under the ODP rules; the effect on sunlight access at this same time under the PDP rules was only minor (along the frontage of Glassons), and that minor reduction in sunlight access would remain for about 1 week. The effect on sunlight access at this same time under a 7 m high recession plane rule was significant and in my opinion is unacceptable and not justified by the small increase in building height.
- 10.57. Considerable thought went into the provisions relating to Precinct 2 to enable as much height as possible on the Beach Street frontage to provide additional height up to 14 m as permitted along the Shotover Street frontage (in recognition of the restrictive rules on Beach Street) in order to enable well designed built form and efficient landuse, while preventing any more than minor additional shading of Beach Street. It is noted that in many instances, the same owner owns the land right through from Beach Street to Shotover Street and, therefore, is able to design a comprehensive development which can take advantage of the rules in order to maximise development potential. I note that Mr Church and I were also cognisant of how narrow Beach Street is and therefore that buildings on boundary with a frontage of more than, say 7-8 m in height, would appear out of scale with the street, regardless of shading concerns.
- 10.58. For these reasons and those given in the s 32 report, the proposed heights are considered to be the most appropriate way of enabling development within the Precinct 2 block which meets the objectives of the PDP and, as such, no change is recommended.

Height Precinct 3

- 10.59. Notified Precinct 3 covers the land directly abutting the QTTC waterfront subzone extending from Earl Street to (and including) Steamer Wharf, as well as the recently developed block bound by Marine Parade, Church, Earl, and Camp streets. This area allows the lowest absolute height in the QTTC, which reflects the ODP rules for this area (identified in the ODP as 'precinct 2 of the SCA' and as a specific area identified on the planning map).
- 10.60. Submitter 606 (Skyline Investments Limited & O'Connells Pavilion Limited) supports the notified Rule 12.5.10 (including removal of the parapet and recession plane controls) in relation to the Marine Parade frontage site and the dairy corner (being that site which extends

from the area of Precinct 1 (on notified Figure 2) on the waterfront around the corner of Beach and Rees streets). This is opposed by FS1063.24 (Peter Fleming and Others).

- 10.61. Submitter 609 (Skyline Properties Limited & Accommodation and Booking Agents Queenstown Limited) supports removal of those parapet and recession plane controls that would otherwise be applicable to the Town Pier site and Part Section 16 and Lot 1 of the Eichardts site (opposed by FS1063.31 (Peter Fleming and Others)).
- 10.62. Also of relevance, submitter 417 (John Boyle) seeks that the operative height rules for the QTTC be reinstated.
- 10.63. In the ODP, these sites are within an 8 m building height restriction area but are also subject to a 45° recession plane commencing at 7.5m above any street boundary. The 8 m height limit is considered effective and efficient, without the added requirement given that a recession plane commencing just 0.5 m below the maximum allowable height would be ineffective at mitigating shading effects or influencing design in any positive way. As such, I do not recommend including the recession plane rule but, for the reasons outlined in the evidence of Ms Gillies (paragraph 7.2), I recommend reinstating the ODP rule specifying that a parapet shall be between 7.5 and 8.5 m in height and may protrude (0.5m) through the maximum height plane. I rely on submission 417 to do so.
- 10.64. In terms of the boundaries of Precinct 3, Submitter 383 (QLDC) requests that Precinct 3 be extended to include those areas to the immediate north, which are currently either included in Precinct 5 or not included within any precinct (i.e. the rear parts of the Marine Parade Site at the corner of Marine Parade and Church Street have no precinct assigned to them). Similarly, submitter 606 (Skyline Investments Limited & O'Connells Pavilion Limited) requests that the portion of the Marine Parade Site that is currently not shown within a Height Precinct be included within Precinct 4 and the Height Precinct Map be amended accordingly. This is opposed by FS1063.30 (Peter Fleming and Others).
- 10.65. These sites are shown in red in the plan below entitled "Source: Figure 2 - Notified PDP". As can be seen from the other two plans, realigning Precinct 3 boundary to include these two areas corresponds a) with the boundary of the ODP and b) with the physical buildings and cadastral boundaries. It would be nonsensical to split these existing sites into different height precincts and, as such, relying on submitters 417 (Mr Boyle) and 383 (QLDC), it is recommended that the Height Precinct Map be amended as shown in **Appendix 1**.



Source: Figure 2 - Notified PDP



Aerial photograph.



Source: Planning map 36 - Operative District Plan

Height Precinct 4

10.66. Notified Precinct 4 includes the land to the north of Earnslaw Park on the northern side of lower Beach Street, the Novotel hotel site, the land on the north side of Camp Street and east of (and including) the post office, most of the western side of Church Street, and most of the eastern side of upper Beach Street. This area is subject to the OPD height rule, which allows 12 m building heights with a 10 m high recession plane. In general, these areas have either been recently (re)developed or the shading effects of not imposing a recession plane are not considered acceptable.

- 10.67. In relation to Precinct 4, submitter 606 (Skyline Investments Limited & O'Connells Pavilion Limited) supports the notified Rule 12.5.10 (including removal of the parapet and recession plane controls) in relation to the O'Connells site and submitter 616 (Trojan Holdings Limited & Beach Street Holdings Limited) supports notified Rule 12.5.10 as it applies to Stratton House, including the height recession plane control as provided in notified Rule 12.5.10.5(a).
- 10.68. The general submission by Submitter 417 (Mr Boyle) seeks a return to the ODP rules zone-wide.
- 10.69. I note that both Ms Gillies and Mr Church favour replacing the Precinct 4 that has been applied to the majority of the north side of Church Street (i.e. the premises extending from Nomads to the Night and Day) and to the majority of the south side of upper Beach Street (i.e. containing O'Connells Mall and Stratton House) with Precinct 5. The effect of this is that a (45°) recession plane commencing at 7.5 m above the street boundary would be applied to these sites, rather than a recession plan commencing at 10 m as in the notified Rule 12.5.10.
- 10.70. Relying in part on the evidence of Ms Gillies and Mr Church, I am of the view that it is more appropriate to apply Precinct 5 (i.e. the 7.5 m recession plane) to these two areas, particularly in relation to the south side of Beach Street. I note that both areas contain sites that will be redeveloped over time, both are within the SCA and therefore are subject to the guidelines (which supports a 3rd storey being setback from the façade), and that a 10 m high façade on the boundary is likely to have adverse effects either on visual dominance, character, or sunlight access. I also highlight that with the setback on Beach Street recommended to be removed this heightens the concern that 10 m high building facades on the boundary of such a narrow street is inappropriate and inconsistent with the existing environment. The reasons are more fully outlined in the evidence of Ms Gillies (paragraphs 8.1-8.6) and Mr Church (paragraphs 18.1 to 18.7), as well as in my s 32AA evaluation.
- 10.71. I therefore recommend applying Precinct 5 to those parts of the north side of Church Street (i.e. the premises extending from Nomads to the Night and Day) and the south side of upper Beach Street (i.e. containing O'Connells Mall and Stratton House) that are shown as Precinct 4 in the notified Figure 2. This change has been made to redraft Figure 2 in **Appendix 1** and a s 32AA evaluation is included in **Appendix 4**.

Height Precinct 5

- 10.72. Notified Precinct 5 includes the land either side of The Mall (lower Ballarat Street) and that area on the north-eastern side of Rees Street, between The Mall and Beach Street. While it enables buildings up to 12 m, a 7.5 m recession plane is imposed, which reflects the fact this area is at the core of the Special Character Area and within a heritage precinct and acknowledges the narrowness of The Mall. The notified height rules (12.5.10) that apply to

this area are unchanged from the ODP and, as it attracted no submissions in opposition, it need not be further considered in this report.

Height Precinct 6

10.73. Notified Precinct 6 includes that triangular parcel of land bound by Duke, Man, Brecon and Camp Streets, to which a site specific height rule is applied. It is unchanged from the ODP and as it attracted no submissions in opposition to this, it need not be further considered in this report.

Height Precinct 7 and the surrounding Height Precinct 1 land within the Man St block²⁸

10.74. Notified Precinct 7 includes the majority of the land bound by Man, Brecon, Hay, and Shotover Streets and notified Rule 12.5.10 applies a range of site-specific height rules to that area.

10.75. Submitter 383 (QLDC) requests that the typographical error in notified Rule 12.5.10.4 be amended such that reference to 321.7 masl is changed to 327.1 masl. This is opposed by FS1274.37 (John Thompson and MacFarlane Investments Limited).

10.76. Submitter 417 (John Boyle) requests that the maximum building heights enabled in the block bounded by Man, Brecon, Shotover and Hay Streets be no greater than those enabled in the ODP and any other related, consequential or alternative relief. A number of further submissions²⁹ oppose this.

10.77. Submitter 398 (Man Street Properties Limited (**MSP**)) supports its site being in Precinct 7 and the 11 m height limit that applies but requests that the viewshafts on the site be confirmed or moved so the western-most view shaft is positioned to correspond with Section 26 Block IX Town of Queenstown. This is opposed by FS1274.5, FS1274.6, FS1274.11, and FS1274.18 (John Thompson and MacFarlane Investments Limited).

10.78. In relation to the Precinct 1 sites surrounding Precinct 7, Submitter 398 (MSP) requests that those sites adjacent to it are also subject to rules which impose a maximum height based on specified Reduced Levels (**RLs**)³⁰ (rather than simply allowing 12 m above ground level) and

28 That block bounded by Man, Shotover, Hay, and Brecon Streets.

29 FS1107.158 and FS1107.159 (Man Street Properties Ltd), FS1226.159 and FS1226.160 (Ngai Tahu Property Limited & Ngai Tahu Justice Holdings Limited), FS1234.159 and FS1234.160 (Shotover Memorial Properties Limited & Horne Water Holdings Limited), FS1239.159 and FS1239.160 (Skyline Enterprises Limited & O'Connells Pavilion Limited), FS1241.159 and FS1241.160 (Skyline Enterprises Limited & Accommodation and Booking Agents), FS1248.159 and FS1248.160 (Trojan Holdings Limited & Beach Street Holdings Limited), and FS1249.159 and FS1249.160 (Tweed Development Limited).

30 Amend the maximum height control for the following sites as follows:

- Section 6 Block IX Town of Queenstown - Maximum height 338 masl
- Section 5 Block IX Town of Queenstown -Maximum height of 331 masl
- Section 1-4, 29 & 30 Block IX Town of Queenstown -Maximum height of 328 masl
- Lot 1 DP 350318 - Maximum height of 337 masl
- Sec 26 Block IX Town of Queenstown - Maximum height of 330.1 masl
- Sec 21,23-25 Block IX Town of Queenstown and Part Lot 2 and Lot 4 DP 7789 and Lot 2 DP 25433 - Maximum height of 328 masl.

that the maximum height control on Lot 1 DP 25433 (30 Man St) should better reflect the maximum height controls proposed within this submission and other height controls on Man St (although no particular height rule is sought). This is opposed by FS1274.12, FS1274.14, and FS1274.15 (John Thompson and MacFarlane Investments Limited).

- 10.79. Similarly, submitter 548 (Maximum Mojo Holdings Limited) requests that the building height limit for 10 Man Street is the same as the height limit for Precinct 7. This is further submitted on by FS1117.215 and FS1117.216 (Remarkables Park Limited) but it is unclear whether it supports or opposes the submission.
- 10.80. Of relevance, as previously outlined under the zone-wide height rules, submitter 20 (Aaron Cowie) (opposed by FS1059.4 and FS1059.7 (Erna Spijkerbosch) and supported by a late further submission by FS1368.1 and FS1368.2 (Man Street Properties Limited) seeks that all areas should have significantly higher property heights, especially towards the centre of Queenstown and far greater density with houses of 4-5 stories as the norm, with hotels even higher.
- 10.81. Also of relevance, as previously outlined under the zone-wide height rules, submitter 238 (NZIA) (supported by a late further submission from MSP), suggests that there could be incentives within the rules, such as additional height in exchange for linkages offered in desired areas.
- 10.82. I rely on the submission of Mr Cowie to provide scope to recommend amended heights which may be higher than what is achievable under the ODP or the PDP in some parts of the block. I also consider that the submission by NZIA provides the opportunity to provide extra height in some areas of the site in lieu of lowering it on the view shafts in other parts so that they can serve as open space and potentially as linkages through the site. Notably, MSPs further submissions (FS1368.1 and FS1368.2) notes the following as one of the reasons for the further submission:

Since plan change 50 has been confirmed the submitter has had to give greater consideration to issues of height given the height increases allowed within the Isle Street blocks located across Man St from their land.

- 10.83. Given the steeply sloping nature of the Man Street block, I agree with MSP that enabling buildings to extend up to 14m above original ground level, including on relatively elevated (rear) parts of their sites, without a corresponding horizontal plane rule will result in adverse effects on views, visual amenity, massing and bulk, and on the overall quality of the resultant architectural and urban design outcomes. As such with the assistance of modelling, I have recommended rules for the block (redraft Rules 12.5.10.4). The outcome of these rules is modelled in Appendix A of Mr Church's evidence. While the rules themselves are worded differently to those suggested by MSPs submission, the outcome is not dissimilar to that

sought and, in my opinion, is an appropriate way of addressing the submitter's key issues as well as achieving the objectives of the District Plan.

10.84. The recommended rules are necessarily complex due to the flat carpark site being surrounded by sites with steeply rolling ground levels and are best explained with the help of the following plan, which is recommended to be included within Rule 12.5.10 of the PDP, noting that the rule applies different height rules to areas A - F as shown below:



10.85. The recommended heights will be achieved by retaining those areas shown in green above within Precinct 1 and including all other sites within Precinct 7 and applying specific height rules to various parts of that precinct, as shown above.

10.86. The recommended approach to height on the Man St carpark site (shown as Areas A - D in the height plan above) is to enable buildings to extend to 11 m above the known height of the concrete slab east of the central viewshaft (Area D) (which I recommend be moved further west as sought by MSP for the reasons in the submission); buildings up to 14 m above the concrete slab in that area west of the central viewshaft (Area D); no buildings within the eastern viewshaft (Area C); and a maximum 3 m building height within the central viewshaft

(Area D). This provides for two discrete building forms to be constructed of varying levels separated by viewshafts/ open plaza spaces of approximately 12m and 16m in width respectively, which:

- a. will prevent a long horizontal built form stretching across this highly visible site; and
- b. enable an extra floor of development in the western block, which in turn results in a more consistency with the surrounding properties, still provides for 3 floors with uninterrupted views to the south (noting that the sites in front may be built up to 1 floor above the existing slab level) and provides for a far better streetscape along Man Street, with the building on the eastern block extending between approximately 7.5 m and 11 m above street level (noting that the PDP rules result in a building at the western end of the site protruding between 4.5 m and 9 m above the street, which would appear something of an anomaly) and have limited street presence.

10.87. The approach taken to managing height on the remaining sites within the expanded Precinct 7 (i.e. those that front Shotover Street and are to the south of the carpark site) is to recommend adding a new rule and height map (redraft rule 12.5.10/4) which enables buildings to extend to 12 m above (rolling) ground level and require that they be no more than 17m above the level adjacent to the respective site on Shotover Street in Area E and no more than 14m above the level adjacent to the site on Shotover Street in Area F); and require buildings to comply with a 45° recession plane commencing at 10 m, which is similar to Precinct 4. It is also recommended that Precinct 7 be expanded in redrafted Figure 2. These height limits will:

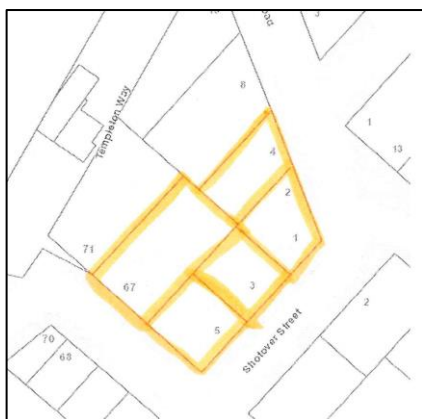
- a. Avoid unreasonable shading on Shotover Street.
- b. Result in a reasonably consistent streetscape/ building height along Shotover Street.
- c. Will enable the buildings to obtain good views yet avoid excessively high built form and massing and unattractive roof forms akin to the Forsyth Barr building (as is enabled in the notified PDP), which may be visually dominant and out of character when viewed from the Town Centre, the waterfront, and Queenstown gardens.
- d. Provide for the building constructed on top of the carpark building to have 3 floors with views to the south and that the Precinct 1 sites either side of that either retain views or at the very least are not lower than the buildings in front.
- e. Encourage varied built form resulting from the rolling height plane which is likely to be more visually acceptable when viewed from Queenstown Bay and other such public places.
- f. Ensure the view shafts shown on the Man St carpark site are carried through the whole block.

- g. Minimise shading on the open space on the corner of Brecon and Shotover Streets.
- 10.88. The approach taken to managing height on the remaining sites either side of the Man Street carpark is to retain them within Precinct 1, thereby enabling buildings to be built to 12 m (or potentially to 14 m as a restricted discretionary activity). While higher than the heights allowed on the carpark site, these heights will not be significantly inconsistent with those heights or those enabled on the opposite side of Man Street (under ODP as amended by Plan Change 50) and given the slopes involved it is unlikely that development will maximise the height allowances. The rules will enable built form which steps down the slope with the height plane, which is consistent with the approach elsewhere on land surrounding the Queenstown Town Centre.
- 10.89. An assessment³¹ of the recommended changes to Rule 12.5.10, as outlined above, has been undertaken pursuant to Section 32AA of the RMA is included in **Appendix 4**.

11. ISSUE 3 - THE APPROPRIATENESS OF THE EXTENSIONS TO THE QUEENSTOWN TOWN CENTRE ZONE

- 11.1. In summary, in my opinion, no submitter has opposed the Town Centre boundaries and, as such, I am recommending no changes in relation to the Queenstown Town Centre boundary.
- 11.2. Various submitters support the notified changes to the extent of the Town Centre Zone, as outlined below.
- a. Submitter 630 (DowntownQT) supports the minor extensions to the Town Centre Zone Boundary.
 - b. Submitters 308 (Well Smart Investment Holding (NZQN) Limited) and 398 (Man Street Properties Limited) (opposed by FS1274 (John Thompson and MacFarlane Investments Limited) support their sites (i.e. 65-67 Shotover Street, 5-15 Hay Street, and Lot 1 DP399240) being re-zoned from TCTZ to Town Centre Zone (and any such other consequential relief as is necessary).
 - c. Submitter 394 (Stanley Street Investments Limited and Stanley Street Limited and Kelso Investments Limited) (opposed by FS1117 (Remarkables Park Limited)) supports the Queenstown Town Centre zoning of its property on the corners of Stanley Street, Shotover Street and Gorge Road and requests that it be confirmed as Queenstown Town Centre Zone. To clarify, this land is shown in the below map supplied by the submitter.

³¹ This assessment is relative to the proposed rule and specifically in relation to the "Man St block".



- 11.3. The request by Submitter 574 (Skyline Enterprises Limited) (opposed by FS1063.22 (Peter Fleming and Others) to have Section 1 SO 22971, which is that land containing the skyline gondola base building, re-zoned from proposed Town Centre Zone to a new Commercial Tourism & Recreation Sub-Zone is transferred to the mapping (rezoning) hearing stream. I do not take the submission, which opposes the Town Centre zone generally, to go so far as to be requesting that the Town Centre zoning be removed from the site but if this is the intention, then the submitter needs to clarify this at the hearing.
- 11.4. I note for completeness that with Plan Change 50 becoming operative, the Town Centre zoning on those lots surrounding the land shown as Precinct 1A on upper Brecon St has been confirmed. The decision to extend the Town Centre Zone to upper Brecon Street was wholly premised on an assumption that the Plan Change 50 zoning would be approved and now that this has occurred, my view that it is appropriate for the reasons outlined in the s 32 evaluation remains unchanged. I note that height and form of development on that sensitive site is considered further in section 13 of Mr Church's evidence.
- 11.5. I remain of the view that the notified extensions to the Town Centre Zone are appropriate for the reasons outlined in the S 32 report and therefore recommend that the supporting submissions be accepted. In saying this, I note that Plan Change 50 is now operative and the land to the south of Man Street is no longer required to serve as a buffer between residentially zoned land and the Town Centre Zone proper as it did in the ODP prior to Plan Change 50 being approved.

12. ISSUE 4 - THE APPROPRIATENESS OF THE PROPOSED PROVISIONS RELATING TO NOISE, THE TOWN CENTRE ENTERTAINMENT PRECINCT (TCEP), ACOUSTIC INSULATION/ VENTILATION, AND LICENSED PREMISES

- 12.1. For this section, I rely in part on the evidence of Dr Stephen Chiles (including his attachments) in relation to noise and the evidence of Ms Sian Swinney in relation to the regulation of licensed premises.

12.2. I also note that the Town Centre monitoring report makes the following comments on noise:

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

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

Potential policy gaps

...

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

...

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

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

12.3. In summary, the only changes I am recommending relate to exempting noise from commercial motorised craft; clarifying that the more enabling limits relating to music, voices, and loud speakers do not apply to the TCTZ; and making consequential amendments to Chapter 36 (noise) in order to ensure consistency and therefore improved administrative efficiency. Six original and further submitters³² who lodged submissions on Chapter 36 (Noise) are considered to be potentially (although unlikely to be) affected by the amendments proposed to that chapter through this report. As such, all of them have been served notice of this hearing and provided the opportunity to be heard. These submitters are listed in a separate table in **Appendix 2**.

Zone purpose and policy framework

12.4. A number of submitters, including a number of existing bar and restaurant providers, have submitted generally in support of the relatively enabling policy framework under notified Objectives 12.2.1 and 12.2.3, albeit that those outside the proposed TCEP request that the

³² Submitters 433.110 (Queenstown Airport Corporation), FS1211.6 (New Zealand Defence Force), FS1097.396 (Queenstown Park Limited), FS1117.156 (Remarkables Park Limited), 714.15 (Kopuwai Investments Limited), and 1365.12 (New Zealand Defence Force).

TCEP be extended and/ or that the same controls apply zone-wide. To the contrary a number of submitters, including a number of existing accommodation providers within the Town Centre, are opposed to the objectives and policies that support a vibrant Town Centre through, amongst other things, the establishment of a TCEP and allowing increased noise levels. These submissions are discussed more fully below.

Objective 12.2.1 and related policies

12.5. Objective 12.2.1 reads as follows:

Objective - A Town Centre that remains relevant to residents and visitors alike and continues to be the District's principal mixed use centre of retail, commercial, administrative, entertainment, cultural, and tourism activity.

- 12.6. This is proposed to be achieved, in part, through policies that recognise the contribution that night time activity makes and enable residential and visitor accommodation activity within this context, and through rules. Those rules enable noise levels that are generally anticipated from within bars and restaurants, require new noise-sensitive uses within the zone to be insulated, and require consent for licensed premises after 11 pm (and after 6 pm in the TCTZ).
- 12.7. While submitter 544 (Good Group Limited) generally opposes the objectives and policies to the extent that they inform the rules that apply beyond the TCEP, no submitters specifically oppose notified Objective 12.2.1 as it relates to the issues of noise, night-time activity, etc. with submitters' concerns relating to that objective limited to whether the Town Centre should necessarily be the administrative centre.
- 12.8. There are submissions both in support³³ and in opposition³⁴ to notified Policies 12.2.1.3 and 12.2.1.4.
- 12.9. Submitter 151 (Imperium Group) requests that notified Policy 12.2.1.3 be amended by replacing the words without unduly restrictive with subject to appropriate and submitter 238 (NZIA)³⁵ requests that notified Policy 12.2.1.4 be amended to refer to increased noise and activity due to the mix of activities and late night nature of the town rather than lower amenity levels, citing that increased noise does not necessarily mean lower amenity to all people.
- 12.10. In response, while I consider that this objective and the related policies are generally appropriate for the reasons stated in the s 32 report and the rationale given in Dr Chiles'

33 Submitters 587 (Simple Simon Suck Fizzle Soup and Gourmet Pie Company Trading as The Atlas Beer Café), 589 (Goose Cherry Cod Catering Company Limited Trading as Ivy and Lolas), 804 (Southern Pub Company Limited - T/A Pub on Wharf), and 714 (Kopuwai Investments Limited), and 630 (Downtown Queenstown).

34 Submitters 151 (Imperium Group), FS1318 (Imperium Group), and 217 (Jay Berriman), and FS1043.15 (Grand Lakes Management Limited).

35 Opposed by FS1107 (Man Street Properties Ltd), FS1226 (Ngai Tahu Property Limited & Ngai Tahu Justice Holdings Limited), FS1234 (Shotover Memorial Properties Limited & Horne Water Holdings Limited), FS1239 (Skyline Enterprises Limited & O'Connells Pavilion Limited), FS1241 (Skyline Enterprises Limited & Accommodation and Booking Agents), and FS1248 (Trojan Holdings Limited & Beach Street Holdings Limited), FS1249 (Tweed Development Limited), and FS1242 (Antony & Ruth Stokes).

evidence, I agree that the minor re-wording proposed by submitters is more appropriate, for the reasons given in the submissions. These changes to notified Policies 12.2.1.3 and 12.2.1.4 have been made in **Appendix 1**.

Objective 12.2.3 and associated policies

12.11. Objective 12.2.3 reads as follows:

An increasingly vibrant Town Centre that continues to prosper while maintaining a reasonable level of residential amenity within and beyond the Town Centre Zone.

12.12. This is proposed to be achieved, in part, through:

- a. Policies that require noise limits and insulation requirements to be met; avoiding high noise levels on the edge of the Town Centre; recognising the contribution that night time activity makes to vibrancy; and enabling visitor accommodation and residential activity in the context of a vibrant and busy Town Centre environment.
- b. Rules that set noise and insulation requirements and enable conditions to be imposed on licensed premises while enabling drinking in association within dining to occur until midnight without consent.

12.13. While there are no submissions in opposition to notified Objective 12.2.3, submitter 714 (Kopuwai Investments Limited) requests that a footnote reference be added to it clarifying what a "reasonable level" of amenity is and that this also needs to be considered in light of notified Policy 12.2.1.4.

12.14. In response, while I understand the concern about the potential ambiguity and consequent inefficiencies, I consider that the notified policies, coupled with the rules relating to insulation and noise limits, provide adequate parameters of what is considered to be a "reasonable level" of amenity, in that those residing in the Town Centre zone should expect a busy and active environment that continues well into the night but could still feasibly anticipate internal noise levels that are deemed acceptable by the World Health Organisation (WHO) due to appropriate insulation and ventilation (refer Dr Chiles evidence, page 6). As such I do not consider a footnote is necessary and recommend rejecting this submission.

12.15. There are submitters both in support³⁶ of and in opposition³⁷ to the policies associated with notified Objective 12.2.3, noting that some supporting submissions are on the basis that all businesses are treated equally and/ or that their sites are included within the TCEP.

36 804.4 (Southern Pub Company Limited - T/A Pub on Wharf), 238 (NZIA), 250 (1876 Bar & Restaurant), 380.37 (Villa delLago), 474.1 (Evan Jenkins) and 187.4 (Nicholas Kiddle), FS1191.9 (Adam & Kirsten Zaki), FS1318.5 (Imperium Group), FS1139.10 (Carl & Lorraine Holt).

37 FS1043 (Grand Lakes Management Limited), FS1318 (Imperium Group), 217 (Jay Berriman), 663.9 (IHG Queenstown Ltd and Carter Queenstown Ltd); some of whom specifically seek the deletion or one or more policies.

12.16. In terms of specific relief/ amendments sought:

- a. Submitters 672.11 (Watertight Investments Ltd) and 663.10 (IHG Queenstown Ltd and Carter Queenstown Ltd)³⁸ request that notified Policy 12.2.3.1 be deleted and its intent incorporated into Policy 12.2.3.3.
- b. Submitter 238 (NZIA)³⁹ requests that notified Policy 12.2.3.4 be amended to refer to noisy and active rather than to lower amenity levels.
- c. Submitter 151 (Imperium Group) requests the deletion of notified Policy 12.2.3.3(b) (which provides for noisier activity in the TCEP) and notified Policy 12.2.3.4(d) (regarding discouraging residential and visitor accommodation from the TCEP).
- d. Submitter 714 (Kopuwai Investments Limited) requests minor wording changes to notified Policies 12.2.3.3(b) and 12.2.3.3(c) which have no substantive effect and requests that notified Policies 12.2.3.1 and 12.2.3.4 be amended to read "... insulate(d) and self-protect(ed) for noise.

12.17. In response:

- a. I am of the view that notified Objective 12.2.3 will appropriately give effect to the RMA and that the related policy direction is generally appropriate for the reasons stated in the S 32 report.
- b. I agree that removing Policy 12.2.3.1 and incorporating its content within Policy 12.2.3.3 as proposed by submitters 672, 663, 238 and as outlined in paragraph 12.16(a) above, is generally an improvement. That said, I have recommended slightly different wording to that sought by submitters 238, 672 and 663 in order to ensure the intent of notified Policy 12.2.3.1 (i.e. that residential activity in zones other than the Town Centre are not required to insulate but, rather, effects on these zones are intended to be mitigated by the Town Centre noise controls) is not inadvertently altered.
- c. I agree that the re-wording of notified Policies 12.2.3.3(b) and 12.2.3.3(c) as sought by submitter 714 (Kopuwai Investments Limited) is an improvement.
- d. I do not agree with the specific requests to add the term self-protected into the policies or to delete notified Policies 12.2.3.3(b) or 12.2.3.4(d) as I am unclear what is meant by this and therefore consider it to be ineffective and inefficient.

38 FS1139.11 (Carl & Lorraine Holt) and FS1191.10 (Adam & Kirsten Zaki)), FS1318.6 (Imperium Group).

39 Opposed by FS1107 (Man Street Properties Ltd), FS1226 (Ngai Tahu Property Limited & Ngai Tahu Justice Holdings Limited), FS1234 (Shotover Memorial Properties Limited & Horne Water Holdings Limited), FS1239 (Skyline Enterprises Limited & O'Connells Pavilion Limited), FS1241 (Skyline Enterprises Limited & Accommodation and Booking Agents), and FS1248 (Trojan Holdings Limited & Beach Street Holdings Limited), FS1249 (Tweed Development Limited), and FS124 (Antony & Ruth Stokes).

- e. I agree in part with the request of submitter 151 (Imperium Group) to remove part d) of notified Policy 12.2.3.4 (see above) and recommend that it be amended to better reflect the fact the rules do not directly discourage such uses but, rather, only anticipate such uses where sufficient insulation is provided (by making it non complying where this is not provided). These changes have been made in **Appendix 1**.

12.18. In instances where I have recommended to reject submissions I make the following comments in response to the specific reasons given by submitters.

12.19. In response to requests that all sites be treated the same (i.e. that there not be a separate TCEP), I rely on the evidence of Dr Chiles (paragraphs 3.3, 10.3-10.9) and, in particular the noise contours that he has produced (and are attached to his evidence in Appendix C). In my opinion, these illustrate that to apply the same limits to the whole TCTCZ would adversely affect residential amenity within the surrounding residential zones to an extent that would be unreasonable and would not meet the purpose of the RMA or Objective 12.2.3 of the PDP. The notified rules provide a continuum of noise levels from the most lenient in the centrally located TECP to the Town Centre transition subzone at the edge of the zone, which does not provide higher limits for music or voices and continues to require noise to meet the residential noise limits at the zone boundary. In my opinion, this is the most appropriate regulatory approach in the context of the Queenstown Town Centre.

12.20. In response to submitter 474 (Evan Jenkins) that vibrant does not mean loud; that the town centre is for all age groups, and that unless well monitored the less restrictive noise policy may be abused, I note that the notified policies and rules provide for the noisiest activity within the TCEP and enables only minor noise increases beyond that in a manner that will effectively direct certain activities to the most suitable parts of the Town Centre. This, together with the greater control over licensed premises in the TCTZ, will create enclaves that will appeal to the different sectors of the resident and visitor community and will, consequently, address some of his concerns.

12.21. In regard to concerns relating to monitoring/ enforcement, relying on the evidence of Dr Chiles and Ms Swinney I am confident that the noise levels are measurable and able to be monitored. I also consider that retaining control/ discretion over noise generated by all licenced premises, even for those that anticipate noise levels will be met, provides another mechanism to ensure that this will, indeed, be the case.

Objective 12.2.5 and associated policies

12.22. No submitter opposes notified Objective 12.2.5 in relation to the issue of noise or licensed premises but Submitter 714 (Kopuwai Investments Limited) (opposed by FS1318.32 (Imperium Group)) requests the addition of the following new policies relating to noise and the entertainment function of the waterfront area:

12.2.5.6 - Encourage the day time and night time use of outdoor areas for use by bars and restaurants in and around the Steamer Wharf Complex with appropriate seating, tables and/or planting to enhance the vibrancy and visual amenity.

12.2.5.7 - Ensure that residential development and visitor accommodation provide acoustic insulation over and above the minimum requirements of the Building Code to avoid reverse sensitivity.

12.23. I do not recommend adding these as I consider the intent of suggested Policy 12.2.5.6 is adequately covered by the more general notified Policy 12.2.5.1 and could potentially conflict with notified Policy 12.2.5.4 (which relates to retaining public open space in the waterfront subzone) and notified Policies 12.2.3.1 - 12.2.3.3 (which establish a clear hierarchy of anticipated noise levels within the Town Centre). Similarly, I consider that suggested Policy 12.2.5.7 is unnecessary as its intent is adequately covered by notified Policy 12.2.3.1 (as recommended to be integrated into Policy 12.2.3.3 in **Appendix 1**).

Rules regarding licenced premises (notified Rules 12.4.4 and 12.4.5)

12.24. Submitter 544 (Good Group Limited) requests that the status of notified Rule 12.4.4.1 be changed from restricted discretionary to controlled and that there be no time restriction on the serving of alcohol to diners.

12.25. In response to this and relying in part on the evidence of Ms Swinney (paragraph 5.6), I am of the opinion that the activity status should be changed to controlled. In summary, the reasons for the amendment are that:

- a. The controlled activity status is more efficient and equally effective in that it is most unlikely there would be a situation where an application would need to be declined if it is in accordance with the Sale and Supply of Alcohol Act 2012 (**SSAA**) and other relevant District Plan rules such as noise limits and on the basis that well drafted effective conditions are imposed on those matters that are not able to be considered through the SCAA licence process.
- b. The SSAA enables a wider range of amenity and good order/ nuisance-related effects to be considered and managed than previous legislation did and has now been in force for some time and is proving to be effective.
- c. That the matters of control relating to layout, screening, noise, and hours of operation are all able to have relatively effective conditions placed on them. Control over scale is more problematic but I would question the degree to which the scale of an individual premise influences the extent of off-site effects. This amendment has been made in **Appendix 1** (see Rule 12.4.4.1) and the reasons are more fully outlined in the s 32AA report attached as **Appendix 4**.

12.26. Submitters 587 (Simple Simon Suck Fizzle Soup and Gourmet Pie Company Trading as The Atlas Beer Café), 589 (Goose Cherry Cod Catering Company Limited Trading as Ivy and

Lola's (both opposed by FS1318.20 (Imperium Group)) and 714 (Kopuwai Investments Limited) request a new rule enabling licenced premises to operate until 1.00 am as a permitted activity (and restricted discretionary activity thereafter) within a New Steamer Wharf Entertainment Precinct, and that the matters of discretion be amended.

- 12.27. Ms Swinney's evidence (paragraph 5.20) outlines her understanding that 12 month trial resource consent (RM140850) has until recently enabled bars and restaurants in the Steamer Wharf to operate inside and outdoors until 12 am and that a new consent has been applied for to enable this to continue. She notes that such premises have had to comply with resource consent conditions and concludes that continuing to require operators to obtain a consent to operate after 11 pm is appropriate zone-wide including within the Steamer Wharf complex, as it enables more control over the details of the operation and more effective and efficient monitoring and enforcement of issues (noise in particular) than relying solely on the SSAA. Furthermore, as I am of the view that it is inappropriate to identify Steamer Wharf as an entertainment precinct on the basis of noise effects on nearby residentially zoned land,⁴⁰ I consider it would be inconsistent to apply a more enabling rule in relation to licensed premises than applies to the rest of the Town Centre Zone. As such, I recommend that these submissions be rejected.
- 12.28. Submitter 599 (Peter Fleming) opposes notified Rule 12.4.4 and specifically opposes the extended use of public areas for the consumption of liquor and hours of operation. It is unclear what part of the rule the submitter believes extends the use of public areas for the consumption of liquor and hours of operation and it would be useful if this could be clarified in evidence or at the hearing. My understanding is that neither the OPD nor the PDP regulate liquor consumption in public areas and that both require a licensed premise to obtain a resource consent if it wishes to operate after 11 pm.
- 12.29. Submitter 714 (Kopuwai Investments Limited) requests that notified Rule 12.4.4.1 be amended and Rules 12.4.4.2 and 12.4.5 be deleted, which would have the effect of:
- a. Relaxing the licensed premises rule in respect of the Town Centre Transition Subzone such that licensed premises would be permitted up until 11 pm and restricted discretionary activity thereafter, as opposed to requiring a restricted discretionary activity consent for such activity to occur between 6 pm and 11 pm and a full discretionary consent thereafter.
 - b. Removing Council's discretion over car parking and traffic generation; the configuration of activities within the building and site (e.g. outdoor seating, entrances); and any alcohol policy or bylaw.

40 Refer to Dr Chiles' evidence, including the noise contours attached to Dr Chiles' evidence as Appendix C.

- 12.30. In considering the above, as outlined previously I have recommended that the activity status of notified Rule 12.4.4 is changed from restricted discretionary activity to controlled.
- 12.31. In response to the above submission and relying in part on the evidence of Ms Swinney, I am of the opinion that it remains appropriate to apply more stringent time constraints to licensed premises within the TCTZ and to apply a stricter activity status to any such premises that wish to operate after 11.00 pm. This is due to the fact that these areas are located directly across the road from residentially zoned land and as such, it is important that greater control is retained in order to ensure that the layout and noise management of any such premises is able to be conditioned or declined if necessary. In saying this, in line with having changed the activity status of notified Rule 12.4.4 to controlled, I recommend changing the status of Rule 12.4.5 to restricted discretionary activity and apply the same matters as are listed for Rule 12.4.4. These changes are shown in **Appendix 1**.
- 12.32. In response to the request to amend the matters of discretion/ control in notified Rule 12.4.4 (Submitter 599), I am of the opinion that car parking and traffic generation should be removed as a matter of control as onsite parking is not required or generally provided in the Town Centre. The configuration of "the premises..." should in my view remain a matter of control as the location and design of outdoor seating can exacerbate (or help alleviate) potential conflicts with neighbouring sites (especially in the TCTZ) and affect peoples' safety/ wellbeing (in terms of complying with CPTED principles). Consideration of any alcohol policy or bylaw should be removed as a matter of control as it is unreasonably uncertain.
- 12.33. These recommended changes to notified Rule 12.4.4 are reflected in **Appendix 1** and a s 32AA assessment is included in **Appendix 4**.
- 12.34. Submitter 217 (Jay Berriman) requests that the Council restrict the number of liquor licenses in the Queenstown Town Centre in order to discourage increases in noise and antisocial behaviour and to achieve a more balanced approach to the night entertainment which promotes the town's image as a high end product.
- 12.35. In response to this submission, while I understand the submitter's concerns, based in part on Ms Swinney's evidence which outlines the issues that have arisen when others have tried to impose a cap under the LAP process, my opinion on limiting the number of premises is:
- a. I have no evidence that there is a clear relationship between the number of licenses and the environmental and economic effects that have been cited (relating to noise and economic and social wellbeing).
 - b. The capping of premises would need to be extremely well justified in order to be defensible under the RMA and, on the face of it, does not sit well with the enabling and effects-based nature of the legislation.

c. Such effects are more a function of how well designed, located, and managed the licensed premises are, rather than the sheer number of premises.

12.36. Submitter 621 (Real Journeys Limited) requests that notified Rule 12.4.4 be amended to also apply to premises hosting off-licenses. In response I note that the ODP also only regulates the effects from on-licenses/ those premises licenced for the consumption of alcohol on the premises. Ms Swinney's evidence (paragraph 6.43) confirms that, in her opinion, off licenses are unlikely to result in environmental effects that cannot be adequately managed or avoided through the SSAA. Regardless, she notes that pursuant to the SSAA off licenses are only able to remain open until 11.00 pm (and most close by 10.00 pm due to cost implications of staying open later) and therefore the rule would only have any effect between the hours of 6.00 pm – 11.00 pm within the TCTZ. In summary, she does not consider it necessary to require a resource consent under the District Plan for off licenses.

12.37. A related issue is that Submitters 654 (Warren Cooper & Associates), FS1043 (Grand Lakes Management Limited), FS1063 (Peter Fleming and Others), and FS1318 (Imperium Group) request that the status quo be retained in regards to outside dining hours. Submitter 774 (Queenstown Chamber of Commerce) specifically requests that the rules provide for extended outdoor trading to allow patrons to enjoy the evenings until 11.00 pm. It seems that the perceived restriction on dining, while not specifically regulated in the PDP (or the ODP), has arisen as a consequence of the restrictive noise rules which effectively prevent activity outdoors after 10.00 pm and which have resulted in conditions on consents restricting such use under the ODP.

12.38. In response I note that notified Rule 12.4.4.1 permits the serving of alcohol to any person (inside or outside) until 11.00 pm and to diners (inside or outside) until 12.00 am (midnight) and that the more lenient noise rules (notified Rule 12.5.11) are likely to enable normal outdoor dining/ drinking activity to extend beyond 10.00 pm. I consider this to be wholly appropriate given the objectives of the PDP and, for that reason no change has been made to **Appendix 1.**

Rules regarding noise and the TCEP (12.5.11)

12.39. Various submitters⁴¹ request that the noise limits be lowered throughout the zone, variously requesting:

a. The reinstatement of the ODP rules or the deletion of the exclusion of sound from the sources specified in notified Rules 12.5.11.3 and 12.5.11.4 from rules 12.5.11.1 and 12.5.11.2.

41 Submitters 151 (Imperium Group, 503 (DJ and EJ Cassells, the Bulling Family, the Bennett Family, M Lynch), 506 (Friends of the Wakatipu Gardens and Reserves Incorporated), 654 (Warren Cooper & Associates), FS1063 (Peter Fleming and Others), FS1318 (Imperium Group), 302 and FS1043.18 (Grand Lakes Management Limited), 474 (Evan Jenkins), 217 (Jay Berriman).

- b. The replacement of 75 with 70 in notified Rule 12.5.11.1 (c).
 - c. The deletion of notified Rules 12.5.11.3, 12.5.11.4, and 12.5.11.5.
 - d. The deletion of outdoor public events from the notified Exemptions.
 - e. The banning of all outside loudspeakers.
- 12.40. Reasons for opposing the proposed noise rules include the contention that raising limits will increase adverse effects on residents and visitors staying in and around the Town Centre, users of the Gardens, and amenity values generally.
- 12.41. A number of submissions either support the rules or request more lenient noise limits primarily through extending the TCEP rules to a greater area of the Town Centre or, in discrete cases, through requesting particular exemptions to the rules. These are summarised below.
- 12.42. Submitter 621 (Real Journeys Limited) requests that the standards be amended to exclude noise from vessels carrying out navigational procedures, thereby making such noise permitted.
- 12.43. Submitter 714 (Kopuwai Investments Limited) requests that increased noise levels within the Steamer Wharf Entertainment Precinct be allowed and that a further exemption from the noise rules (i.e. at the end of notified Rule 12.5.11.5) be added which reads: "Noise from within the Steamer Wharf Entertainment Precinct that is measured at sites within the precinct".
- 12.44. Various submitters⁴² oppose the TCEP concept and its rules; requesting it be deleted and the whole Town Centre be subject to the same, lower noise standards. Submitter 151 (Imperium Group) specifically requests that all consequential amendments necessary be made to remove it from the chapter.
- 12.45. To the contrary, various submitters support the introduction of a TCEP⁴³ and some of those also request it be extended to include Steamer Wharf and/ or the wider waterfront area (and that this be given primacy over other TEP areas)⁴⁴; 1876, Speights Ale House, The Pig & Whistle and Brazz⁴⁵; or both sides of Searle Lane⁴⁶. In the event that the Steamer Wharf is included as a TCEP, submitter 714 (Kopuwai Investments Limited) requests consequential

42 Submitters 599 (Peter Fleming), 151 and FS1318 (Imperium Group), 654 (Warren Cooper & Associates), FS1043 (Grand Lakes Management Limited), and FS1063 (Peter Fleming and Others).

43 Submitter 804.2 (Southern Pub Company Limited - T/A Pub on Wharf) (opposed by FS1318.13 (Imperium Group)), plus those listed in footnotes 45-47 below.

44 Submitters 774 (Queenstown Chamber of Commerce), 70 (Westwood Group), 247 (Pog Mahones Irish Pub), 587 (Simple Simon Suck Fizzle Soup and Gourmet Pie Company T/A The Atlas Beer Café), 589 (Goose Cherry Cod Catering Company Limited T/A Ivy and Lolas), 835 (Wai Queenstown Limited), 839 (Little Blackwood and Minus 5° ICE BAR, owned by Future Bars Limited), 777 (Pier 19), 71 (Chris Duffy), and 714 (Kopuwai Investments Limited). This is opposed by FS1318 (Imperium Group).

45 Submitters 774.2 (Queenstown Chamber of Commerce), 596.4 (Ngai Tahu Property Limited & Ngai Tahu Justice Holdings Limited). Opposed by FS1318.29 (Imperium Group).

46 Submitters 549 (Watertight Investments T/A Republic Hospitality Group (RHG) Operating Winnies, Ballarat Trading Company, Zephyr, Barup, Habana, Below Zero And Bufallo Club), FS1134.2 Robbie McGillivray, Opposed by FS1318.14 (Imperium Group).

amendments to the Zone Purpose to acknowledge there is more than one entertainment precinct. This is opposed by various further submitters. Reasons given for expanding the TCEP include that:

- a. There are no accommodation providers in the area around 1876 and the majority have good outdoor areas for patrons, which add to the vibrancy as you enter the CBD.
- b. Steamer Wharf is a proven hospitality destination with 11 established bars, a central management structure, an alcohol accord, and a resource consent enabling bars to operate outdoors until 12.00 am with positive results, and there are a limited number of sensitive receivers in the vicinity and a low possibility of any establishing within the complex. The submitters contend that applying a TCEP over it will result in the consolidation of such activities therefore minimising conflict with other uses, making enforcement and self-monitoring easier, and reducing nuisance resulting from people moving from bar to bar.
- c. The Queenstown Bay waterfront should be included as well as Steamer Wharf, noting that Pog Mahones is a long time business located within the vibrant waterfront area, which is essential to maintaining Queenstown's reputation as a premier destination.
- d. Both sides of Searle Lane are already a busy vibrant hospitality precinct and it is important that both sides of Searle Lane are included in the TCEP to ensure the ongoing development of this vibrant area and to be fair and easily understood. Searle Lanes central location works well to insulate noise from leaving the area.

12.46. Various submitters⁴⁷ request that the rules that apply to the TCEP (i.e. notified Rules 12.5.11.3(a) and 12.5.11.4(a)) should apply throughout the whole Queenstown Town Centre zone, except for within the Town Centre Transition Subzone. Submitter 544 (Good Group Limited) also requests any consequential relief to give effect to its submission.

12.47. Submitter 53.1 (Shipleys AV) states that the boundaries will need to be reviewed every six months.

12.48. In response and relying on Dr Chiles' evidence and his previous reports which are attached to his evidence, I am of the view that the location and extent of the proposed TCEP is the most appropriate response to the potential conflicts between bars and restaurants and residential and visitor accommodation uses in and around the Town Centre (particularly those in the surrounding residential zone).

12.49. The noise contours (refer Appendix C of Dr Chiles evidence) show the effect on the surrounding residential zoned land under the scenario whereby 65dBA is allowed throughout

⁴⁷ Submitters 544 (Good Group Limited), FS1134 (Robbie McGillivray), 630 (DowntownQT), 250 (1876 Bar & Restaurant). Opposed by FS1043 (Grand Lakes Management Limited) and FS1318 (Imperium Group).

the Town Centre, which provides a good indication of the effect on residents in those areas under the option of including Steamer Wharf and/ or the Brazz precinct of bars and/ or the whole of the Town Centre Zone. In line with Dr Chiles' conclusions, it is my opinion that the effects on residential amenity, as modelled and shown in those contours, are unacceptable.

- 12.50. Furthermore, I do not consider that requiring residentially zoned properties to insulate for noise is the most appropriate way of achieving the objectives of the PDP (as a whole). While the option of imposing a higher noise limit on these other areas but requiring the residential noise limit to be met at the boundary might on the face of it be preferable, it is considered less certain and inefficient in that it would be unlikely to be achievable in most instances and is therefore introducing contradictory rules, creating unrealistic expectations amongst landowners, and likely to result in the need for on-going monitoring and enforcement issues. Also, placing limits at the residential boundary would apply to each noise generator individually but does not necessarily provide effective control of the cumulative effect or consequential off-site effects of people on the streets.
- 12.51. With regard to expanding the TCEP to both sides of Searle Lane, while this may not result in a significant increase in the noise received within the residential zone, I concur with Dr Chiles that this would exacerbate noise effects on Nomads backpackers and cause sleep disturbance to a large number of people, noting that while it is a relatively recent build its insulation would not be of the level required in the PDP and, being a budget accommodation provider, it would be unlikely to voluntarily retrofit the building to comply.
- 12.52. With regard to the request to amend notified Rule 12.5.11.2 such that noise from music and voices should also be required to meet the residential zone noise limit at the boundary of those zones, I note that:
- a. While it may not be sufficiently clear, notified Rules 12.5.11.3 and 12.5.11.4 are intended to only apply to the Town Centre Zone and not to the TCTZ. Rather, noise from all sources within the subzone is regulated by notified Rules 12.5.11.1 and 12.5.11.2 which impose lower noise limits than elsewhere and require the noise to meet residential standards on the boundary. As such, given that noise within the TCTZ can only be of a residential nature at the boundary and that this TCTZ provides a continuous buffer between the Town Centre zone (proper) and the residential zone, based on Dr Chiles' evidence, I am of the view that noise from voices and music need not meet the residential limits at the boundary and, regardless, will very likely to be well dissipated by the time it reaches that boundary. I therefore recommend a minor amendment to notified Rules 12.5.11.3 and 12.5.11.4 clarifying that they apply to the Town Centre zone excluding the subzone.⁴⁸ I have relied on those submissions seeking that the operative/

48 Submitters 151 (Imperium Group, 503.4 (DJ and EJ Cassells, The Bulling Family, The Bennett Family, M Lynch), 506 (Friends of the Wakatipu Gardens and Reserves Incorporated), 654 (Warren Cooper & Associates), FS1063 (Peter

stricter noise rules be imposed for scope to make this change and, as such, have accepted those submissions in part but only to this extent. This change has been made in **Appendix 1**.

- b. While not fatal, notified Rules 12.5.11.3 and 12.5.11.4 potentially conflict with Rule 36.3.2.9 of the noise chapter (36)⁴⁹ in that Rules 12.5.11.3 and 12.5.11.4 do not require noise from music or voices to meet residential noise levels on the boundary of that zone yet reply Rule 36.3.2.9 states that:

The noise standards in this chapter still apply to noise generated within the Town Centre zones but received in other zones.

- 12.53. Therefore, I recommend amending the notified Purpose (36.1) and reply Rule 36.3.2.9 as follows (amendments shown as double underlined) to clarify this point and the issue relating to motorised craft which is discussed further in the next two paragraphs:

36.1- Purpose

...

With the exception of ventilation requirements for the Queenstown and Wanaka town centres contained in 36.7, and noise from water and motor-related noise from commercial motorised craft within the Queenstown Town Centre Waterfront Subzone, which is subject to Rule 36.5.14, noise # relation to received within town centres is not addressed in this chapter, but rather in the Queenstown, Wanaka and Arrowtown Town Centres Zone chapters. This is due to the town centre-specific complexities on noise in those zones, and its fundamental nature as an issue that inter-relates with all other issues in those zones. Noise generated in the town centres but received outside of the town centres is still managed under this chapter, except that noise from music, voices, and loud speakers in the Wanaka and Queenstown Town Centres (excluding the Queenstown Town Centre Transition Subzone), need not meet the noise limits set by chapter 36.

Rule 36.3.2.9 Noise standards for noise received in the Queenstown, Wanaka and Arrowtown Town Centre, Local Corner Shopping and Business Mixed Use zones are not included in this chapter. Please refer to Chapters 12, 13, 14, 15 and 16. The noise standards in this chapter still apply for noise generated within these zones but received in other zones, except that noise from music, voices, and loud speakers in the Wanaka and Queenstown Town Centres (excluding the Queenstown Town Centre Transition Subzone) need not meet the noise limits set by chapter 36.

- 12.54. Submitter 621 (Real Journeys) requests that vessels carrying out navigational procedures be exempt from notified Rule 12.5.11 of the PDP; thus making such noise permitted. I am unclear what 'navigational procedures' captures and the submitter is invited to clarify that. Regardless, this submission highlights an inconsistency between the rules relating to boats

Fleming and Others), FS1318 (Imperium Group), 302 and FS1043.18 (Grand Lakes Management Limited), 474 (Evan Jenkins), 217 (Jay Berriman).

49 Queenstown Lakes District Council Proposed District Plan 2015 QLDC 05 Chapter 36 - Noise – ROR, Appendix 1.

within the Town Centre waterfront subzone and chapter 12, which while not fatal (as outlined by Dr Chiles), should be resolved if possible.

12.55. The noise chapter (36) of the PDP includes a specific noise limit for commercial motorised craft on the lake and exempts them from other zone noise limits⁵⁰ whereas such craft operating in the waterfront subzone would be subject to the general Town Centre noise limits of chapter 12. Dr Chiles (paragraph 8.3 of his evidence) is of the view that the limits and methodology contained in Chapter 36 are preferable to relying on the chapter 12 rules. For the reasons outlined by Dr Chiles I recommend that notified Rule 12.5.11 be amended by adding a further exemption, which exempts water and motor-related noise from commercial motorised craft within the Queenstown Town Centre waterfront subzone from meeting the limits set out on Rules 12.5.11.1 and 12.5.11.2, which would have the effect of such noise being subject to Rule 36.5.14. As a consequence, the reply Purpose 36.1 and Rule 36.3.2.9 would need minor amendment to clarify this point as outlined in paragraph 12.53 above. Noise from voices and music on boats would still be subject to the relevant rules in chapter 12. These changes have been made in **Appendix 1** and a s 32AA evaluation is included in **Appendix 4**.

12.56. Submitter 630 (DTQueenstown) supports the increases in night time noise allowed within the Queenstown Town Centre and sees this as a necessary component of a resort town, but is still concerned as to whether the increases are sufficient to provide appropriately for night time entertainment. In response, I am of the view that the rules represent something of a compromise both on the part of bar and restaurant operators and on the part of residents and visitor accommodation operators. There are still going to be difficulties and insulation/mitigation measures required to be undertaken by bar owners to comply (particularly for those outside the TCEP) but, as shown by the noise contours modelled by Dr Chiles, enabling the TCEP noise limits across the whole Town Centre would have an unreasonable adverse effect on those residing in the adjacent residential zone.

12.57. Having said that, in practice, the rules allow activity and noise levels of a very similar nature to what in fact has actually be enabled to occur regularly through non complying resource consents over the years. So it is important to understand that while in theory the levels are being increased by 5 - 10 dBA beyond/ within the TCEP respectively) the on the ground change is far less than it would appear from simply comparing the rules.

12.58. Submitters 217 (Jay Berriman) and FS1318 (Imperium Group) oppose the increase of 5db in the night time (2200 to 0800) noise level to 75 db (12.5.11.1(c); considering that the noise

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<p>36.5.14 Commercial Motorised Craft - Sound from motorised craft must be measured and assessed in accordance with ISO 2922:2000 and ISO 14509-1:2008.</p>	<p>25 metres from the craft</p>	<p>0800h to 2000h 2000h to 0800h</p>	<p>77 dB LAsmax 67 dB LAsmax</p>	<p>NC</p>
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Source: Chapter 36, Council's right of reply version 22-9-16

limit at night should not exceed 60 db. Submitter 302 (Grand Lakes Management Limited) supports retaining the Town Centre Zone day time and night time noise levels. In response, relying on Dr Chiles' evidence, it is unrealistic to set the limit any lower and, as such, the limit has been increased to 75 dB L_{AFmax} for all zones in the PDP, in line with the guideline value from NZS 6802. Given this context, it is appropriate for the level to also be increased in Chapter 12, particularly given it is one of the noisier environments in the district.

- 12.59. Submitter 302 (Grand Lakes Management Limited) and FS1318.42 (Imperium Group) oppose the increase in night time noise from music from 50 to 55dB LAeq (notified Rule 12.5.11.3) as this will have a significant adverse effect on the hotels within the Town Centre and noise insulation requirements will not address the issues facing existing buildings and are inequitable.
- 12.60. In response and relying in part on Dr Chiles' evidence, I am of the view that the increase in noise level is appropriate in order to meet the objectives proposed for the Zone and note that the noise levels are still at the lower end of limits set for centres elsewhere in the country that have a focus on both entertainment and accommodation (such as Wellington). Mitigation and management by the operators/ consent holder is likely to still be required in order to comply with the limits.
- 12.61. The key point here is that the current 50dBA limit simply does not enable music to be played inside or outside at a level that would be reasonably anticipated in a bar and at a level that would contribute to the vibrancy of the Town Centre into the evening (i.e. past 10.00 pm). As outlined in his evidence, Dr Chiles has advised the Council on 10 noise-related resource consent applications in the Town Centre over the past two years. While he accepts that the PDP limits will result in some effect on residential amenity he is of the opinion that the ODP provisions are not the most appropriate way of achieving the objectives of the Town Centre; namely a vibrant and commercial viable entertainment hub (amongst other things). The PDP noise limits would enable many of these operations to proceed without having to obtain a specific consent for noise, although they will still require consent if they wish to serve liquor beyond 11.00 pm (or 6.00 pm in the Town Centre Transition Subzone) and, through that, conditions around compliance with noise limits can be imposed and monitored. In my view, this is more efficient than imposing a limit in the plan that evidence shows is extremely difficult to meet and, if it met, would not contribute to the vibrancy of the Town Centre.
- 12.62. In terms of the technical exercise of measuring noise, submitter 302 (Grand Lakes Management Limited) supports the 5 minute measuring of noise from music (notified Rule 12.5.11.3 (a) and (b)) while submitter 599 (Peter Fleming and Others) submits that notified Rule 12.5.11 of the PDP is completely unworkable. Based on the evidence of Dr Chiles I understand that the noise limits in the PDP are to be measured and assessed using the current New Zealand Standards, which he considers good practice.

12.63. In response to banning of loud speakers, provided they are not associated with a temporary event/ activity (in which case they are subject to separate rules), loud speakers are subject to notified Rule 12.5.11.5, which Dr Chiles has confirmed in his evidence is an easily measurable and appropriate level of noise (which should align with and support the levels set in notified Rule 12.5.11.3 relating to music). In my view, and relying in part on Dr Chiles' evidence, notified Rules 12.5.11.3 and 12.5.11.5 are an appropriate way of achieving the PDP objectives. I note that the bylaw controlling busking also offers support as outlined in section 6 of this report.

Rules regarding insulation and mechanical ventilation for sensitive uses in the Town Centre

12.64. Submitters 217 (Jay Berriman) and 774 (Queenstown Chamber of Commerce) support the new provisions for insulation and mechanical ventilation.

12.65. As a consequence of their overarching request that the TCEP is removed entirely, submitters 151 (Imperium Group) and FS1043 (Grand Lakes Management Limited) request the deletion of notified Rule 12.5.13, which requires insulation and ventilation in the TCEP.

12.66. In a similar vein, as a consequence of requesting that the TCEP include other areas, submitters 714 (Kopuwai Investments Limited) and 774 (Queenstown Chamber of Commerce) request the rule be amended to also apply to those areas.

12.67. In response, I am of the view that if the TCEP is retained then it is essential that all new critical listening areas established in that precinct are required to be insulated to this standard. In practice, while my understanding is that the costs associated with achieving the necessary insulation in this area are not significant in the context of a new commercial building, they may deter some owners from developing residential and visitor accommodation in this relatively small area and, instead, developing upper stories for office, light manufacturing, secondary retail, or some other use. In my view, this is not an adverse outcome. Rather, it is simply internalising the environmental and economic costs of establishing residential development in the TCEP and, as such, will very likely result in efficient landuse in the long term. For those where cost does not present a financial barrier, the provisions enable the development in a manner that should not result in adverse effects on health and wellbeing. Removal of this requirement would not enable notified Objective 12.2.3 to be achieved as it would not result in a reasonable level of residential amenity for those residing in the TCEP.

13. ISSUE 5 - THE APPROPRIATENESS OF THE PROVISIONS AND THE DESIGN GUIDELINES TO ACHIEVE QUALITY URBAN DESIGN AND BUILT FORM

13.1. In summary, I have recommended the following key changes:

- a. Including an explanation of sense of place (Objective 12.2.2).

- b. Adding the desirability for new laneways and small streets to be open to the sky and Horne creek to be promoted into Policy 12.2.2.5.
- c. Strengthening Policy 12.2.2.1 around considering the heritage context of a development.
- d. Referring to "antisocial" rather than criminal behaviour in Policy 12.2.4.3.
- e. Removing Rule 12.5.14.4 regarding glare from building materials/ colours.
- f. Adding the opportunity to establish a landmark building on a key site as a consideration under Policy 12.5.9.2 (regarding extra height).
- g. Removing the need for storage to be within a building (Rule 12.5.4.1) and adding a further matter of discretion relating to crime prevention to Rule 12.5.4.
- h. Removing the requirement to provide a veranda on Hay Street in Rule 12.5.5.1.
- i. Including "kerbside bus movements where applicable" as a consideration of building design within Rule 12.4.6.1.
- j. Correcting the pedestrian link map included in notified Rule 12.5.8, adding other existing pedestrian links to the map, improving the quality/ clarity, and moving it to the end of the chapter in order to enable it to be enlarged and correcting and adding a number of the legal descriptions listed in Rule 12.5.8.
- k. Amending Policy 12.2.2.5(b) to specify that where such links or laneways are being offered up as a trade-off for height, they shall be open to the sky and acknowledging that this may include the uncovering and restoration of Horne Creek.
- l. Amending Rule 12.5.8 to clarify that where existing lanes and links are open to the sky then they shall remain as such and if provided as part of a redevelopment of the site, shall be a minimum of 4m wide where the existing link is covered then, when the site is redeveloped, it can remain as covered connections and shall be at least 1.8 m wide.
- m. Exempting pop up buildings that are in place for no longer than 6 months and artworks (permanent and temporary) from Rule 12.4.6, thereby exempting them from having to obtain requiring resource consent in respect of design.

Policy framework in relation to quality urban design

- 13.2. Submitters 574 (Skyline Enterprises Limited) and 398 (Man Street Properties Limited)⁵¹ oppose the PDP objectives, policies, and Queenstown Town Centre Design Guidelines 2015 that inform and support notified Rules 12.4.6.1 and 12.4.6.2 (buildings).

⁵¹ Submission 574 is opposed by FS1063.22 (Peter Fleming and Others) and submission 398 is opposed by FS1274.8 and FS1274.10 (John Thompson and MacFarlane Investments Limited).

- 13.3. Submitter 238 (NZIA)⁵² requests that notified Policy 12.2.1.1 be amended to refer to intensification being enabled provided it is in accordance with best practice urban design principles rather than on the basis of effects on public amenity and character being avoided or satisfactorily mitigated as this is considered too unclear.
- 13.4. In response, I recommend retaining the wording avoided or satisfactorily mitigated but agree that requiring intensification to be undertaken in accordance with best practice urban design principles is useful and will help to overcome interpretative difficulties with the words satisfactorily mitigated. Policy 12.2.1.1 has therefore been recommended to be amended to include these words in **Appendix 1**. To clarify, the relationship between this policy and Policies 12.2.2.3 and 12.2.2.4 is that Policy 12.2.1.1 refers to why the PDP no longer imposes coverage rules or recession planes in most instances and is not intended to provide policy guidance in regard to whether a proposed breach of notified Rules 12.5.1, 12.5.9, and 12.5.10 (relating to coverage and height) is appropriate, but rather, those rules are subject to the tougher policies under 12.2.2. If this is unclear, it may need to be clarified.
- 13.5. Submitters 380 (Villa delLago) and 470 (Queenstown Play Centre) support notified Objective 12.2.2 relating to quality urban design outcomes, although submitter 470 (Queenstown Play Centre) requests that guidelines are introduced and plans reviewed by an appropriate panel to ensure that adequate residential (or community) amenity is safeguarded for neighbours of new medium and high density residential development.
- 13.6. Submitter 238.69 (NZIA) supports the acknowledgement of sense of place/ identity in notified Objective 12.2.2 but requests more information on what this actually means and questions whether the Queenstown Town Centre Strategy needs updating. This is opposed by a number of further submissions.⁵³
- 13.7. In response to these submissions:
- a. As the Town Centre Strategy is not referred to within the PDP, considering whether it needs updating is beyond the scope of the District Plan review.
 - b. I see some merit in explaining the term sense of place for the purpose of this objective and notified Policy 12.2.2.2. Such an explanation has been added to **Appendix 1** as a recommended advice note to Objective 12.2.2.

52 Opposed by FS1107.72 (Man Street Properties Ltd), FS1226.72 (Ngai Tahu Property Limited & Ngai Tahu Justice Holdings Limited), FS1234.72 (Shotover Memorial Properties Limited & Horne Water Holdings Limited), FS1239.72 (Skyline Enterprises Limited & O'Connells Pavilion Limited), FS1241.72 (Skyline Enterprises Limited & Accommodation and Booking Agents), FS1248.72 (Trojan Holdings Limited & Beach Street Holdings Limited), FS1249.72 (Tweed Development Limited).

53 FS1107 (Man Street Properties Ltd), FS1226 (Ngai Tahu Property Limited & Ngai Tahu Justice Holdings Limited), FS1234 (Shotover Memorial Properties Limited & Horne Water Holdings Limited), FS1239 (Skyline Enterprises Limited & O'Connells Pavilion Limited), FS1241 (Skyline Enterprises Limited & Accommodation and Booking Agents), and FS1248 (Trojan Holdings Limited & Beach Street Holdings Limited).

- c. It would be useful if submitter 470 (Queenstown Play Centre) could further explain what they are proposing in terms of the guidelines they are seeking. Regardless, the provisions of the notified QTTC Transition subzone, which adjoins residential zones, set a 'higher bar' than the ODP in terms of the design and layout of development (Rules 12.4.6 and 12.5.1) and, as re-drafted, retains similar noise limits to those of the ODP (Rule 12.5.11). That said, as outlined in paragraph 13.37 of this report, I do support the preparation of guidelines to assist in achieving quality development in these areas and that these include a section on compatibility with adjacent residential areas.
- 13.8. Submitters 59 (Lynda Baker), 217 (Jay Berriman), and 82 (Toni Okkerse) support notified Policy 12.2.2.2 but Lynda Baker and Toni Okkerse request that the 3rd bullet point be amended to read: *Require development to:... - Positively respond to the Town Centres historic character* as the term Town Centres character is ambiguous and does not refer to the heritage of the Town Centre. While the Town Centre as a whole shares some key character elements, only parts of it exhibit a strong historic character (namely the majority of the SCA and the Queenstown courthouse heritage precinct, which sits outside of that). As such, while in my view it is not appropriate to change the policy in the manner suggested, I accept that in the absence of character statements in the PDP in relation to the area outside the SCA and heritage precincts, the application of this part of the policy to those other areas is potentially ambiguous and of limited effect.
- 13.9. That said, the SCA is well served by notified Policy 12.2.2.1 in terms of ensuring that development responds positively to the well-defined character of that area and, in response to this submission, I recommend amending Policy 12.2.2.1 to also require that development within or adjacent to the SCA or a heritage precinct positively respond to its historic context. This amendment has been made to **Appendix 1**.
- 13.10. Submitters 663 (IHG Queenstown Ltd and Carter Queenstown Ltd)⁵⁴ and 672 (Watertight Investments Ltd) request that notified Policy 12.2.2.2 be amended to apply only to development that is visible from public places and to remove the additional explanation which states that the façade should incorporate elements which break down building mass into smaller units to achieve a human scale.
- 13.11. In response, whether a development is visible from a public place will become somewhat superfluous in that most if not all buildings are visible from elevated view points on Queenstown Hill and Ben Lomond. I also note that bullet points 1 and 2 will only be relevant to developments with frontage to a street or public place, and that it could be useful to apply bullet point 3 to buildings without such a frontage in that a building on a rear site may still contribute to character and sense of place through, for example, providing a public or semi-

54 Opposed by FS1139.4 (Carl & Lorraine Holt) and FS1191.3 (Adam & Kirsten Zaki).

public pedestrian connection, providing a roof top balcony space, or being of a height that is compatible with the existing and anticipated character.

13.12. As such I do not support limiting the application of the policy only to sites visible from public places and favour retaining the explanatory text in bullet point 1 in relation to human scale, on the basis that no design guidelines or assessment matters exist for sites outside of the SCA and therefore such additional guidance is useful.

13.13. Submitter 663 (IHG Queenstown Ltd and Carter Queenstown Ltd)⁵⁵ requests that notified Policy 12.2.2.9 be deleted and submitter 672.10 (Watertight Investments Ltd) requests that it be amended as follows:

"Require Manage high quality the design of comprehensive developments within the Town Centre Transition subzone and on large sites elsewhere in the Town Centre".

13.14. In response, I do not favour deleting or weakening this policy in the manner requested. In my opinion, the notified policy is appropriate a) given Rules 12.4.6.2 and 12.5.1 require structure planning of larger sites (as a restricted discretionary activity) and where coverage is breached enable the council to consider matters such as the overall layout, pedestrian links and open space provision and b) because large development sites and/ or those on the edge of the town (which are often also large) offer the opportunity to make a significant positive contribution to the overall quality of the town and if developed poorly, could significantly undermine the ability to achieve Objective 12.2.2. As such, a policy that simply requires the design of comprehensive developments to be managed is not sufficient in my view.

13.15. With regard to notified Policy 12.2.3.6, Submitter 474 (Evan Jenkins) raises concerns that fairy lights in trees are counterproductive and against the spirit of the Southern Light Strategy. While I accept that the Strategy states that fairy lighting can provide a high glare source, which conflicts with other lighting objectives and in terms of public places should only be operated in relation to festivals and special events only,⁵⁶ I do not consider it necessary for Policy 12.2.3.6 to include any further detail in that respect.

13.16. In relation to notified Objective 12.2.2, submitter 238 (NZIA)⁵⁷ requests that a further policy be added in recognition that Council has a role in managing and investing in the street environment and encouraging vitality through both soft and hard landscaping. I do not support the inclusion of such a policy within the QTTC Zone as, while such council initiatives are integral to achieving the objective, the commitment to undertake such works is more appropriately determined via the Council's Long Term Plan process.

55 Opposed by FS1139 (Carl & Lorraine Holt) and FS1191 (Adam & Kirsten Zaki).

56 Southern Light Strategy, Pg. 19.

57 FS1107 (Man Street Properties Ltd), FS1226 (Ngai Tahu Property Limited & Ngai Tahu Justice Holdings Limited), FS1234 (Shotover Memorial Properties Limited & Horne Water Holdings Limited), FS1239 (Skyline Enterprises Limited & O'Connells Pavilion Limited), FS1241 (Skyline Enterprises Limited & Accommodation and Booking Agents), FS1248 (Trojan Holdings Limited & Beach Street Holdings Limited), and FS1249 (Tweed Development Limited).

13.17. Various submitters⁵⁸ support notified Objective 12.2.4 regarding a compact and accessible Town Centre. Submitter 807 (Remarkables Park Limited) supports notified Policy 12.2.4.2, and submitter 798 (Otago Regional Council) (**ORC**) requests the aspiration of accessibility be added to it. Submitter 238 (NZIA)⁵⁹ supports it but requests that the following bullet points be added:

e) Laneways and small streets open to the sky are a key feature of Queenstown character and should be promoted and encouraged wherever possible.

f) Horne creek is a key feature of Queenstown character and should be promoted as both a visual and pedestrian feature wherever possible.

13.18. The ORC's submission then goes on to suggest that this may be achieved by limiting the number of car parks in or on the periphery of the town centre to support a shift to shared and active transport modes. However, as outlined below in section 16, any such change to the rules to align with this policy are more appropriately considered as part of Stage 2 of the PDP and, as such that part of the submission is recommended to be rejected.

13.19. In response to submissions I recommend adding the term "accessible" into notified Policy 12.2.4.2 and, in recognition that pedestrian experiences are greatly enhanced by small laneways and the importance of opening up Horne Creek over time as and when opportunities arise, I recommend amendments similar to the wording proposed by the submitter. These changes have been made in **Appendix 1**.

13.20. Submitter 663 (IHG Queenstown Ltd and Carter Queenstown Ltd)⁶⁰ and 672 (Watertight Investments Ltd) request that notified Policy 12.2.4.3 be amended to refer to "antisocial" rather than "criminal behaviour" and that CPTED principles not be applied to the design of lot configuration, the street network, carparking areas, accessways/ pedestrian links/ lanes, or landscaping.

13.21. In response, I agree with amending the wording to antisocial behaviour in Policy 12.2.4.3. I also agree that, due to the fact that lot configuration and the design of any extension to the street network will be considered through the Rule 27.5.6 of the redraft subdivision chapter⁶¹ and/ or designation procedures, these need not be specifically mentioned in this policy. However, I consider the CPTED principles are relevant to the other matters listed in the notified version and also that, with the removal of the reference to the design of the street network, the design of the streetscape should be added in its place to clarify that CPTED principles are highly important to any such streetscape redesign that might be undertaken in

58 217 (Jay Berriman), 380 (Villa dellLago), 798 (Otago Regional Council), 807 (Remarkables Park Limited).

59 Opposed by FS1107 (Man Street Properties Ltd), FS1226 (Ngai Tahu Property Limited & Ngai Tahu Justice Holdings Limited), FS1234 (Shotover Memorial Properties Limited & Horne Water Holdings Limited), FS1239 (Skyline Enterprises Limited & O'Connells Pavilion Limited), FS1241 (Skyline Enterprises Limited & Accommodation and Booking Agents), and FS1248 (Trojan Holdings Limited & Beach Street Holdings Limited), and FS1249 (Tweed Development Limited).

60 Opposed by FS1139.12 (Carl & Lorraine Holt) and FS1191.11 (Adam & Kirsten Zaki).

61 <http://www.qldc.govt.nz/assets/Uploads/Planning/District-Plan/Hearings-Page/Hearing-Stream-4/Council-Right-of-Reply/QLDC-04-Subdivision-Chapter-27-Nigel-Bryce-Reply-28305692-v-1.pdf>.

conjunction with private developments. The recommended amendments have been made to **Appendix 1**.

13.22. The remainder of this section responds to submissions relating to various rules (and other methods) that are aimed at achieving the urban design-related objectives. The specific issues raised in submissions relate to:

- a. Controlled or restricted discretionary activity status for all buildings.
- b. Glare.
- c. The scope of the Design Guidelines.
- d. Screening of storage space.
- e. Pop-up temporary buildings, street entertainment, and artworks.
- f. Pedestrian links.

The most appropriate activity status for all buildings

13.23. Submitter 238 (NZIA)⁶² requests restricted discretionary activity status for buildings that have been to the Urban Design Panel (**UDP**) and full discretionary status for all others as there needs to be some incentive; and that all buildings in the town centre be subject to review by the UDP.

13.24. In response, while such a rule would be sufficiently certain (as the trigger point is a matter of fact), I do not recommend making this change as it is unlikely to be effective. As the rule would not require the approval of the UD Panel or that the applicant had even addressed or considered the UD Panel's concerns or recommendations the mere fact the proposal had been taken to the UD Panel would in no way suggest it required a less rigorous assessment at the resource consent stage. To overcome this, the rule would need to require that the activity status were dependent on a pass/fail from the UD Panel and such an approach passes the onus of deciding the appropriate activity status, to a third party. I also note that I do not consider that any developments that comply with the other rules in the PDP would need to be considered as a full discretionary activity.

13.25. Eleven submitters⁶³ request that notified Rule 12.4.6.1 be amended such that all buildings are controlled, rather than restricted discretionary. Submitters 663 (IHG Queenstown Ltd and

62 Opposed by FS1107 (Man Street Properties Ltd), FS1226 (Ngai Tahu Property Limited & Ngai Tahu Justice Holdings Limited), FS1234 (Shotover Memorial Properties Limited & Horne Water Holdings Limited), FS1239 (Skyline Enterprises Limited & O'Connells Pavilion Limited), FS1241 (Skyline Enterprises Limited & Accommodation and Booking Agents), and FS1248 (Trojan Holdings Limited & Beach Street Holdings Limited), and FS1249 (Tweed Development Limited).

63 Submitters 606 (Skyline Investments Limited & O'Connells Pavilion Limited), 609 (Skyline Properties Limited & Accommodation and Booking Agents Queenstown Limited), 614 (Shotover Memorial Properties Limited & Horne Water Holdings Limited), 617 (Tweed Development Limited), 596 (Ngai Tahu Property Limited & Ngai Tahu Justice Holdings Limited), 398 (Man Street Properties Limited), 663 (IHG Queenstown Ltd and Carter Queenstown Ltd), 672 (Watertight

Carter Queenstown Ltd), 672 (Watertight Investments), and 724 (Queenstown Gold Ltd) further request that control be limited to consideration of external building design and appearance in relation to streetscape character, building design in relation to adjoining pedestrian links listed in notified Rule 12.5.8, signage platforms, and lighting. This is on the basis that it is more succinct yet captures all but the natural hazard issue and provides greater certainty and imposes less cost. There are further submitters both in support and in opposition.⁶⁴

13.26. I note that in the ODP, buildings in the SCA are a restricted discretionary activity and buildings beyond this area are a controlled activity.

13.27. Pages 23 - 26 of the s 32A report set out the reasoning behind the decision to attribute the restricted discretionary activity status to all buildings in the Queenstown Town Centre. In summary those reasons are that applying a restricted discretionary activity status to building(s) throughout the QTTCZ:

- a. Will provide greater certainty and be more effective at requiring consistency with the SCA Design Guidelines, which will enable the council to ensure that the key character elements of the SCA are recognised and reflected in designs.
- b. Will be more effective at achieving quality architecture and urban design and enable poor design to be declined.
- c. Will result in economic benefits to applicants and a reduction in transaction costs (and therefore the overall development costs). This conclusion is based on the fact that even if a non-notified restricted discretionary activity consent is more costly to obtain than a controlled consent, this is counteracted by removing or relaxing the bulk and location controls of the ODP, which have routinely triggered potentially notifiable restricted discretionary activity and non-complying consents in all cases that I am aware of.
- d. Is more efficient from a District Plan drafting and administration perspective in that it enables a single rule to be relied on to manage the design of building(s) rather than having different rules for the SCA and the rest of the QTTCZ.

13.28. For the record, I note that the s 32 report incorrectly states that "almost all applications in recent years have been non-complying" (page 25) when it should more accurately say that 70% of applications have been restricted discretionary and non-complying activities (and many of the remaining 30% of applications very likely to relate to matters other than building).

Investments Ltd), 724 (Queenstown Gold Ltd), 574 (Skyline Enterprises Limited), and 616 (Trojan Holdings Limited & Beach Street Holdings Limited).

64 FS1274 (John Thompson and MacFarlane Investments Limited), FS1063 (Peter Fleming and Others), FS1139 (Carl & Lorraine Holt), and FS1191 (Adam & Kirsten Zaki) oppose the relief sought and FS1200.4 (Stanley Street Investments Limited and Stanley Street Limited and Kelso Investments Limited) supports the relief sought.

Regardless, the effect is the same in that in most applications, the Council has had considerable leverage to influence design and quality at resource consent stage due to breaches in standards and that very few buildings have actually been processed as controlled activities (i.e. for design control only).

13.29. Mr Church's evidence also supports this approach.

13.30. Given that the data recorded by Council seems to contain some errors I also assessed a sample of 15 resource consents for new buildings that have been approved in recent years. None were processed as controlled activities, routinely breaching height, (and in most cases also building coverage, standards (refer section 10 of this report). From my own experience as the Council's 'Manager: Strategy and Planning' and as a member of the UDP, I am personally aware of a number of examples where the outcome was improved greatly through a process that simply does not occur with controlled activity resource consents.

13.31. While requiring a restricted discretionary consent for all buildings and external alterations will create greater uncertainty and cost (as argued by MSP), in my view this is justified by the importance of the Town Centre and the risks to the environment and the economy from poor design. I also note that the non-notification clause for restricted discretionary buildings will reduce uncertainty, cost, and time delays considerably; the consent is likely to be less onerous than ODP rules which routinely trigger non complying consent; and I am not aware of any evidence that controlled status is sufficient due to the lack of such applications being processed under the ODP.

13.32. In conclusion, I remain of the view that a relaxation of the bulk and location rules and a strengthening of design control in the manner recommended is the most appropriate method to achieve the objectives. As such no change is recommended.

13.33. I note that submissions on notified Rule 12.4.6.2 relating to the requirement for a Structure Plan to be provided as part of any development over 1800m² are considered later in this section.

Glare

13.34. Submitter 398.18 (Man Street Properties Limited) partly opposes the objectives, policies and Queenstown Town Centre Design Guidelines 2015 that inform and support notified Rule 12.5.14 regarding glare. This is opposed by FS1274 (John Thompson and MacFarlane Investments Limited).

- 13.35. Seven submitters⁶⁵ request that notified Rule 12.5.14.4, which relates to reflectance and exterior materials, is deleted. These submissions are opposed by FS1274 (John Thompson and MacFarlane Investments Limited) and FS1063 (Peter Fleming and Others).
- 13.36. In response to submissions, I am of the opinion that notified Rule 12.5.14.4 (under the heading of glare) is not the most appropriate way of achieving the objectives. In support of this I note that the Town Centre is a relatively shady part of the District and, as such, glare is not a significant issue; there are no landscape values that need to be considered; the allowance of a range of colours and materials adds vibrancy and diversity to highly urbanised areas such as this; the Queenstown Town Centre SCA guidelines and notified Rule 12.4.6.1 provide the Council with control over colour where necessary; the guidelines for the SCA considers reflective colours such as cream to be appropriate from a character perspective which is in direct conflict with the rule; and there is no objective or policy which relates to this particular glare rule (notified 12.5.14.4). In regard to that part of the rule which relates to materials I also consider this to be unnecessary as it is adequately captured by notified Rule 12.4.6.1 and the guidelines,⁶⁶ which together, retain discretion over the matter yet offer considerable flexibility.
- 13.37. In response to opposition to the objectives and policies that support notified Rule 12.5.14, I am of the view that the objectives and policies are appropriate and do not, in fact, lend any significant support to notified Rule 12.5.14.4. As such, I am of the opinion that it is appropriate to remove Rule 12.5.14.4 but to retain the objectives, policies, and guidelines as notified (in respect of this matter). I also note that in cases where the colour proposed will result in an outcome that will not meet the objective of quality urban design, the Council retains the ability to impose conditions on the colour of the building (or in an extreme case, decline the application) through Rule 12.4.6.1. Notified Rule 12.5.14.4 has therefore been removed from **Appendix 1** and a S32AA evaluation is included in **Appendix 4**.

- 13.38. Submitter 238.65 (NZIA)⁶⁷ requests the following:

The Queenstown Town Centre Design Guidelines 2015 be expanded to include the following points or, failing that, include points 1-7 in the zone purpose, noting that the Design Guidelines are only about buildings, which alone does not define character:

- 1. Natural features (land form, water, significant vegetation)*
- 2. Major roads and pathways*

65 Submitters 616 (Trojan Holdings Limited & Beach Street Holdings Limited), 614 (Shotover Memorial Properties Limited & Horne Water Holdings Limited), 398 (Man Street Properties Limited), 606 (Skyline Investments Limited & O'Connells Pavilion Limited), 609 (Skyline Properties Limited & Accommodation and Booking Agents Queenstown Limited), 617 (Tweed Development Limited), and FS1200 (Stanley Street Investments Limited and Stanley Street Limited and Kelso Investments Limited).

66 Queenstown Town Centre Special Character Area Design guidelines, July 2015, pages 45 and 50 - 51

67 This is opposed by FS1107.70 (Man Street Properties Ltd), FS1226.70 (Ngai Tahu Property Limited & Ngai Tahu Justice Holdings Limited), FS1234.70 (Shotover Memorial Properties Limited & Horne Water Holdings Limited), FS1239.70 (Skyline Enterprises Limited & O'Connells Pavilion Limited), FS1241.70 (Skyline Enterprises Limited & Accommodation and Booking Agents), FS1248.70 (Trojan Holdings Limited & Beach Street Holdings Limited), FS1249.70 (Tweed Development Limited).

3. *Grids (subdivision patterns, permeability, geometry, permeability, hierarchy, discontinuities).*
4. *Public open spaces (orientation, pedestrian routes).*
5. *Built form (landmarks, heritage features, building types, building scale, density coverage, distribution of fronts and backs, spatial definition-degree of enclosure, recurring relationships of buildings and public spaces)*
6. *Existing circulation patterns (pedestrian, vehicle, public transportation, distribution of activities, density and intensity)*
7. *Experiences (way finding, memorable sequences, views)*
8. *Council landscaping (including hard and soft) standards and guidelines.*

13.39. In response to this submission, while I agree that guidelines that relate to such matters and which extend beyond the SCA would be useful, particularly when assessing larger scale resource consents such as those that require a comprehensive development plan to be provided, I note that guidance on many of these matters is already provided by the following non-statutory documents and/ or PDP policies and matters of discretion:

- a. The Queenstown Town Centre Strategy (2009) provides guidance to applicants (as another matter to consider under Section 104(1)(c) of the RMA) and to the Council itself in relation to public works. In relation to the matters raised in the submission, the Strategy provides guidance in relation to existing circulation patterns (refer parts relating to access, shared space, lanes, and pedestrian links), the streetscape, character, and open space.
- b. The policies, rules, and matters of discretion proposed in the PDP provide guidance and the ability to influence the form of private development (through the restricted discretionary status) in relation to preserving and enhancing natural features such as Horne Creek; encouraging the maintenance and enhancement of permeable blocks and relatively fine grain subdivision patterns; preserving and enhancing pathways; consideration of relationships between buildings and public spaces; and the preservation of the most important viewshafts (which are a key element of Queenstown Town Centres sense of place).
- c. The preparation of a Town Centre Streetscape Manual/ Design Framework is currently under consideration by Council and I understand that it is intended to provide guidance on matters such as the design of public open spaces (orientation, pedestrian routes) and Council landscaping.
- d. While I cannot predetermine the content of the proposed Transportation Chapter, which will be developed as part of Stage 2 of the District Plan review, I would expect the process to further consider the integration of public transport and pedestrian and vehicle accessibility within the QTTC, I would not expect guidelines to be used to determine these matters or the distribution of activities, density and intensity.
- e. Chapter 26 of the PDP manages the effects of development of heritage features and development within heritage precincts within the Town Centre, in conjunction with

notified Objective 12.2.2 of the QTTC chapter and the Strategic Direction objective and policies. Furthermore most development that could potentially affect heritage values would be located within the SCA and, as such, is required to be consistent with the proposed guidelines, which provide ample guidance on appropriate development.

13.40. While I agree that these matters are all an important part of achieving a well-designed Town Centre, I do not consider it appropriate to expand the existing design guideline in the manner sought as part of this process as a) much of it is covered through other means as outlined above and b) to expand the guideline via submission would not provide the opportunity to undertake widespread consultation on the amendments which, while not beyond scope, I do not consider to be good practice or necessarily efficient prior to provisions themselves being confirmed, and c) while not fatal, without amending notified Policy 12.2.2.1 (which only requires development in the SCA to be consistent with the guidelines) there would be no policy support to the Council's discretion regarding such consistency. That said, I note that I concur with Mr Church (paragraph 15.10 of his evidence) that, in due course, it would be useful for the Council to develop non-statutory design guidelines to assist in the preparation and assessment of both Comprehensive Development Plans and smaller site-by-site designs beyond the SCA after the provisions are determined.

13.41. However, the submission usefully highlights the positive contribution that landmark buildings on key sites can make to the quality of the environment and that this is not recognised anywhere within or outside of the District Plan. Therefore, based on Mr Church's evidence and relying on this submission and submissions 663 (IHG Queenstown Ltd and Carter Queenstown Ltd) and 672.6 (Watertight Investments Ltd),⁶⁸ I recommend amending notified Rule 12.5.9.2 to include (as bullet point 5) "the opportunity to establish a landmark building on a key site" as something to be considered when considering the appropriateness of extra height. This change has been made in **Appendix 1**.

13.42. While I considered acknowledging the importance of the matters raised by the submitter within the Zone Purpose (as suggested in its alternative relief requested), I concluded it was inappropriate and would be ineffective. This is discussed earlier at paragraphs 9.6 and 9.7 of this report.

Screening of storage space

13.43. Notified Rule 12.5.4.1 requires that all storage areas on sites with frontage to certain streets be located within the building.

13.44. Submitter 621 (Real Journeys Limited) requests that Rule 12.5.4.1 be amended to clarify that the temporary storage of equipment on a wharf which is being transported via a vessel/ is

⁶⁸ That Policy 12.2.2.5 be amended to enable buildings to exceed the non-complying height standards in situations where adverse effects arising from the additional building height are no more than minor or, failing that, in those instances specified in the notified policy (but deleting the explanation of what is considered to be beneficial urban design outcomes).

associated with transporting people and goods is permitted or exempt from the rule and that notified Rule 12.4.6.1 (regarding all buildings) be amended to include a permitted rule as follows: "Storage of rubbish shall be screened from view from all neighbouring properties and public places". I am unclear what is actually being sought by this second point.

- 13.45. Submitter 663 (IHG Queenstown Ltd and Carter Queenstown Ltd)⁶⁹ requests that notified Rule 12.5.4.1 be deleted and, rather, that notified Rule 12.5.4.2 should be applied to all sites in the zone; meaning that storage areas shall either be situated within the building or screened from view from all public places, adjoining sites and adjoining zones.
- 13.46. In response to Real Journeys submission, firstly Rule 12.5.4.1 would not apply to the storage of goods on the wharf as the wharf is not part of a site that has frontage to Beach Street (which it would need to be to trigger Rule 12.5.4.1).
- 13.47. However, subject to reinstating the Queenstown Town Centre waterfront subzone boundary on the planning maps, any effects arising from the operations outlined by Real Journeys in its submission would be controlled by the following rule (emphasis added), which I consider to be wholly appropriate:

	<p><i>Commercial Activities within the Queenstown Town Centre Waterfront Subzone (including those that are carried out on a wharf or jetty) except for those commercial activities on the surface of water that are provided for as discretionary activities pursuant to Rule 12.4.7.2 in respect of:</i></p> <ul style="list-style-type: none"> - Any adverse effects of additional traffic generation from the activity; - The location and design of access and loading areas in order to ensure safe and efficient movement of pedestrians, cyclists, and vehicles; and - The erection of temporary structures and the temporary or permanent outdoor storage of equipment in terms of: <ul style="list-style-type: none"> - any adverse effect on visual amenity and on pedestrian or vehicle movement; and - the extent to which a comprehensive approach has been taken to providing for such areas within the subzone. 	C
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- 13.48. Taking everything into consideration and irrespective of the decision that is made in regard to Rule 12.4.3 above, I consider that no amendment is required to notified Rule 12.5.4.
- 13.49. In response to submitter 663 (IHG), I note that notified Rules 12.5.4.1 and 12.5.4.2 have been carried over from the ODP (although the wording has been refined by referring to the whole SCA rather than listing the individual streets within it). While I have concerns about the adverse visual and crime-related effects that can occur from allowing outdoor storage areas to occur; particularly in those areas with high pedestrian numbers and in laneways, provided it is screened and well-secured, and that compliance is well monitored then I agree that it is somewhat irrelevant whether the storage is within a building or within a well-screened outdoor area. Relaxing notified Rule 12.5.4.2 to enable this alternative will also simplify the rule and better provide for the storage associated with some uses.

69 Opposed by FS1191.17 (Adam & Kirsten Zaki) and FS1139.18 (Carl & Lorraine Holt).

13.50. As such, I recommend removing notified Rule 12.5.4.1 and applying redraft Rule 12.5.4.2 to all parts of the Queenstown Town Centre Zone and adding a further matter of discretion relating to crime prevention to redraft Rule 12.5.4.2 as a consequential amendment of removing notified Rule 12.5.4.1. These amendments have been made in **Appendix 1** and a s 32AA undertaken in **Appendix 4**.

Rules relating to the provision and design of verandas

13.51. Submitter 663 (IHG Queenstown Ltd and Carter Queenstown Ltd)⁷⁰ requests that buildings along Hay Street need not provide a veranda. In response, while I see merit in requiring a veranda on Hay Street from the perspective that it will provide an increasingly important pedestrian link to the Lakeview Subzone and is identified as a pedestrian link in the Council's Town Centre Strategy 2009, I am also conscious that a) it is very steep and so it will be challenging to construct verandas which provide effective cover for pedestrians in inclement weather, b) there are no specific requirements to provide verandas in the Isle St or Lakeview Town Centre subzones that lie beyond this, and c), an all-weather pedestrian link already exists through the centre of the Man Street block. Taking all this into consideration, I recommend that the requirement to provide a veranda on Hay Street be deleted from notified Rule 12.5.5.1.

13.52. In relation to notified Policy 12.2.4.5 and Rules 12.4.6.1 (building design) and 12.5.5.2 (maximum height and depth of verandas) submitter 798 (Otago Regional Council) states that poorly-designed shop front veranda setbacks and heights can interfere with kerbside bus movement. While the ORC does not seek any specific relief, I recommend that the matters of discretion for buildings be amended to enable any effect on kerbside movements to be considered as part of considering the overall building design. While it is debatable whether the maximum 3 m height imposed on verandas is, in fact, positive from an urban design perspective, I do not consider that this requirement necessarily poses any issues in terms of kerbside movements as verandas need not necessarily extend to the kerb and so would not interfere with bus movements or loading. Regardless, to be conservative, this minor change has been made to **Appendix 1**.

Rules relating to pedestrian links

13.53. Submitter 238 (NZIA)⁷¹ requests that:

- a. Rule 12.5.8 be amended as follows to recognise the importance of pedestrian links that are open to the sky:

⁷⁰ Opposed by FS1191 (Adam & Kirsten Zaki) and FS1139 (Carl & Lorraine Holt).

⁷¹ Opposed by FS1107 (Man Street Properties Ltd), FS1226 (Ngai Tahu Property Limited & Ngai Tahu Justice Holdings Limited), FS1234 (Shotover Memorial Properties Limited & Horne Water Holdings Limited), FS1239 (Skyline Enterprises Limited & O'Connells Pavilion Limited), FS1241 (Skyline Enterprises Limited & Accommodation and Booking Agents), and FS1248 (Trojan Holdings Limited & Beach Street Holdings Limited), and FS1249 (Tweed Development Limited). Supported by FS1368.3 and FS1368.4 (Man Street Properties Limited).

"Note: ~~Nothing in rules 12.5.8.1 and 12.5.8.2 shall prevent a building or part of a building being constructed at first floor level over a pedestrian link. Pedestrian links should be open to the sky.~~"

- b. The pedestrian link map is an insufficient size and the format is not supported and it should be renamed a "permeability" map and amended (as further detailed in the map attached to the submission) to:
 - i. Show desired locations/ future pedestrian linkages rather than just existing ones, including Horne Creek, noting that it fails to show important links that have been introduced since the last map. I.e. Ngai Tahu courthouse area and opening up of Horne Creek.
 - ii. Encompass Gorge Road retail and the expanded town centre and show all existing and desired links.
 - iii. show what will be required, not just in this zone but in all town centre and mixed use zones, noting that the map is too restrictive.
 - c. There could be incentives (i.e. height etc.) for linkages offered in desired areas.
- 13.54. Submitter 599 (Peter Fleming) opposes the pedestrian link map as he considers the map and potentially also the legal descriptions are incorrect.
- 13.55. Submitter 617 (Tweed Development Limited) requests that the PDP is modified so notified Rule 12.5.8 Figure 1 and the associated descriptions recognise that, with regard to the pedestrian connection between the Mall and Searle Lane (closest to the lake), a covenant and agreement exists with the Council to allow the connection to be moved to run directly between the Mall and Searle Lane along the boundary of Section 21 Block II Town of Queenstown.
- 13.56. In response, relying in part on the evidence of Mr Church and Ms Gillies I recommend that:
- a. The notified pedestrian link map and the related legal descriptions (in Rule 12.5.8) are corrected and all formal existing laneways and pedestrian links are included.
 - b. The pedestrian link map in notified Rule 12.5.8 of the PDP is enlarged and referred to in Rule 12.5.8 but inserted instead at the end of Chapter 12.
 - c. Future potential links and laneways are not shown on the pedestrian link map in the PDP. Rather, I expect that when consents for buildings, comprehensive development plans, and building coverage (where applicable) are being considered, the future links shown on documents such as the Queenstown Town Centre Strategy (2009) are taken into account and opportunities to expand the network are taken.

- d. Notified Policy 12.2.2.5(b), which already incentivises the provision of laneways in lieu of gaining additional height, is amended to specify that where such links or laneways are being offered up as a trade-off for height, they shall be open to the sky and note that this may include the uncovering and restoration of Horne Creek.
- e. Notified Rule 12.5.8 clarifies that where existing lanes and links are open to the sky then they shall remain as such and if provided as part of a redevelopment of the site, shall be a minimum of 4m wide where the existing link is covered then, when the site is redeveloped, it can remain as covered connections and shall be at least 1.8 m wide.
- f. The pedestrian link map in notified Rule 12.5.8 should not be extended beyond the Town Centre, as sought by the submitter, as to do so would be beyond the scope of the chapter.
- g. It is unnecessary to include text in the PDP recognising that there is a covenant and agreement with QLDC to allow the connection between The Mall and Searle Lane (closest to the lake) to be moved as a) the rule specifies that connections only need be in the general location and b) at the time of resource consent a title search will be undertaken by Council and this will be immediately confirmed.

13.57. In reaching a conclusion regarding whether links and laneways need remain uncovered, while it would be preferable in my view for all the lanes and links to be open to the sky, I acknowledge that existing use rights make it unrealistic to require existing links to be opened up to the sky unless the nature and scale of the development were changing); that the fine grain of the SCA may limit the suitability of wider mid-block lanes in this area; and that the narrower pedestrian links still make an important contribution to the Town Centre character. Provided any redevelopment of these is of a high quality and, importantly, that CPTED principles are adhered to, then these can continue to make a positive contribution in the centre of town but should not be replicated in any new development areas on the periphery where the scale of the grid and built form differs and is well suited to laneway development of the type that has occurred in the Church Street and Post Office precincts.

13.58. These amendments have been made to **Appendix 1**.

Pop-up temporary buildings, street entertainment, and artworks

13.59. Submitter 630 (DowntownQT) supports notified Objective 12.2.1 regarding the role of the Town Centre, stating that the Council should consider opportunities within the District Plan to enable diversity of street life and consider other Council regulations (such as bylaws) to support this. The submitter specifically requests that, in order to achieve this, the Council provide for the following as permitted activities:

- a. Small "pop up" buildings (i.e. pop up retail and bars) for a limited time period (e.g. 6 months) either across the entire Town Centre Zone, or could be restricted to specific areas such the Lake Esplanade.
- b. Street entertainment.
- c. Art work and sculptures (for example, so as to avoid them being captured by the definition of "building").

13.60. I support such initiatives in principle as I agree that they can contribute significantly to the success and relevance of the Town Centre. Temporary pop up buildings, artwork, and street entertainment can enable more efficient use of the land; add to the sense of place; provide interest and a point of difference; add diversity (by offering a more affordable and flexible commercial space); and help with crime prevention and enhancing vibrancy by activating spaces which may be otherwise disused/ vacant.

13.61. It would be useful to know from DowntownQT whether the pop up buildings they refer to are in relation to events or should be generally provided for. For now, it is assumed to be the latter.

13.62. I note that the temporary activities rules (Chapter 35) do not make provision for temporary buildings per se but do make provision for temporary events as permitted activities, which is defined as follows and could potentially include the erection of a small temporary building(s) for the purpose of/ associated with an event, either on public or private land:

Temporary Events: Means the use of land, buildings, tents and marquees, vehicles and structures for the following activities:

- carnivals
- fairs
- festivals
- fundraisers
- galas
- market days
- meetings
- exhibitions
- parades
- rallies
- cultural and sporting events
- concerts
- shows
- weddings
- funerals
- musical and theatrical entertainment, and
- uses similar in character.

13.63. I also note that as roads are un-zoned in the PDP, a pop up building on road reserve would not require resource consent but would be required to obtain a 'Licence to Occupy' from the Council which, while this is not subject to RMA processes, can still be quite a lengthy process and incurs some upfront and ongoing costs.

- 13.64. It is worth also considering whether the definition of building (as currently drafted or as it may potentially be re-drafted through decisions on submissions) already provides exceptions for pop up buildings. I understand that in terms of district plan administration and enforcement, the Council does not consider a structure or building that is on a trailer, is road worthy and can be driven away to be a building. Therefore this may provide one opportunity for pop up buildings without the need for resource consent. I also note that none of the submissions on the definition of building are likely to result in the definition exempting small pop up buildings (with the possible exception that containers may be enabled if the definition was simply as per the Building Act).
- 13.65. In summary under the PDP rules, a building associated with a temporary event could arguably be permitted but any other building that is either not on road reserve, not on wheels, (and exceeds the size requirements) would require a restricted discretionary activity consent.
- 13.66. Other than compliance with the noise requirements, street entertainment is regulated by the Control of Activities in Public Places Bylaw (2016) rather than through the District Plan and therefore is outside the scope of the District Plan.
- 13.67. With regard to art and sculptures, the definition of Building in the PDP includes the following exemption (9th bullet point):
- *Public outdoor art installations sited on Council-owned land.*
- 13.68. As this may not be wide enough to fully meet the relief sought, (which may also relate to artworks on private land being permitted) and there is a risk that it may be removed in response to other submissions on the definition, I recommend also including an exemption for all permanent and temporary outdoor art installations from notified Rule 12.4.6, regardless of whether they are public or private, in order to better achieve Objective 12.2.3 regarding vibrancy.
- 13.69. As outlined above and in the S32AA assessment in **Appendix 4**, I consider that the environmental and economic/ efficiency benefits of enabling pop up buildings and artworks of a limited duration/ scale as permitted activities outweigh the costs. As such, I recommend exempting temporary buildings that are in place for no longer than 6 months and artworks (permanent and temporary) from requiring resource consent in respect of design (i.e. Rule 12.4.6), noting that they will still need to comply with the relevant performance standards such as height. The building consent or an alternative simple certification process will provide the Council with a tool via which to ensure that the duration period is not exceeded if deemed necessary.

14. ISSUE 6 - THE APPROPRIATENESS OF THE PROPOSED COVERAGE AND SETBACK PROVISIONS AND THE REQUIREMENT TO PROVIDE A STRUCTURE PLAN AND WITHIN THE TCTZ AND IN RELATION TO ALL LARGE SCALE DEVELOPMENTS

14.1. In summary, I have recommended the following changes:

- a. Change Rule 12.5.1.1 to trigger the need to comply with a maximum coverage rule of 75% on all developments on a site or sites over 1400m² in area and to include a meaning of comprehensive development within the rule. As a consequence, I have also recommended lowering the area threshold of notified Rule 12.4.6.2 (buildings on sites larger than 1800m²) to 1400m² for consistency.
- b. Remove notified Rule 12.5.2 requiring setbacks on Beach Street.

14.2. Seven submitters⁷² support the removal of controls over site coverage for the majority of the Town Centre Zone. There are further submissions⁷³ in opposition and support of these.

14.3. Submitter 238.14 (NZIA)⁷⁴ requests that all development over 80% of a site be discretionary to allow for permeability and connections to be made through sites.

14.4. For the reasons outlined in the s 32 report⁷⁵ and in Mr Church's evidence⁷⁶, I remain of the view that it is appropriate to enable 100% site coverage throughout the Queenstown Town Centre, other than in relation to large, comprehensive developments and in the TCTZ, as further discussed below. While there will be discrete times where there may be some benefit in providing some unbuilt private or semi-public space within a smaller site, in the fine grain heart of the Town Centre (and particularly in the SCA), such opportunities are rare. On balance, I consider that the environmental and economic costs of imposing this rule on all sites outweigh any potential benefits. Where such opportunities do exist, these are most likely to be as part of a larger scale development which, under Rules 12.4.6.2, 12.5.1.2, and 12.5.8 of the PDP, will be subject to a maximum coverage rule, structure planning requirements, and at times, a requirement to provide a pedestrian link or lane.

14.5. Submitter 491 (Redson Holdings Ltd) supports notified Rule 12.5.1 (which requires developments greater than 1800m² and/ or within the TCTZ to be comprehensively developed and to provide building coverage of not more than 75%) and requests Rule 12.5.1.1 be

72 Submitters 491 (Redson Holdings Ltd), 596 (Ngai Tahu Property Limited & Ngai Tahu Justice Holdings Limited)606 (Skyline Investments Limited & O'Connells Pavilion Limited), 609 (Skyline Properties Limited & Accommodation and Booking Agents Queenstown Limited), 614 (Shotover Memorial Properties Limited & Horne Water Holdings Limited), 616 (Trojan Holdings Limited & Beach Street Holdings Limited), and 650 (Foodstuffs South Island Ltd and Foodstuffs South Island Properties Ltd)

73 Submissions 660 and 609 are opposed by FS1063.24 and FS1063.31 (Peter Fleming and others) and 614 is supported by FS1200.1 (Stanley Street Investments Limited and Stanley Street Limited and Kelso Investments Limited).

74 Opposed by FS1107 (Man Street Properties Ltd), FS1226 (Ngai Tahu Property Limited & Ngai Tahu Justice Holdings Limited), FS1234 (Shotover Memorial Properties Limited & Horne Water Holdings Limited), FS1239 (Skyline Enterprises Limited & O'Connells Pavilion Limited), FS1241 (Skyline Enterprises Limited & Accommodation and Booking Agents), and FS1248 (Trojan Holdings Limited & Beach Street Holdings Limited), and FS1249 (Tweed Development Limited)

75 Pages 18 and 19, S 32 report.

76 Evidence of Mr Church, paragraphs 17.1-17.11.

adopted. Submitter FS1236.14 (Skyline Enterprises Limited) opposes this; considering such a requirement is unnecessary and will not be an effective or efficient use of land.

- 14.6. Submitter 663 (IHG Queenstown Ltd and Carter Queenstown Ltd)⁷⁷ requests that the 75% coverage rule only applies to the Transition subzone and not to sites over 1800m² that are located outside of that.
- 14.7. Submitters 398 (Man Street Properties Limited), 574 (Skyline Enterprises Limited), and 663 (IHG Queenstown Ltd and Carter Queenstown Ltd) (opposed by FS1139 (Carl & Lorraine Holt) and FS1191 (Adam & Kirsten Zaki) request the deletion of notified Rule 12.4.6.2, which requires the provision of a structure plan for sites over 1,800m² in area or on any site within the TCTZ. Man Street Properties Limited cites its reasons as being that it will not achieve efficient land use; is inefficient as it adds additional consenting; is unnecessary given the control over building provided through Rule 12.4.6.1; the submitters site is already required to provide view shafts; and that the monitoring of the Town Centre Zone has not identified any resource management issue or potential adverse outcomes resulting from the ODP.
- 14.8. While submission 238.14 (NZIA), seeking 80% coverage throughout the whole QTTCZ, is couched in a zone-wide manner, in my opinion, there is a reasonable argument that it provides the scope to alter the notified coverage Rule 12.5.1 to enable it to be applied more widely.
- 14.9. In response to submissions, I note that the 75% maximum coverage rule was determined by a number of factors, including that:
- a. The building coverage provided within the comprehensive development in the Marine Parade/Church/ Earl/ Camp Street block (RM000902) is 75% and the building coverage provided within the post office precinct development is 67%. I consider both to be good examples of comprehensively planned developments.
 - b. The building coverage that would be achieved if the viewshafts on the Man Street carpark block are developed as open space areas as is recommended in this report (even if an additional basement level is enabled on one of them) is 72%.
 - c. Development within the Plan Change 50 area, which provides something of a transition zone or at least peripheral Town Centre zoning, is subject to maximum coverage rules of 70% and 80% in the respective Lakeview and Isle street subzones.
- 14.10. In the absence of any other evidence to the contrary I recommend retaining the 75% maximum coverage requirement, noting that a restricted discretionary activity is triggered and so this does not preclude it from being considered case by case at the time of resource

⁷⁷ Opposed by FS1139 (Carl & Lorraine Holt), and FS1191 (Adam & Kirsten Zaki).

consent, but avoids almost all resource consents in the Town Centre from having to obtain consent for a breach as is the case under the ODP.

- 14.11. Relying in part on Mr Church's evidence, I remain of the view that it is appropriate to retain a maximum coverage rule for large sites within the Town Centre and also for all sites (regardless of size) within the Town Centre Transition subzone.
- 14.12. That said, I have recommended a number of changes to Rule 12.5.1.1 (and, as a consequence, to Rule 12.6.4) in order to improve its effectiveness, relying on the NZIA's submission seeking that a 80% coverage rule be imposed on all sites to do so. The amendments that have been made are to:
- a. Change the site size triggering the 75% maximum coverage in notified Rule 12.5.1.1 to 1400m². Amend the rule to make it clearer and to ensure that the rule is applied to developments which cover a land area of 1400m², regardless of whether that land comprises one or more sites.
- 14.13. These recommended changes are informed in part by advice from Mr Church, (who supports the principle of requiring larger sites to be structure planned and to provide the opportunity to secure some open space where appropriate), and also by further analysis of property sizes in the Queenstown Town Centre (determined by both contiguous ownership/ landholding and by title). This information is shown in the plans attached as **Appendix 5**. In summary, those plans show that there are currently 20 titles over 1400m² in size outside the TCTZ (excluding recreation reserves) and that a further 8 areas over 1400m² comprise more than one title which are held in common ownership and therefore may well be developed comprehensively in the future. In my opinion, only some of these properties might realistically be redeveloped in the life of this plan but with ownerships changing and amalgamations occurring from time to time, these plans only provide a snapshot in time. By lowering the threshold to 1400m² and ensuring it can be applied to multiple sites this means that the rule will apply to more development sites (i.e. land held in contiguous ownership), over and above those that would be captured by the notified rule. As outlined by Mr Church (paragraphs 14.6 and 14.7), the change means that some key additional sites would be subject to the rule at this point in time, which he sees as highly positive. In my opinion, redraft Rule 12.5.1 will more effectively implement the outcomes sought by Objectives 12.2.2 and 12.2.4 and provide complimentary support to Rules 12.4.6.2 and 12.5.8.
- 14.14. Partly as a consequence of the recommended amendment to Rule 12.5.1, I recommend deleting Rule 12.4.6.2 as it is essentially duplication of Rule 12.5.1.2 albeit that the matters of discretion in 12.5.1.2 are more comprehensive. The only matter included in 12.4.6.2 that is not in 12.5.1.2 and so needs to be added to that is reference to add discretion over the provision of cycle and vehicle links. Various submissions (as outlined in paragraph 14.7 above) provide the scope for its deletion.

14.15. The amended Rule 12.5.1.1 is contained in the recommended revised chapter in **Appendix 1** and a s 32AA assessment is included in **Appendix 4**.

The Proposed Setback Provisions (12.5.2)

14.16. Submitter 616 (Trojan Holdings Limited & Beach Street Holdings Limited) opposes the setback rules on the north side of Beach Street, citing that it will limit the efficient use of a scarce resource; will place significant limits on development potential without any identifiable benefits; is not necessary as a suitable design can be achieved without arbitrarily imposing additional bulk and location controls; and will not reflect the positive effects that the existing varied setbacks of the buildings has on the streetscape.

14.17. Submitter 606 (Skyline Investments Limited & O'Connells Pavilion Limited) (opposed by FS1063.28 (Peter Fleming and Others) requests that Rule 12.5.2.1, requiring a 1 m building setback on the south side of Beach St, be deleted as there is no rationale for it, particularly on lower Beach Street.

14.18. Submitters 617 (Tweed Development Limited) and 383 (QLDC) request the removal of the 0.8m setback requirement from lower Beach Street such that it only applies to the block between Rees and Camp Streets, with Submitter 617 specifically seeking such relief for Lot 1 DP 20093 9, which is on the corner of Beach and Hay Streets. Similarly, submitter 383 (QLDC) also requests that rule 12.5.2.2 be amended to require that only buildings on the south side of Beach Street and which are located between Rees Street and Camp Street shall be set back a minimum of 1 m, noting that the notified wording requires buildings anywhere on Beach Street (including lower Beach Street) to be setback whereas the intention was to apply the setback only to the Rees/ Camp Street block.

14.19. The reasons for retaining the setbacks on upper Beach Street are outlined in the S 32 report⁷⁸ as follows:

The building setbacks required on Beach Street will enable the footpaths to be further widened and/ or encourage onsite outdoor dining and will retain/ enhance sunlight access to the south side of the street. This is the narrowest street in Queenstown, is a pedestrian-oriented street, already has a character typified by staggered frontages, and currently struggles to receive good sunlight in winter. As such, the potential improvements to the pedestrian environment will outweigh any adverse effects from imposing a setback.

14.20. I also note that:

- a. Stratton House (RM990598), which is a relatively recent large scale development on the south side of the street, provides a 4 m setback and this provides for wider footpaths and seating within a semi-public space.

- b. The setbacks are varied on the northern side with the most recent development on this side of the street (RM150881) providing a staggered setback ranging from nil to 0.8m.
 - c. Since notification of the PDP, the Council has resolved to pedestrianise upper Beach Street, from Cow Lane to Camp Street.
- 14.21. Having considered the costs and benefits further, the most compelling reason for retaining the setbacks, in my opinion, is that on the north side they provide an indirect way of achieving 2 storey buildings with 7m high façades and a parapet at the stipulated height all within the recession plane and with minimal effect on sunlight access. Without the setback the parapet height imposed by Rule 12.5.10.1 would not be allowed to protrude through the recession plane as this would result in unacceptable shading.
- 14.22. On balance and as outlined further in **Appendix 4**, I am of the view that the setbacks are not the most appropriate method of achieving Objectives 12.2.2 and 12.2.4 as there is no particular merit in:
- a. incrementally widening the road corridor, noting that a) the existing street width of approximately 10.8 m can accommodate 2 storey facades; b) it is to be pedestrianised and therefore street widening is no longer a possibility); and c) it currently provides a pleasant, enclosed space that is of a human scale yet still affords views to the mountains over the buildings;
 - b. having stepped/ uneven building facades, noting that this is inconsistent with the character of the SCA;
 - c. having strips of land in private ownership along the street, which, while this can be positive as in the Stratton House case, can also result in the unclear demarcation of private/ public space and undesirable clutter from premises displaying merchandise and signage, etc., which has the appearance of encroaching onto public space even though at times it may not be and therefore complicates monitoring; and
 - d. using the setback rule as an indirect way of enabling a parapet to be provided within the recession plane. I note that while the parapets provide some variety and relief, especially given the low façade height permitted, they are not essential from a character perspective and so it is not fatal if some designs do not include such an element.
- 14.23. In response to submissions, relying in part on the evidence of Ms Gillies and Mr Church and also being cognisant of the recent Council decision to pedestrianise the majority of the block, I am of the opinion that it is appropriate to remove the setback/ street scene rule (Rule 12.5.2). This amendment has been made to **Appendix 1** and a s 32AA evaluation is included in **Appendix 4**.

14.24. If the Panel decide to retain Rule 12.5.2, then I am of the view that it is appropriate to apply Rules 12.5.2.1 and 12.5.2.2 only to the part of Beach Street that runs between Rees and Camp Streets and to remove it from lower Beach Street, where, due to its much wider roading corridor, and the fact Earnslaw Park fronts it for much of its length, such setbacks are unnecessary.

15. ISSUE 7 - THE APPROPRIATENESS OF THE PROVISIONS RELATING TO RESIDENTIAL AND VISITOR ACCOMMODATION ACTIVITY IN THE TOWN CENTRE

15.1. In summary, the only change recommended is to make a minor change to Policy 12.2.6.4 and Rule 12.4.2 to acknowledge the importance of the safety and efficiency of the road network.

Policy framework

15.2. Submitter 719 (NZ Transport Agency) requests that Policy 12.2.4.6 be amended to read as follows:

Encourage visitor accommodation to be located and designed in a manner that minimises traffic issues that may otherwise affect the safety, efficiency, and functionality of the roading network, and the safety and amenity of pedestrian and cyclists, particularly in peak periods.

15.3. Submitters 663 (IHG Queenstown Ltd and Carter Queenstown Ltd)⁷⁹ and 672 (Watertight Investments Ltd) request that the Policy be deleted.

15.4. I consider that the changes requested by NZTA are appropriate as incorporating them will help the policy to better achieve Objective 12.2.4 in relation to accessibility and to align better with Rule 12.4.2 (as notified and as recommended in **Appendix 1**). These changes to Policy 12.2.4.6 have been made to **Appendix 1**.

Rules relating to visitor accommodation and residential activities (Rules 12.4.1 and 12.4.2)

15.5. Submitters 630 (DowntownQT) and 774 (Queenstown Chamber of Commerce) support residential and visitor accommodation (provisions) in the Queenstown Town Centre Zone, with the Chamber adding the proviso that insulation and mechanical ventilation is included to prevent reverse sensitivity effects. Submitter 719 (NZ Transport Agency) requests Rule 12.4.2 be amended in line with the changes they request to the related policy (above).

15.6. Submitter 599 (Peter Fleming) opposes the rule relating to visitor accommodation; requesting that any existing use rights regarding visitor accommodation are not diminished. I am unclear what is specifically being sought by this submission and invite Mr Fleming to clarify this through evidence and/ or at the hearing. I note that the ODP and PDP rules are similar with the main differences being that the external building appearance is now subject to a restricted discretionary consent (as opposed to controlled); the location, nature, and scale of visitor

79 Opposed by FS1139 (Carl & Lorraine Holt) and FS1191 (Adam & Kirsten Zaki).

accommodation and ancillary activities within the site and in relation to neighbouring sites is a new matter of control (replacing control over setbacks in the ODP); matters of traffic generation and travel demand management are new matters of control; and, where the site adjoins a residential zone, the hours of operation of ancillary activities and noise generation are new matters of control.

- 15.7. In response to the submission, I remain of the view that Rule 12.4.2 provides Council with useful additional control in terms of encouraging site layouts that benefit the streetscape, avoid or minimise conflict between uses, and avoid or minimise potential adverse effects on the roading network and pedestrian environment. I recommend that the changes to Rule 12.4.2 sought by NZTA be made, for the same reasons as outlined above, and have included them in **Appendix 1**.

16. ISSUE 8 - THE APPROPRIATENESS OF THE SURFACE OF WATER AND WATERFRONT SUBZONE PROVISIONS

- 16.1. In summary, I have recommended the following changes:
- a. An amendment to planning maps 35 and 36 to clearly show the Waterfront subzone boundary.
 - b. Minor amendments to Rules 12.4.7 and 12.4.8 to refer to the waterfront area as a subzone of the Town Centre, rather than a stand-alone zone.
 - c. A minor amendment to Policy 12.2.5.6 to acknowledge that structures are required to meet safety and design standards.
 - d. An expansion of the matters to be considered when processing applications for wharves, jetties, and surface pursuant to Rule 12.4.7.1 to include the extent to which the proposal will "affect the values of wahi tupuna; maintain or enhance public access to the lake and amenity values including character; affect water quality, navigation and peoples safety, and adjoining infrastructure; and maintain (rather than provide) a continuous waterfront walkway...".

Mapping issues and confirmation that this area is a subzone of the Queenstown Town Centre Zone

- 16.2. Submitters 383 (QLDC) and 766.34 (Queenstown Wharves GP Limited) request that the Queenstown Waterfront Subzone be reinstated on proposed planning maps 35 and 36 as shown in the ODP and that the boundary is clarified particularly in relation to the boundary of St Omer Park, noting that the intention in the PDP was to retain this as per the ODP and to make no change other than to make it clearer on the planning maps. Queenstown Wharves notes in particular that it appears from the planning maps that St Omer Park extends further than the lines denoting where the non-complying status ends.

- 16.3. The omission of the boundary was a mapping error in the notified planning maps and due to the importance of the subzone specific rules that apply to the waterfront subzone, I recommend that the boundary be reinstated on the planning maps as per the ODP and in the manner intended. Adding this subzone boundary, together with a consequential change to Rule 12.4.7, which refers specifically to the St Omer Park boundary should rectify the ambiguity identified by the submitter in that location, recognising that as currently drafted part of the park is within the waterfront zone and part of it is outside of it.
- 16.4. Related to this, submitters 621 (Real Journeys Limited) and FS1115 (Queenstown Wharves Limited) request the amendment of Rule 12.4.7.1 to ensure that all areas referred to in the rules are accurately identified on the planning maps and that the maps are referred to in the rules. In response, I have recommended that the reference to "as shown on the planning maps" be included in Rule 12.4.7.1 and that the rule clarifies that St Omer Park is identified as designation 217 on the planning maps.
- 16.5. I have noticed in reviewing the chapter that, while the waterfront area is referred to as the Queenstown Town Centre Waterfront Subzone in Rule 12.4.2 it is incorrectly referred to as the Queenstown Waterfront Zone in Rules 12.4.7 and 12.4.8. This is a drafting error and should be corrected for consistency. I consider that this is a non-substantive change and have suggested this change to the Panel through this process. The change would not affect the regulatory impact of the rule and would avoid any uncertainty that the Town Centre zone-wide provisions also apply to the waterfront subzone.

Policy framework

- 16.6. I note that while the Town Centre Zones Monitoring Report⁸⁰ does not raise any issues with the waterfront subzone rules, it comments that the subzone is ill-defined; that Policies 3.1 - 3.3 are aspirational; that Policies 3.4 - 3.6 are important to provide direction on non-complying activities in the zone but are uncertain in a number of areas, including the fact the amenity and visual values of the land/ water interface have not been identified in the plan and that the extent of the Queenstown Bay waterfront area is not clearly defined; and that the intent of Policy 3.7 (relating to retaining and enhancing all the public open space areas adjacent to the waterfront and managing these areas in accordance with the various Foreshore Management Plans) cannot be achieved through the District Plan.
- 16.7. However, the report lacks sufficient information to really understand where these conclusions stem from and/ or what they mean in some instances (e.g. the comment that the policies are aspirational). I note that all but one of the ODP policies have been included in the PDP, albeit with slight amendments with the only significant amendment being that the policy relating to public open space no longer refers to management accordance with the various Foreshore Management Plans. The following policy has not been included in the PDP:

⁸⁰ Pages 4 and 27-28.

To identify the important amenity and visual values, and to establish external appearance standards to help secure and implement these values and implement those through the District Plan.

- 16.8. Submitters 807 (Remarkables Park Limited), 217 (Jay Berriman), and 380 (Villa dellago) support Objective 12.2.5.
- 16.9. Submitters 607 (Te Anau Developments Limited) and FS1097 (Queenstown Park Limited), request that Objective 12.2.5 and the supporting policies be amended to ensure tourism activities, including the transport of passengers and supporting buildings, infrastructure, and structures, are specifically provided for.
- 16.10. Submitter 621 (Real Journeys Limited) requests that Policy 12.2.5.2 be amended to promote a strategic comprehensive approach to the provision of facilities for water-based activities and submitter 766 (Queenstown Wharves GP Limited) requests it be deleted (supported by FS1341.2 (Real Journeys Limited)).
- 16.11. Submitters 807 (Remarkables Park Limited) and 766 (Queenstown Wharves GP Limited) request that Policy 12.2.5.3 (regarding conserving and enhancing the natural qualities of the foreshore and adjoining waters) be deleted and submitter 621 (Real Journeys Limited) requests the policy be amended as follows:

Conserve, maintain and enhance, as far as practical where appropriate, the natural qualities and amenity values of the foreshore and adjoining waters.

- 16.12. Submitter 621.47 (Real Journeys Limited) requests that Policy 12.2.5.6 be amended as follows:

Provide for the development, maintenance, and upgrading of structures within the Queenstown Bay waterfront area recognising these structures are required to meet minimum safety and design standards, subject to compliance with strict location and appearance criteria

- 16.13. Submitter 238 (NZIA) (opposed by various submitters)⁸¹ generally supports Policy 12.2.5.6 but requests it be amended to read subject to the review by the urban design panel rather than subject to compliance with strict location and appearance criteria" in recognition that it is not just location and appearance that need to be considered but also blocking views, filling up harbour, etc.

81 FS1107 (Man Street Properties Ltd), FS1226 (Ngai Tahu Property Limited & Ngai Tahu Justice Holdings Limited), FS1234 (Shotover Memorial Properties Limited & Horne Water Holdings Limited), FS1239 (Skyline Enterprises Limited & O'Connells Pavilion Limited), FS1241 (Skyline Enterprises Limited & Accommodation and Booking Agents), and FS1248 (Trojan Holdings Limited & Beach Street Holdings Limited), and FS1249 (Tweed Development Limited).

16.14. In response, in my opinion:

- a. It is unnecessary and/ or inappropriate to change the objective and policies to specifically provide for tourism activities as a) they already acknowledge the area is to be managed for visitors as well as residents and b) I consider that an amended policy which provides for tourism including supporting buildings and structures as sought, would be inconsistent with the rules. The rules classify many buildings and structures that would arguably support tourism as non-complying within the subzone.
- b. Policy 12.2.5.2 is an important policy, which appropriately and sufficiently signals the desire for a comprehensive approach to activities in the subzone. The addition of the word strategic is unnecessary.
- c. Policy 12.2.5.3 regarding natural qualities offers important support to those rules which prevent certain activity and built form in the more natural and remote parts of the subzone and I consider the suggesting amendment would inappropriately weaken the policy.
- d. Policy 12.2.5.6 should be amended to acknowledge that structures are required to meet safety and design standards (outside the District Plan) but the other amendments sought by the submitter are unnecessary.
- e. With regard to Policy 12.2.5.6 and the need to require structures to be considered by the UDP, while I agree that the submitters concerns about the potential effects on views, etc. will be relevant in many instances, I do not consider this will always be the case in respect of structures in the subzone. As such, I do not recommend mandating any such review through policy in the District Plan.

Rules (12.4.2, 12.4.7, and 12.4.8)

16.15. Submitter 621 (Real Journeys Limited) requests that part a) of Rule 12.4.3 be amended as follows:

- (a) *Any adverse effects of additional traffic generation from the activity
and mitigation of those effects*

16.16. In my opinion, as this is a matter of control it is not necessary to add this extra wording.

16.17. Submitters 621 (Real Journeys Limited), 766 (Queenstown Wharves GP Limited), and FS1115.5 (Queenstown Wharves Limited) request the amendment of Rule 12.4.7.1 to permit the maintenance of wharves, jetties and associated structures (provided the existing scale, intensity and character is unchanged).

- 16.18. Submitters 766 (Queenstown Wharves GP Limited) and 807 (Remarkables Park Limited) request that Rules 12.4.7.1 and 12.4.7.2 be amended to change the status of all wharfs and jetties, and commercial surface of water activities from discretionary to controlled.
- 16.19. In response to submissions, in my opinion:
- a. A rule permitting the maintenance of wharves etc. is unnecessary as this is covered by existing use rights and as such no change is recommended in this regard.
 - b. Controlled activity status is not sufficient to ensure the objective will be implemented and does not align with the policies, especially those relating to amenity, pedestrian amenity, the appearance of structures and promoting a comprehensive approach in terms of the location of activities, etc.
- 16.20. To the contrary, two submitters request more guidance as to what will be considered when such discretionary consents are being processed, as outlined below.
- 16.21. Submission 810.34 (Te Runanga o Moeraki, Kati Huirapa Runaka ki Puketeraki, Te Runanga o Otakou and Hokonui Runanga collectively Manawhenua) requests that the effect of structures in the waterfront subzone on the values of wahi tupuna be added as a consideration in assessing such applications. This submission was also considered in hearing stream 1A (tangata whenua) and the Appendix 2 of the Tangata Whenua chapter (5) s 42A report recommended that the relief sought be rejected. I am unaware of the reasoning behind that.
- 16.22. Submitters 621 (Real Journeys Limited) and FS1115.5 (Queenstown Wharves Limited) request Rule 12.4.7 be further amended to expand the matters Council will consider in relation to wharves, jetties, and commercial surface of water activities to include the extent to which the proposal will:
- a. Maintain or enhance public access to the lake and amenity values including character.
 - b. Affect water quality, navigation and people's safety, adjoining infrastructure, and the operation of the TSS Earnslaw.
 - c. Improve (rather than create) vibrancy of the waterfront (and delete reference to maximising the opportunities and attraction inherent in a visitor town situated on a lakeshore).
 - d. Maintain (rather than provide) a continuous waterfront walkway from Horne Creek right through to St Omer Park.
- 16.23. In response to submissions, in my opinion it is appropriate to amend Rule 12.4.7 by adding the following "the extent to which any proposal will: Affect the values of wahi tupuna...;

maintain or enhance public access to the lake and amenity values including character...;and affect water quality, navigation and peoples safety, and adjoining infrastructure; and maintain (rather than provide) a continuous waterfront walkway" as matters to be considered when processing applications for wharves, jetties, and commercial surface of water activities.

- 16.24. Submitters 621 (Real Journeys Limited), 766 (Queenstown Wharves GP Limited), and FS1115.5 (Queenstown Wharves Limited) request the amendment of Rule 12.4.7 to enable certain buildings (e.g. ticket offices) while continuing to restrict other buildings (as non-complying), with submitter 621 suggesting the inclusion of a new restricted discretionary activity (Rule 12.4.7.3) as follows:

12.4.7.3 Excluding maintenance and alterations permitted by rule 12.4.7.0 above, the construction and use of a single story building for the purpose of a ticketing office is a restricted discretionary activity. Council's discretion is limited to:

- *Building location, design and use in terms of compatibility with the nature and scale of existing buildings and open spaces, including the ability to maintain a continuous waterfront walkway;*
- *Accessibility in terms of servicing requirements;*
- *Outdoor storage requirements;*
- *Storage and disposal of waste;*
- *Signage platforms; and*
- *Health and safety.*

- 16.25. Submitter 621 (Real Journeys Limited) requests the following consequential change to Rule 12.4.8.2:

Any buildings and structures, located on Wharfs and Jetties within the Queenstown Town Centre Waterfront Zone, which are not provided for by Rule 12.4.7.

- 16.26. In response, I do not consider that this will achieve the objectives of the PDP in that, in my opinion, buildings of the type and/ or in the location specified in Rule 12.4.8 have the potential to have a significant effect on views, natural qualities, amenity, and pedestrian flows/ accessibility in the waterfront subzone and that there is ample commercial capacity within the Town Centre zone adjacent to subzone for such buildings. I therefore do not recommend any change in this regard.

- 16.27. Submitter 621 (Real Journeys Limited) seeks that Rule 12.4.8.1 be expanded to make all structures and moorings (and the associated occupation of water space), between the Town Pier (as shown on the planning maps) and Queenstown Gardens which are not provided for

by Rule 12.4.7 a non-complying activity, rather than applying the rule only to jetties and wharves.⁸²

16.28. To the contrary, Submitter 766 (Queenstown Wharves GP Limited) and FS1341.15 (Real Journeys Limited) request that Rule 12.4.8.2 be deleted (having the effect of making all buildings subject only to the standard restricted discretionary activity building rule) or, if retained, amended to exclude buildings related to water-based public transport and tourism recreation facilities.

16.29. Submitter 766.1 (Queenstown Wharves GP Limited) requests that the provisions allow flexibility for the future use and management of the St Omer and ORegans wharves and their connections for a wide range of uses. As no specific relief is sought I have not provided a specific recommendation.

16.30. In response to these submissions:

a. I do not recommend creating a new rule to enable ticketing offices and buildings for water-based public transport and tourism recreation facilities as a restricted discretionary activity, in the manner suggested as I do not consider this is an appropriate way of achieving the objectives of the District Plan.

b. I do not recommend extending the non-complying status of jetties and wharves and buildings on jetties and wharves south of the town pier to include moorings and other structures as there is no evidence provided in support of such an expansion of the rule.

16.31. Submitter 621 (Real Journeys Limited) requests that Rule 12.5.14 be amended to include a standard requiring glare from the Queenstown Bay foreshore to avoid interference with the navigational safety of vessels, as follows:

Light from any activity shall not be directed out over the water in Queenstown Bay in such a way that interferes with the safe operation and navigation of the "TSS Earnslaw".

16.32. In the absence of any evidence in relation to this matter, I recommend rejecting the submission. However the submitter is invited to provide evidence in this regard at the hearing.

16.33. Submitters 621 (Real Journeys Limited) and 607 (Te Anau Developments Limited) request that provisions relating to the protection, use and development of the surface of lakes and rivers and their margins be extracted and inserted into a specific chapter that focuses on

82 12.4.8.1 The construction of structures, including Wharfs and Jetties and moorings, and associated occupation of water space within the Queenstown Town Centre Waterfront Zone between the Town Pier (as shown on the planning maps) and Queenstown Gardens which are not provided for by Rule 12.4.7.

development and activities carried out on the surface of water and within the margins of waterways. In response to this submission and in line with the recommendations made in the s 42 A report on the Rural Chapter, I recommend that this submission be rejected.

17. ISSUE 9 - TRANSPORTATION

- 17.1. Discussion of this issue in this hearing is limited to those submissions which are directly on objectives and policies contained in the notified chapter 12.
- 17.2. In summary, I have recommended making a minor change to Policy 12.2.4.5 to encourage public transport to be considered as part of jetty applications as well as when considering roading improvements.
- 17.3. Submitter 798.47 (Otago Regional Council) states that public transport users are multi-modal as they generally walk or cycle to access bus services and that developments should look to create active transport connections and link these with existing public transport services and infrastructure where possible. As no specific relief is sought no specific recommendation is provided.
- 17.4. Submitter 719.82 (NZTA) requests that Policy 12.2.4.5 (under the objective of a compact, safe, and accessible Town Centre) be retained while submitters 238 (NZIA)⁸³ and 621 (Real Journeys Limited) request amendments to the policy such that public transport need not only be considered when designing roading improvements but also when designing any transportation-related improvements or, alternatively, also when considering jetty applications.
- 17.5. I assume that the intention of the submissions is to ensure that when any new jetties, wharfs, or buildings are proposed within or in the vicinity of the waterfront the Council can assess it against the policy to consider how well the design will contribute to current or future public transport needs. While the rules themselves are no more permissive for proposals which have considered such needs in their design, I do not think it creates an inherent conflict and does not pre-empt the outcome of Stage 2 of the District Plan review. I therefore suggest amended wording in **Appendix 1** in order to broaden the application of Policy 12.2.4.5 in the manner sought.
- 17.6. In relation to the QTTC Zone Purpose (12.1) Submission 798.47 (Otago Regional Council) suggests that in relation to urban form, developments should create active transport connections and connect with existing public transport services and infrastructure. As a strategic transport-related matter it is my opinion that this is more appropriately considered as

83 Opposed by FS1107 (Man Street Properties Ltd), FS1226 (Ngai Tahu Property Limited & Ngai Tahu Justice Holdings Limited), FS1234 (Shotover Memorial Properties Limited & Horne Water Holdings Limited), FS1239 (Skyline Enterprises Limited & O'Connells Pavilion Limited), FS1241 (Skyline Enterprises Limited & Accommodation and Booking Agents), and FS1248 (Trojan Holdings Limited & Beach Street Holdings Limited), and FS1249 (Tweed Development Limited and supported by FS1097 (Queenstown Park Limited) and FS1117 (Remarkables Park Limited).

part of Stage 2 of the Proposed District Plan and I therefore recommend rejecting the submission point.

- 17.7. Various submission points⁸⁴ request changes to notified Policies 12.2.2.2 and 12.2.2.3 and/ or request new provisions regarding car parking in the QTTCZ. In response, it is my opinion that these submissions are more appropriately considered in Stage 2 of the District Plan and I therefore recommend rejecting these particular submission points on this basis.
- 17.8. Various submissions⁸⁵ seek that notified Objective 12.2.5 and associated Policies 12.2.5.1, 12.2.5.2, 12.2.5.5, and 12.2.5.6 be amended to recognise the importance of public transport links on the water and better integration of land and water-based journeys. In response, these submissions relate to strategically important transport issues which, in my opinion, are more appropriately considered with the full benefit of a full section 32 analysis and the appropriate level of background material. As such, in my view, such issues are best considered in Stage 2 of the District Plan and I therefore recommend rejecting these particular submission points on this basis.
- 17.9. Submission 807.86 (Remarkables Park Limited) requests that notified Rule 12.4.7 be amended to better reflect the importance of providing water-based public transport facilities and submission 807.88 (Remarkables Park Limited) requests that notified Rule 12.4.8 be amended to exempt buildings in the waterfront subzone for the purpose of public transport. In response, such amendments cannot be made in the absence of establishing a comprehensive policy framework around the provision of a multi-modal transport network and, as such, I recommend that such matters are more appropriately considered in Stage 2 of the Proposed District Plan. I therefore recommend rejecting these particular submission points on this basis.
- 17.10. In relation to all the matters raised in the transport-related submissions summarised above, I note that if, in preparing the Transport Chapter as part of Stage 2, it transpires that more detailed transport-related policies or specific rules are required to sit within the Queenstown Town Centre chapter rather than relying on the proposed district-wide transport section, then a variation to the chapter will need to be notified, or additional policies will need to be notified to from part of the chapter. Alternatively (and in my view, preferably), zone-specific

84 Parts of submissions 82.1 and 82.2 (Toni Okkerse), 187.11, 187.12, and 187.13 (Nicholas Kiddle), and 206.9 (Lindsay Jackson) and 59.1 (Lynda Baker). Further submissions (in support and opposition) FS1107.1 and FS1107.2 (Man Street Properties Ltd), FS1226.1 and FS1226.2 (Ngai Tahu Property Limited & Ngai Tahu Justice Holdings Limited), FS1234.1 and FS1234.2 (Shotover Memorial Properties Limited & Horne Water Holdings Limited),), FS1239.1 and FS1239.2 (Skyline Enterprises Limited & O'Connells Pavilion Limited FS1241.1 and FS1241.2 (Skyline Enterprises Limited & Accommodation and Booking Agents), FS1248.1 and FS1248.2 (Trojan Holdings Limited & Beach Street Holdings Limited), FS1249.1 and FS1249.2 (Tweed Development Limited), FS1063.37, FS1063.38 and FS1063.54 (Peter Fleming and Others), FS1274.21, FS1274.22 and FS1274.34 (John Thompson and MacFarlane Investments Limited), and FS1265.4, FS1265.5, and FS1265.6 (DJ and EJ Cassells, the Bulling Family, the Bennett Family, M Lynch), FS1268.4, FS1268.5, and FS1268.6 (Friends of the Wakatipu Gardens and Reserves Inc.), FS1059.21 and FS1059.50 (Erna Spijkerbosch), and part of 798.46 (Otago Regional Council).

85 Parts of submissions 766.2 (Queenstown Wharves GP Limited), 798.54 (Otago Regional Council), FS1341.1, FS1341.3 and FS1341.25, (Real Journeys Limited), FS1342.16 (Te Anau Developments Limited), 766.3, 766.5, 766.7, 766.33, FS1341.4, and FS1341.6 (Queenstown Wharves GP Limited), and 807.81 and 807.82 (Remarkables Park Limited).

transportation provisions could be included within the district-wide transportation chapter if necessary.

- 17.11. While not particularly efficient I prefer this approach to the alternative of making changes to transport-related policy now in the absence of detailed background information, consultation, and s 32 evaluation. This approach has the benefit of enabling the issue to be considered holistically with the benefit of supporting transport advice in regard to the appropriateness of water-based public transport and the infrastructure and rules required to enable that.

18. MISCELLANEOUS ISSUES

Efficiency and the notification of resource consents (12.6)

- 18.1. Submitters 650 and 673 (Foodstuffs South Island Ltd and Foodstuffs South Island Properties Ltd) support notified Rule 12.6.2, regarding not requiring written consent and or notification; citing that removing the need for affected party approvals and notification for new buildings in the Town Centre Zones will streamline decision making process, minimise consenting risk and reduce processing costs/delays.
- 18.2. Submitter 714 (Kopuwai Investments Limited) requests that Rule 12.6.2 be amended to also list licenced premises and the sale and supply of alcohol within the Steamer Wharf Entertainment Precinct as being non-notified.
- 18.3. Submitter 243.6 (Christine Byrch) (opposed by FS1224.6 Matakauri Lodge Limited) requests that Clause 12.6.2.2 be amended such that a breach of the building coverage rule in relation to large developments in the Town Centre Transition subzone and comprehensive development of sites 1800m² or greater should be notified.
- 18.4. Submitter 719.85 (NZTA) requests that Rule 12.6.1 be amended to read:

Applications for Controlled activities shall not require the written consent of other persons and shall not be notified or limited- notified except for 12.6. 1. 1 visitor accommodation adjacent to the State highwav where the road controlling authority shall be deemed an affected party.

- 18.5. In response:
- a. I support retaining the non-notification clause for new buildings as I consider this provides greater efficiencies and certainty in terms of timeframes and costs and provides an appropriate counter balance to the fact the activity status has changed from controlled in the ODP to restricted discretionary in the PDP.
 - b. As a consequence of changing the status of licenced premises after 11.00 pm (6.00 pm) to controlled, such applications will not be notified unless special circumstances exist, pursuant to Rule 12.6.1.

- c. It is inappropriate and unnecessary to have a rule stating that certain activities will always be publicly notified (as requested in respect of developments that breach the building coverage rule, or subject to limited notification (as requested by NZTA in respect of visitor accommodation on state highways).
- d. Regarding whether a breach in building coverage should be non-notified by default or, rather, determined case by case, on the basis of efficiency and certainty and in order to be consistent with the approach taken for the Plan Change 50 area which is regulated by the ODP, I am of the view that the clause regarding non notification for such breaches should be retained.
- e. In relation to the request that NZTA be notified of all visitor accommodation on state highways, I am of the view that while it is inappropriate to deem NZTA an affected party in all instances it is appropriate to exempt NZTA from the non-notification clause where a visitor accommodation application proposes access onto the state highway; thus enabling the Council to deem it to be affected on a case by case basis even in the absence of special circumstances. In reaching this view, I note that the matters of control in relation to visitor accommodation include traffic generation, travel demand management, and the safe and efficient loading of buses and, as such, the Council is able to consider matters that are likely to be of interest to NZTA. While this creates less certainty for visitor accommodation proposals on state highways than under the notified provision, I am of the opinion that this exemption is appropriate given the existing traffic congestion levels in the Town Centre including on those portions of the State Highway that are located within the zone (i.e. Stanley and Shotover Streets); and the traffic generation/ disruption that can result from visitor accommodation, especially if it provides on-site carparking. This change has been made to **Appendix 1** in Rule 12.6.1.1.

Natural Hazards, including flooding

- 18.6. Submitters 663 (IHG Queenstown Ltd and Carter Queenstown Ltd)⁸⁶ and 672 (Watertight Investments Ltd) request that Policy 12.2.2.8 be amended to ensure it only applies to land affected by flood risk, which should be identified in the PDP maps and b) to acknowledge that character values are a consideration in determining the appropriateness of raising floor levels. Further to this, Submitter 663 suggests specific amendments.
- 18.7. In response, identifying the area susceptible to flooding and restricting management to those areas is inappropriate as it is difficult and uncertain to accurately map the area that is susceptible as the extent of future flood events is unknown (and also that, even if a site is beyond but close to the 1/100 year flood area, for example, there may still be benefits in making minor changes to the construction and design (e.g. raising the level of the wiring) in order to mitigate effects should a flood exceed that level in the future. I do not support

86 Opposed by FS1139 (Carl & Lorraine Holt) and FS1191 (Adam & Kirsten Zaki).

geographically constraining the application of Policy 12.2.2.8 even though I acknowledge that in reality, this policy will not be applicable to those properties that are well removed from the lake. Rather, I prefer the notified approach of requiring a minimum floor level for all properties (Policy 12.2.2.8 and Rule 12.5.7) and providing scope, through the matters of discretion, to breach this if alternative solutions are promoted that will sufficiently mitigate the risk while avoiding adverse effects on the amenity, accessibility, and safety of the Town Centre.

- 18.8. Although I consider raising floor levels may not always be relevant to maintaining character values I am comfortable adding the words "character values" to Policy 12.2.2.8". This change is made in **Appendix 1**.
- 18.9. Submitter 621.52 (Real Journeys Limited) requests the deletion of the last bullet point of Rule 12.4.6.1 (buildings), which relates to natural hazard assessments being required wherever the GFA is being increased.
- 18.10. In response, I support some amendment to the last bullet point of Rule 12.4.6 (regardless of whether the rule remains restricted discretionary activity or becomes controlled) but I consider it should be more general and not specify that an assessment will always be required. This is due to the fact that:
- a. Council's hazard information (which identifies areas subject to natural hazards) includes hazards which pose a low level of risk and may not warrant an assessment by a suitably qualified person as outlined in the rule.
 - b. The inclusion of information requirements within the matters of discretion is unusual from a drafting perspective.
 - c. Prescribing the need for an assessment for all new buildings or extensions may not be necessary in those areas close to the lakefront where the minimum floor level is being met and there is already considerable information held by the Council in relation to this flood risk.
 - d. By prescribing the need for an assessment by an expert in all instances, the rule is potentially inconsistent with the information requirements section of Chapter 28 of the PDP (Natural Hazards).⁸⁷
 - e. Prescribing the need for an assessment by an expert in all instances will add considerable costs which may not be justified by small building extensions in areas where good information about the hazard already exists or where the risk is very low.

⁸⁷ 28.5 - Information Requirements - Development proposals affected by, or potentially affected by, natural hazards as identified in Council's natural hazards database will require an accompanying assessment of natural hazards effects commensurate to the level of risk posed by the natural hazard. Council holds natural hazard information that has been developed at different scales and this should be taken into account when assessing potential natural hazard risk. It is highly likely that for those hazards that have been identified at a 'district wide' level, further detailed analysis will be required.

- f. The recommended amendments are included in **Appendix 1** and a S32AA assessment is included in **Appendix 4**.

Alignment with the Town Centre Strategy

- 18.11. Submitter 630 (DowntownQT) requests that following the implementation of its Town Centre Strategy, the District Plan be aligned with that strategy.
- 18.12. The DowntownQT website⁸⁸ notes that its strategy will be a living document and will address the look and feel, transport, parking, accessibility, lighting, and future development of the Town Centre and provide guidance on commercial resilience and growth, local relevance, and sector alignment. While its purpose appears to align well with the policy framework of notified chapter 12, as the Strategy is currently in the process of being formulated (i.e. it is currently being consulted on) and will be forever evolving, it is not possible to ensure that the District Plan be aligned with the Strategy. As such, the submission point is recommended to be rejected.

The Appropriateness of Permitted Activities

- 18.13. Submitter 599.11 (Peter Fleming) opposes Rule 12.4.1 which provides for any activity not listed as a permitted use but no reasons are given for this request. In the absence of any supporting evidence, I favour retaining the notified rule as it is consistent with the approach taken throughout the PDP and takes an efficient, forward looking yet effects-based approach, in that a) it avoids listing all permitted activities (e.g. retail); b) accepts that, provided the standards are met and design control/ discretion exercised, then a wide range of uses are appropriate in a mixed use area such as the Town Centre; and that c) there may be activities that wish to locate in the Town Centre in the future that are not yet thought of and hence are not listed in the District Plan but that, provided the standards are met, the risk of them being inappropriate is low.

Submissions on policies unrelated to any of the key issues

- 18.14. Submissions 663.7 (IHG Queenstown Ltd and Carter Queenstown Ltd) (opposed by FS1139.8 (Carl & Lorraine Holt) and FS1191.7 (Adam & Kirsten Zaki)) and 672.7 (Watertight Investments Ltd) request the deletion of Policy 12.2.2.7, which relates to cultural heritage and incorporating reference to tangata whenua values in the design of public spaces. The s 42A report for hearing stream 1A recommended that the relief sought be rejected and I concur with that opinion. I support retaining a policy that acknowledges the importance of considering cultural heritage in the design of public spaces.

88 <http://www.downtownqt.nz/about/#town-centre-strategy>.

General support

- 18.15. Submitter 672 (Watertight Investments) and 663 (IHG Queenstown Ltd and Carter Queenstown Ltd)⁸⁹ requests that all provisions not otherwise submitted on be retained as notified unless they duplicate other provisions in which case they should be deleted. Submitter 212 (E J L Guthrie)⁹⁰ requests that the Queenstown Town Centre provisions, including but not limited to the Zone Purpose and all Objectives, Policies and Rules, be confirmed as notified and Submitter 617 (Tweed Development Limited) requests it be confirmed as notified as it relates to the zoning of Lot 1 DP 20093 and Sections 20 & 21 Block II Town.
- 18.16. Submitter 217 (Jay Berriman) supports the zone purpose although it is unclear whether he supports the geographic extent of the zoning (including the extensions) or the zone as a whole.
- 18.17. In response, those seeking the provisions be confirmed in part or in whole are recommended to be accepted in part; the submission by submitter 617 supporting the zoning of certain sites is recommended to be accepted. Notably, those parts of submissions generally seeking that any duplication be deleted have been accepted and as a result, Policy 12.2.3.1 has been recommended to be deleted and merged into Policy 12.2.3.3 (refer paragraph 12.17 of this report). This is shown in **Appendix 1**.

Possible amendments beyond scope of submissions on the QTTC

- 18.18. For the benefit of the Panel this section considers possible amendments to provisions that would be desirable, either from an effectiveness and efficiency perspective or in order to achieve consistency between the QTTC Zone and other zones. These changes have not been included in Appendices 1 or 4.
- 18.19. I am aware that Dr Chiles expressed a view in the Residential hearing on 10 October 2016 that he does not support the use of no complaints covenants as a tool for managing noise issues as they do not address the noise effects other than potentially providing some forewarning for people purchasing a property. Rule 13.5.7 relating to acoustic insulation includes the following as a matter of discretion:

Whether covenants exist or are being volunteered which limit noise emissions on adjacent sites and/or impose no complaints covenants on the site.

- 18.20. While there are no submissions in relation to this matter, it would be my preference, based on the view of Dr Chiles and my own experience with such covenants, that this matter of discretion be removed.

89 Opposed by FS1139 (Carl & Lorraine Holt) and FS1191 (Adam & Kirsten Zaki)

90 Opposed by FS1117 Remarkables Park Limited) and FS1318 (Imperium Group)

19. CONCLUSION

- 19.1. On the basis of my analysis within this report, I recommend that the changes within the track changed version (Appendix 1) are accepted.
- 19.2. The changes will improve the clarity and administration of the Plan; contribute towards achieving the objectives of the PDP and Strategic Direction goals in an effective and efficient manner and give effect to the purpose and principles of the RMA.

A handwritten signature in black ink, appearing to read 'V Jones', with a horizontal line drawn through the middle of the letters.

Vicki Jones

Consultant Planner

2 November 2016

Appendix 1. Recommended Revised Chapter

QUEENSTOWN TOWN CENTRE 12

Key:

Recommend changes to notified chapter are shown in underlined text for additions and ~~strike through text~~ for deletions. Appendix 1 to s42A report, dated 2 November 2016.

12 Queenstown Town Centre

12.1 Zone Purpose

Town centres provide a focus for community life, retail, entertainment, business and services. They provide a vital function for serving the needs of residents, and as key destinations for visitors to our District, they provide a diverse range of visitor accommodation and visitor-related businesses. High visitor flows significantly contribute to the vibrancy and economic viability of the centres.

Queenstown will increasingly become a dynamic and vibrant centre with high levels of tourism activity that provides essential visitor-related employment. It serves as the principal ~~administrative civic~~ centre for the District and offers the greatest variety of activities for residents and visitors. It has a range of entertainment options and serves as a base for commercial outdoor recreation activities occurring throughout the Wakatipu Basin. Visitor accommodation is provided within and near to the town centre. Over time, Queenstown town centre will evolve into a higher intensity and high quality urban centre.

Comment [MSOffice1]: 238 (NZIA), 807 (Remarkables Park Limited)

Development within the Special Character Area of the Town Centre Zone (shown on Planning Maps) is required to be consistent with the Queenstown Town Centre Design Guidelines 2015, reflecting the specific character and design attributes of development in this part of the Town Centre. The Entertainment Precinct (also shown on Planning Maps) has permitted noise thresholds that are higher than other parts of the Town Centre in order to encourage those noisier operations to locate in the most central part of town, where it will have least effect on residential zones.

12.2 Objectives and Policies

12.2.1 Objective - A Town Centre that remains relevant to residents and visitors alike and continues to be the District's principal mixed use centre of retail, commercial, ~~administrative civic~~, entertainment, cultural, and tourism activity.

Comment [MSOffice2]: 238 (NZIA)

Policies

12.2.1.1 Enable intensification within the Town Centre through providing for greater site coverage and additional building height provided such intensification is undertaken in accordance with best practice urban design principles and the effects on key public amenity and character attributes are avoided or satisfactorily mitigated;:-

Comment [MSOffice3]: 238(NZIA)

12.2.1.2 Provide for new commercial development opportunities within the Town Centre Transition subzone that are affordable relative to those in the core of the Town Centre in order to retain and enhance the diversity of commercial activities within the Town Centre;:-

12.2.1.3 Recognise the important contribution that night time activity makes to the vibrancy and economic prosperity of the Town Centre by enabling restaurant and bar activities to occur ~~without unduly restrictive~~ subject to appropriate noise controls;:-

Comment [MSOffice4]: 151 (Imperium Group)

12.2.1.4 Enable residential activities and visitor accommodation activities while acknowledging that there will be ~~a lower level of residential amenity due to the mix of activities and late night nature of the town centre~~ increased noise and activity due to the mix of activities and late night nature of the town centre.

Comment [MSOffice5]: 238 (NZIA)

QUEENSTOWN TOWN CENTRE 12

12.2.2 Objective - Development that achieves high quality urban design outcomes and contributes to the town's character, heritage values and sense of place.

Advice Note: For the purpose of this Objective and the below policies, 'sense of place' refers to the unique collection of visual, cultural, social, and environmental qualities and characteristics that provide meaning to a location and make it distinctly different from another. Defining, maintaining, and enhancing the distinct characteristics and quirks that make a town centre unique fosters community pride and gives the town a competitive advantage over others as it provides a reason to visit and a positive and engaging experience. Elements of the Queenstown Town Centre that contribute to its sense of place are the core of low rise character buildings and narrow streets and laneways at its centre, the pedestrian links, the small block size of the street grid, and its location adjacent to the lake and surrounded by the ever-present mountainous landscape.

Comment [MSOffice6]: 238 (NZIA)

Policies

12.2.2.1 Require development in the Special Character Area to be consistent with the design outcomes sought by the Queenstown Town Centre Design Guidelines 2015 and for development within or adjacent to the Special Character Area, a heritage precinct, or a listed heritage item to respect its historic context.

Comment [MSOffice7]: 59 (Lynda Baker), 217 (Jay Berriman), and 82 (Toni Okkerse)

12.2.2.2 Require development to:

- a. Maintain the existing human scale of the Town Centre as experienced from street level through building articulation and detailing of the façade, which incorporates elements which break down building mass into smaller units which are recognisably connected to the viewer; and
- b. Contribute to the quality of streets and other public spaces and people's enjoyment of those places; and
- c. Positively respond to the Town Centre's character and contribute to the town's 'sense of place'.

12.2.2.3 Control the height and mass of buildings in order to:

- a. Provide a reasonable degree of certainty in terms of the potential building height and mass;
- b. Retain and provide opportunities to frame important view shafts to the surrounding landscape; and
- c. Maintain sunlight access to public places and to footpaths, with a particular emphasis on retaining solar access into the Special Character Area (as shown on Planning Maps 35 and 36);-
- d. Minimise the wind tunnel effects of buildings in order to maintain pleasant pedestrian environments.

Comment [MSOffice8]: 663(IHG) and 672 (Watertight)

Comment [MSOffice9]: Clarification only (the sub-parts need not all be met to be consistent with Policy 12.2.2.3)

Comment [MSOffice10]: 621 (Real Journeys)

12.2.2.4 Allow buildings to exceed the discretionary height standards in situations where:

- a. The outcome is of a high quality design, which is superior to that which would be achievable under the permitted height; and
- b. The cumulative effect of the additional height does not result in additional shading that will progressively degrade the pedestrian environment or enjoyment of public spaces, while accepting that individual developments may increase the shading of public pedestrian space to a small extent provide this is offset or compensated for by the provision of additional public space or a pedestrian link within the site; and
- c. The increase in height will facilitate the provision of residential activity.

Comment [MSOffice11]: 59 (Lynda Baker), 217 (Jay Berriman), and 82 (Toni Okkerse) insofar as the addition of 'and' strengthens the policy.

Comment [MSOffice12]: Clarification only

Comment [MSOffice13]: 663 (IHG), 672 (Watertight)

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12.2.2.5 ~~Allow Prevent buildings to exceeding the non-complying height standards, except that only it may be appropriate to allow additional height in situations where the proposed design is an example of design excellence; and building height and bulk have been reduced elsewhere on the site in order to:~~

Comment [MSOffice14]: Clarification that both the first part of the policy and either part a) (i) or a(ii) must be met to be consistent with the policy

(a) Building height and bulk have been reduced elsewhere on the site in order to:

(i) Reduce the impact of the proposed building on a listed heritage item; or

(ii) Provide an urban design outcome that ~~is has a net beneficial~~ to the public environment. For the purpose of this policy, urban design outcomes that are beneficial to the public environment include:

Comment [MSOffice15]: Clarification only

- Provision of sunlight to any public space of prominence or space where people regularly congregate;
- Provision of a new or retention of an existing uncovered pedestrian link or lane;
- Where applicable, the restoration and opening up of Horne Creek as part of the public open space network;
- Provision of high quality, safe public open space;
- Retention of a view shaft to an identified landscape feature;
- Minimising wind tunnel effects of buildings in order to maintain pleasant pedestrian environments.

Comment [MSOffice16]: 238 (NZIA)

Comment [MSOffice17]: 238 (NZIA)

Comment [MSOffice18]: 621 (Real Journeys)

12.2.2.6 Ensure that development within the Special Character Area reflects the general historic subdivision layout and protects and enhances the historic heritage values that contribute to the scale, proportion, character and image of the Town Centre.

12.2.2.7 Acknowledge and celebrate our cultural heritage, including incorporating reference to tangata whenua values, in the design of public spaces, where appropriate.

12.2.2.8 Acknowledge that parts of the Queenstown Town Centre are susceptible to flood risk and mitigate the effects of this through:

- (a) Requiring minimum floor heights to be met; ~~and~~
- (b) Encouraging higher floor levels (of at least 312.8 masl) where amenity, mobility, and streetscape, and ~~character values~~ are not adversely affected; and
- (c) Encouraging building design and construction techniques which limit the impact of flooding or ponding in areas of known risk.

Comment [MSOffice19]: Clarification only

Comment [MSOffice20]: 663 (IHG) and 672 (Watertight)

12.2.2.9 Require high quality comprehensive developments within the Town Centre Transition subzone and on large sites elsewhere in the Town Centre.

12.2.3 Objective – An increasingly vibrant Town Centre that continues to prosper while maintaining a reasonable level of residential amenity within and beyond the Town Centre Zone.

Policies

12.2.3.1 ~~Require activities within the Town Centre Zone to comply with noise limits, and sensitive uses within the Town Centre to insulate for noise in order to mitigate the adverse effects of noise within and adjacent to the Town Centre Zone.~~

Comment [SG21]: The following policies have *not* been renumbered as a consequence of this deletion.

12.2.3.2 Minimise conflicts between the Town Centre and the adjacent residential zone by avoiding high levels of night time noise being generated on the periphery of the Town Centre and controlling the height and design of buildings at the zone boundary;:-

Comment [MSOffice22]: 672 (Watertight Investments Ltd) and 663 (IHG)

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12.2.3.3 Recognise the important contribution that night time activity makes to the vibrancy and economic prosperity of the Town Centre and specifically provide for those activities, while mitigating effects on residential amenity by:

- (a) Enabling night time dining and socialising, both indoors and outdoors, to varying degrees throughout the Town Centre; and
- (b) Providing for noisier night time activity within the entertainment precinct in order to minimise effects on ~~adjacent~~ residential zones adjacent to the Town Centre; and
- (c) Ensuring that the nature and scale of licensed premises located in the Town Centre Transition subzone result in effects that are compatible with adjoining residential zones; and
- (d) Enabling activities within the Town Centre Zone that comply with the noise limits; and
- (e) Requiring sensitive uses within the Town Centre to mitigate the adverse effects of noise through insulation.

Comment [MSOffice23]: Clarification only

Comment [MSOffice24]: Clarification only

Comment [MSOffice25]: 672 (Watertight Investments Ltd) and 663 (IHG)

12.2.3.4 Enable residential and visitor accommodation activities within the Town Centre while:

- (a) Acknowledging that ~~the level of amenity will be lower~~ it will be noisier and more active than in residential zones due to the density, mixed use, and late night nature of the Town Centre and requiring that such sensitive uses are insulated for noise; and
- (b) Discouraging residential uses at ground level in those areas where active frontages are particularly important to the vibrancy of the Town Centre; and
- (c) Avoiding, or, where this is not possible, mitigating adverse traffic effects from visitor accommodation through encouraging operators to provide guests with alternatives to private car travel, discouraging the provision of onsite car parking, and through the careful location and design of any onsite parking and loading areas; and
- (d) Only enabling ~~Discouraging~~ new residential and visitor accommodation uses within the Town Centre Entertainment Precinct where adequate insulation and mechanical ventilation is installed.

Comment [MSOffice26]: 238 (NZIA)

Comment [MSOffice27]: Clarification only

Comment [MSOffice28]: 151 (Imperium Group)

12.2.3.5 Avoid the establishment of activities that cause noxious effects that are not appropriate for the Town Centre;:-

12.2.3.6 Ensure that the location and direction of lights in the Town Centre does not cause significant glare to other properties, roads, and public places and promote lighting design that mitigates adverse effects on the night sky;:-

12.2.3.7 Recognise the important contribution that sunny open spaces, footpaths, and pedestrian spaces makes to the vibrancy and economic prosperity of the Town Centre.

Comment [MSOffice29]: 59 (Lynda Baker), 82 (Toni Okkerse), 599 (Peter Fleming), 206 (Lindsay Jackson), 417 (Boyle) (consequential amendment)

12.2.4 Objective - A compact Town Centre that is safe and easily accessible for both visitors and residents.

Policies

12.2.4.1 Encourage a reduction in the dominance of vehicles within the Town Centre and a shift in priority toward providing for public transport and providing safe and pleasant pedestrian and cycle access to and through the Town Centre;:-

12.2.4.2 Ensure that the Town Centre remains compact, accessible, and easily walkable by avoiding outward expansion of the Town Centre Zone. Encourage walking to and within the Town Centre by improving the quality of the pedestrian experience by:

Comment [MSOffice30]: 798 (ORC)

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- (a) Maintaining and enhancing the existing network of pedestrian linkages and ensuring these are of a high quality;
- (b) Requiring new pedestrian linkages in appropriate locations when redevelopment occurs;
- (c) Strictly limiting outward expansion of the Town Centre Zone and commercial activity beyond it; ~~and~~
- (e) Encouraging the provision of verandas along pedestrian-oriented streets, while acknowledging that verandas may not be appropriate or necessary in applications involving a heritage building; or where no verandas exist on adjoining buildings; ~~and may need to be specifically designed so as to not interfere with kerbside movements of high-sided vehicles;~~
- (f) ~~Promoting and encouraging the maintenance and creation of uncovered pedestrian links and lanes wherever possible, in recognition that these are a key feature of Queenstown character;~~
- (g) ~~Promoting the opening up of Horne creek wherever possible, in recognition that it is a key visual and pedestrian feature of Queenstown, which contributes significantly to its character;~~
- (h) ~~Ensuring the cumulative effect of buildings does not result in additional shading that will progressively degrade the pedestrian environment or enjoyment of public spaces, while accepting that individual developments may increase the shading of public pedestrian space to a small extent provided this is offset or compensated for by the provision of additional public space or a pedestrian link within the site.~~

Comment [MSOffice31]: Clarification only

Comment [MSOffice32]: 798 (ORC)

Comment [MSOffice33]: 238 (NZIA)

Comment [MSOffice34]: 238 (NZIA)

Comment [MSOffice35]: 663 (IHG), 672 (Watertight)

Comment [MSOffice36]: 59 (Lynda Baker), 82 (Toni Okkerse), 599 (Peter Fleming), 206 (Lindsay Jackson), 417 (Boyle) (consequential amendment)

Comment [MSOffice37]: 663 (IHG)

12.2.4.3 Minimise opportunities for ~~criminal activity~~ anti-social behaviour through incorporating Crime Prevention Through Environmental Design (CPTED) principles as appropriate in the design of ~~lot configuration and the streetscapes network~~, carparking areas, public and semi-public spaces, accessways/ pedestrian links/ lanes, and landscaping;:-

12.2.4.4 Off-street parking is predominantly located at the periphery of the Town Centre in order to limit the impact of vehicles, particularly during periods of peak visitor numbers;:-

12.2.4.5 Plan for future public transport options by considering the needs of public transport services and supporting infrastructure when designing roading improvements or considering jetty applications;:-

Comment [MSOffice38]: 238 (NZIA), 621 (Real Journeys)

12.2.4.6 Encourage visitor accommodation to be located and designed in a manner that minimises traffic issues that may otherwise affect the safety, efficiency, and functionality of the roading network, and the safety and amenity of pedestrians and cyclists, particularly in peak periods.

Comment [MSOffice39]: 719 (NZTA)

12.2.5 Objective - Integrated management of the Queenstown Bay land-water interface, the activities at this interface and the establishment of a dynamic and attractive environment for the benefit of both residents and visitors.

Policies

12.2.5.1 Encourage the development of an exciting and vibrant waterfront, which maximises the opportunities and attractions inherent in its location and setting as part of the Town Centre;:-

12.2.5.2 Promote a comprehensive approach to the provision of facilities for water-based activities;:-

12.2.5.3 Conserve and enhance, where appropriate, the natural qualities and amenity values of the foreshore and adjoining waters;:-

12.2.5.4 Retain and enhance all the public open space areas adjacent to the waterfront;:-

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12.2.5.5 Maximise pedestrian accessibility to and along the waterfront for the enjoyment of the physical setting by the community and visitors;

12.2.5.6 Provide for structures within the Queenstown Bay waterfront area subject to compliance with strict location and appearance criteria.

12.3 Other Provisions and Rules

12.3.1 District Wide

Attention is drawn to the following District Wide chapters. All provisions referred to are within Stage 1 of the Proposed District Plan, unless marked as Operative ~~District Plan (ODP)~~.

1 Introduction	2 Definitions	3 Strategic Direction
4 Urban Development	5 Tangata Whenua	6 Landscapes
24 Signs (18 Operative DP)	25 Earthworks (22 Operative DP)	26 Historic Heritage
27 Subdivision	28 Natural Hazards	29 Transport (14 Operative DP)
30 Utilities and Renewable Energy	31 Hazardous Substances (16 Operative DP)	32 Protected Trees
33 Indigenous Vegetation	34 Wilding Exotic Trees	35 Temporary Activities and Relocated Buildings
36 Noise	37 Designations	Planning Maps

Comment [MSOffice40]: Drafting only for consistency with the rest of the PDP

12.3.2 Clarification

Advice notes

12.3.2.1 Where an activity does not comply with a Standard listed in the Standards table, the activity status identified by the 'Non-Compliance Status' column shall apply. Where an activity breaches more than one Standard, the most restrictive status shall apply to the Activity.

12.3.2.2 The following abbreviations are used within this Chapter.

P	Permitted	C	Controlled
RD	Restricted Discretionary	D	Discretionary
NC	Non Complying	PR	Prohibited

Comment [MSOffice41]: Clarification only for consistency with the rest of the PDP

12.4 Rules - Activities

	Activities located in the Queenstown Town Centre Zone	Activity status
12.4.1	Activities which are not listed in this table and comply with all standards	P
12.4.2	<p>Visitor Accommodation, in respect of:</p> <p>a. The location, provision, and screening of access and parking, traffic generation, and travel demand management, with a view to <u>maintaining the safety and efficiency of the roading network, and</u> minimising private vehicle movements to/ from the accommodation; ensuring that where</p>	C

Comment [MSOffice42]: 719 (NZTA)

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	Activities located in the Queenstown Town Centre Zone	Activity status
	<p>onsite parking is provided it is located or screened such that it does not adversely affect the streetscape or pedestrian amenity; and promoting the provision of safe and efficient loading zones for buses;</p> <p>b. Landscaping;</p> <p>c. The location, nature and scale of visitor accommodation and ancillary activities relative to one another within the site and relative to neighbouring uses; and</p> <p>d. Where the site adjoins a residential zone:</p> <ol style="list-style-type: none"> i. Noise generation and methods of mitigation; ii. Hours of operation, in respect of ancillary activities. 	
12.4.3	<p>Commercial Activities within the Queenstown Town Centre Waterfront Subzone (including those that are carried out on a wharf or jetty) except for those commercial activities on the surface of water that are provided for as discretionary activities pursuant to Rule 12.4.7.2 in respect of:</p> <ol style="list-style-type: none"> (a) Any adverse effects of additional traffic generation from the activity; (b) The location and design of access and loading areas in order to ensure safe and efficient movement of pedestrians, cyclists, and vehicles; and (c) The erection of temporary structures and the temporary or permanent outdoor storage of equipment in terms of: <ol style="list-style-type: none"> i. any adverse effect on visual amenity and on pedestrian or vehicle movement; and ii. the extent to which a comprehensive approach has been taken to providing for such areas within the subzone. 	C
12.4.4	<p>Licensed Premises</p> <p>12.4.4.1 Other than in the Town Centre Transition subzone, premises licensed for the consumption of liquor on the premises between the hours of 11pm and 8am, provided that this rule shall not apply to the sale of liquor:</p> <ol style="list-style-type: none"> a. To any person who is residing (permanently or temporarily) on the premises; and/or b. To any person who is present on the premises for the purpose of dining up until 12am. <p>12.4.4.2 Premises within the Town Centre Transition sub-zone licensed for the consumption of liquor on the premises between the hours of 6pm and 11pm with respect to the scale of this activity, car parking, retention of amenity, noise and hours of operation, provided that this rule shall not apply to the sale of liquor:</p> <ol style="list-style-type: none"> a. To any person who is residing (permanently or temporarily) on the premises; and/or b. To any person who is present on the premises for the purpose of dining up until 12am. <p>*In relation to both 12.4.4.1 and 12.4.4.2 above, discretion is restricted to consideration all of the following:</p> <ul style="list-style-type: none"> • The scale of the activity; 	RD* C

Comment [MSOffice44]: 544 (Good Group)

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	Activities located in the Queenstown Town Centre Zone	Activity status
	<ul style="list-style-type: none"> • Car parking and traffic generation; • Effects on amenity (including that of adjoining residential zones and public reserves); • The provision of screening and/ or buffer areas between the site and adjoining residential zones; • The configuration of activities within the building and site (e.g. outdoor seating, entrances); • Noise issues, and hours of operation; and • Consideration of any alcohol policy or bylaw. 	
12.4.5	<p>Licensed Premises within the Town Centre Transition subzone</p> <p>Premises within the Town Centre Transition sub-zone licensed for the consumption of liquor on the premises between the hours of 11 pm and 8 am.</p> <p>This rule shall not apply to the sale of liquor:</p> <p>a. To any person who is residing (permanently or temporarily) on the premises; and/or</p> <p>b. To any person who is present on the premises for the purpose of dining up until 12 am.</p> <p><u>*Discretion is restricted to consideration all of the following:</u></p> <ul style="list-style-type: none"> • The scale of the activity; • Effects on amenity (including that of adjoining residential zones and public reserves); • The provision of screening and/ or buffer areas between the site and adjoining residential zones; • The configuration of activities within the building and site (e.g. outdoor seating, entrances); • Noise issues, and hours of operation. 	RD*
12.4.6	<p><u>Buildings except temporary 'pop up' buildings that are in place for no longer than 6 months and permanent and temporary outdoor art installations</u></p> <p>12.4.6.1 Buildings, including verandas, and any pedestrian link provided as part of the building/ development:</p> <p>* Discretion is restricted to consideration of all of the following:</p> <ul style="list-style-type: none"> • Consistency with the Queenstown Town Centre Design Guidelines (2015), where applicable; • External appearance, including materials and colours; • Signage platforms; • Lighting; • The impact of the building on the streetscape, heritage values, compatibility with adjoining buildings, the relationship to adjoining verandas; • The contribution the building makes to the safety of the Town Centre through adherence to CPTED principles; • The contribution the building makes to pedestrian flows and linkages <u>and to enabling the unobstructed kerbside movement of high-sided</u> 	RD*

Comment [MSOffice43]: 714 (Kopuwai Investments)

Comment [MSOffice45]: 714 (Kopuwai Investments)

Comment [MSOffice46]: 630 (DTQT)

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	Activities located in the Queenstown Town Centre Zone	Activity status
	<p><u>vehicles where applicable;</u></p> <ul style="list-style-type: none"> • The provision of active street frontages and, where relevant, outdoor dining/patronage opportunities; and • Where a site is subject to any Natural hazards <u>where</u> the proposal results in an increase in gross floor area: an assessment by a suitably qualified person is provided that addresses <p><u>Assessment matters relating to natural hazard:</u></p> <ul style="list-style-type: none"> - The nature and degree of risk the hazard(s) pose to people and property; - whether the proposal will alter the risk to any site; and the extent to which - <u>whether</u> such risk can be avoided or sufficiently mitigated remedied.¹ <p>And, in addition;</p> <p>12.4.6.2 In the Town Centre Transition subzone and on sites larger than 1800m², any application under this Rule 12.2.6.1 shall include application for approval of a structure plan in respect of the entire site and adherence with that approved plan in consequent applications under this rule.</p> <p>*In addition to those matters listed in rule 12.4.6.1 above, the Council's discretion is extended to also include consideration of the provision of and adherence with the structure plan including:</p> <ul style="list-style-type: none"> • the location of buildings, services, loading, and storage areas; • the provision of open and/or public spaces; and • pedestrian, cycle, and vehicle linkages 	<p>Comment [MSOffice47]: 798 (ORC)</p> <p>Comment [MSOffice48]: 621 (Real Journeys), 798 (ORC)</p> <p>Comment [MSOffice49]: 398 (MSP)</p>

¹ Policies that guide the assessment of proposals on land affected by natural hazards are located in Chapter 28.

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	Activities located in the Queenstown Town Centre Zone	Activity status
12.4.7	<p>Surface of Water and Interface Activities</p> <p>12.4.7.1 Wharfs and Jetties within the Queenstown Town Centre Waterfront <u>subzone between the Town Pier and the subzone boundary in the vicinity of St Omer Park (designation 217) as shown on the planning maps;</u></p> <p>12.4.7.2 Commercial Surface of Water Activities within the Queenstown Town Centre Waterfront <u>Subzone, as shown on the planning maps.</u></p> <p>In respect of the above activities, the Council's discretion is unlimited but it shall consider:</p> <p>The extent to which the proposal will:</p> <ul style="list-style-type: none"> • Create an exciting and vibrant waterfront which maximises the opportunities and attractions inherent in a visitor town situated on a lakeshore; • <u>Provide Maintain</u> a continuous waterfront walkway from Horne Creek right through to St Omer Park; • Maximise the ability to cater for commercial boating activities to an extent compatible with maintenance of environmental standards and the nature and scale of existing activities; <u>and</u> • <u>Provide for or support the provision of one central facility in Queenstown Bay for boat refuelling, bilge pumping, sewage pumping.</u> • <u>Maintain or enhance public access to the lake and amenity values including character; and</u> • <u>Affect water quality, navigation and people's safety, and adjoining infrastructure;</u> <p>The extent to which any proposed structures or buildings will:</p> <ul style="list-style-type: none"> • Enclose views across Queenstown Bay; and • Result in a loss of the generally open character of the Queenstown Bay and its interface with the land;- • <u>Affect the values of wahi tupuna;</u> 	D
		<p>Comment [MSOffice50]: Drafting error only</p> <p>Comment [MSOffice51]: 766 (Queenstown Wharves GP)</p> <p>Comment [MSOffice52]: 621 (Real Journeys)</p> <p>Comment [MSOffice53]: Drafting error only</p> <p>Comment [MSOffice54]: 621 (Real Journeys)</p> <p>Comment [MSOffice55]: 621 (Real Journeys)</p> <p>Comment [MSOffice56]: 621 (Real Journeys)</p> <p>Comment [MSOffice57]: 621 621 (Real Journeys)</p> <p>Comment [MSOffice58]: 810 (Te Runanga o Moeraki, Kati Huirapa Runaka ki Puketeraki, Te Runanga o Otakou and Hokonui Runanga collectively Manawhenua)</p>
12.4.8	<p>Surface of Water and Interface Activities:</p> <p>12.4.8.1 Wharfs and Jetties within the Queenstown Town Centre Waterfront <u>Subzone between the Town Pier (as shown on the planning maps) and Queenstown Gardens;</u></p> <p>12.4.8.2 Any buildings located on Wharfs and Jetties within the Queenstown Town Centre Waterfront <u>Subzone, as shown on the planning maps;</u></p> <p>12.4.8.3 Buildings or boating craft within the Queenstown Town Centre Waterfront <u>Subzone if used for visitor, residential or overnight accommodation, as shown on the planning maps.</u></p>	NC
		<p>Comment [MSOffice59]: Cl. 20 correction</p> <p>Comment [MSOffice60]: Cl. 20 correction</p> <p>Comment [MSOffice61]: 621 621 (Real Journeys)</p> <p>Comment [MSOffice62]: 621 (Real Journeys)</p> <p>Comment [MSOffice63]: Cl. 20 correction</p>
12.4.9	<p>Industrial Activities at ground floor level</p> <p>NB <u>Note:</u> Specific industrial activities are listed separately below as prohibited activities.</p>	NC
		<p>Comment [MSOffice64]: 621(Real Journeys)</p> <p>Comment [MSOffice65]: 621 (Real Journeys)</p>
12.4.10	<p>Factory Farming</p>	PR

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	Activities located in the Queenstown Town Centre Zone	Activity status
12.4.11	Forestry Activities	PR
12.4.12	Mining Activities	PR
12.4.13	Airports other than the use of land and water for emergency landings, rescues and firefighting.	PR
12.4.14	Panelbeating, spray painting, motor vehicle repair or dismantling, fibreglassing, sheet metal work, bottle or scrap storage, motorbody building.	PR
12.4.15	Fish or meat processing (excluding that which is ancillary to a retail premises such as a butcher, fishmonger or supermarket).	PR
12.4.16	Any activity requiring an Offensive Trade Licence under the Health Act 1956	PR

12.5 Rules - Standards

	Standards for activities located in the Queenstown Town Centre Zone	Non-compliance status
12.5.1	<p>Maximum building coverage in the Town Centre Transition subzone and in relation to comprehensive developments of sites</p> <p>12.5.1.1 In the Town Centre Transition subzone or <u>when undertaking a comprehensive development of sites greater than 1400m²</u>, the maximum building coverage shall be 75%, primarily for the purpose of providing pedestrian links <u>and lanes</u>, open spaces, outdoor dining, and well planned storage and loading/ servicing areas within the development.</p> <p><i>Note:</i> While there is no maximum coverage rule elsewhere in the Town Centre, this does not suggest that 100% building coverage is necessarily anticipated on all sites as setbacks, outdoor storage areas, and pedestrian linkages might be required.</p> <p>12.5.1.2 Any application for <u>development building</u> within the Town Centre Transition Subzone or <u>for a comprehensive development (as defined below) on a site 1800m²</u> shall be accompanied by <u>include a Comprehensive Development Structure Plan</u> for an area of at least 18400m².</p> <p>*In regard to rules 12.5.1.1 and 12.5.1.2, discretion is restricted to consideration of all of the following:</p> <ul style="list-style-type: none"> The adequate provision of <u>cycle, vehicle, and pedestrian links and lanes</u>, open spaces, outdoor dining opportunities; The adequate provision of storage and loading/ servicing areas; The site layout and location of buildings, public access to the buildings, and landscaping, particularly in relation to how the layout of buildings and open space interfaces with the street edge and any adjoining public places and how it protects and provides for view shafts, taking into account the need for active street frontages, compatibility with the character and scale of nearby residential zones, <u>listed heritage items, and heritage precincts</u>, and the amenity and safety of adjoining public spaces and designated sites, <u>including shading and wind effects</u>. <p>For the purpose of this rule, a 'comprehensive development' means the construction of</p>	<p>RD*</p> <p>Comment [MSOffice66]: 238 (NZIA)</p> <p>Comment [MSOffice67]: Clarification only</p> <p>Comment [MSOffice68]: 238 (NZIA)</p> <p>Comment [MSOffice69]: Consequential change from removing rule 12.4.6.2</p> <p>Comment [MSOffice70]: 238 (NZIA)</p> <p>Comment [MSOffice71]: 59 (Lynda Baker), 217 (Jay Berriman), and 82 (Toni Okkerse)</p> <p>Comment [MSOffice72]: 59 (Lynda Baker), 82 (Toni Okkerse), 599 (Peter Fleming), 206 (Lindsay Jackson), 417 (Boyle)</p> <p>Comment [MSOffice73]: 621 (Real Journeys)</p>

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	Standards for activities located in the Queenstown Town Centre Zone	Non-compliance status
	a building or buildings on a site or across a number of sites which total an area greater than 1400m ² .	
		Comment [MSOffice74]: 238 (NZIA)
12.5.2	<p>Street Scene - building setbacks</p> <p>12.5.2.1 Buildings on the north side of Beach Street shall be set back a minimum of 0.8m; and</p> <p>12.5.2.2 Buildings on the south side of Beach Street shall be set back a minimum of 1m.</p> <p>*Discretion is restricted to consideration of the effects on the overall streetscape as a result of a building not being set back the stipulated distance. Such effects might include:</p> <ul style="list-style-type: none"> • sunlight access; • the creation of a consistent building setback; and • widening of the street over time. 	RD* Comment [MSOffice75]: 606 (Skyline Investments Limited & O'Connells Pavilion), 383 (QLDC), 616 (Trojan Holdings Limited & Beach Street Holdings), 617 (Tweed Development)
12.5.3	<p>Waste and Recycling Storage Space</p> <p>12.5.3.1 Offices shall provide a minimum of 2.6m³ of waste and recycling storage (bin capacity) and minimum 8m² floor area for every 1,000m² gross floor space, or part thereof;:-</p> <p>12.5.3.2 Retail activities shall provide a minimum of 5m³ of waste and recycling storage (bin capacity) and minimum 15m² floor area for every 1,000m² gross floor space, or part thereof;:-</p> <p>12.5.3.3 Food and beverage outlets shall provide a minimum of 1.5m³ (bin capacity) and 5m² floor area of waste and recycling storage per 20 dining spaces, or part thereof;:-</p> <p>12.5.3.4 Residential and Visitor Accommodation activities shall provide a minimum of 80 litres of waste and recycling storage per bedroom, or part thereof.</p> <p>*Discretion is restricted to consideration of all of the following:</p> <ul style="list-style-type: none"> • The adequacy of the area, dimensions, design, and location of the space allocated, such that it is of an adequate size, can be easily cleaned, and is accessible to the waste collection contractor, such that it needn't be put out on the kerb for collection. The storage area needs to be designed around the type(s) of bin to be used to provide a practicable arrangement. The area needs to be easily cleaned and sanitised, potentially including a foul floor gully trap for wash down and spills of waste. 	RD*

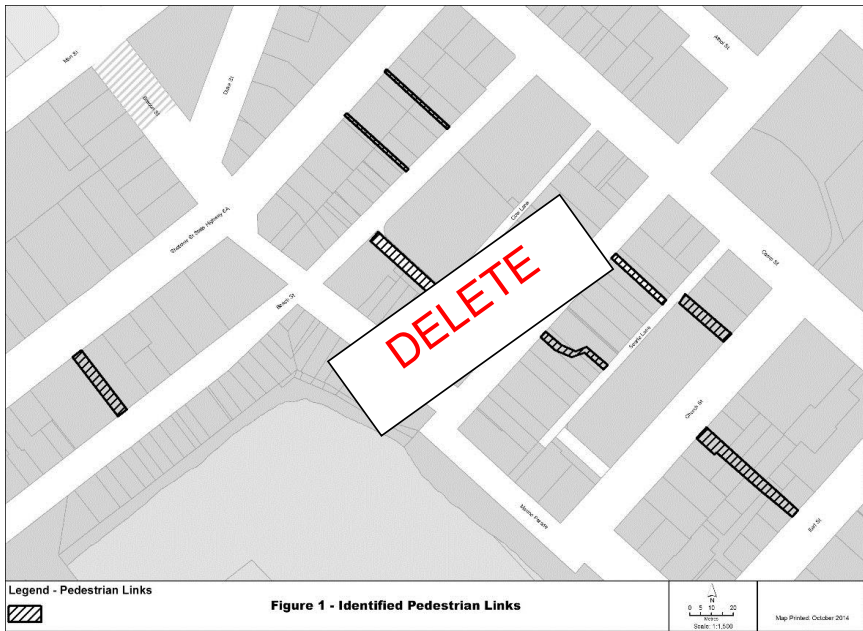
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	Standards for activities located in the Queenstown Town Centre Zone	Non-compliance status
<p>12.5.4</p>	<p>Screening of Storage Space</p> <p>12.5.4.1 Within the Special Character Area and for all sites with frontage to the following roads all storage areas shall be situated within the building:</p> <ol style="list-style-type: none"> a. Shotover Street (Stanley to Hay) b. Camp Street c. Earl Street d. Marine Parade e. Stanley Street (Beetham Street to, and including, Memorial Street) f. Beach Street g. Rees Street (beyond the Special Character Area) <p>12.5.4.2 In all other parts of this zone Storage areas shall be situated within the building or screened from view from all public places, adjoining sites and adjoining zones.</p> <p>*Discretion is restricted to consideration of all of the following:</p> <ul style="list-style-type: none"> • Effects on visual amenity; • Consistency with the character of the locality; • Effects on human safety in terms of CPTED principles; and • Whether pedestrian and vehicle access is compromised. 	<p>RD*</p> <p>Comment [MSOffice76]: 663 (IHG)</p> <p>Comment [MSOffice77]: 663 (IHG) Consequential change to deleting 12.5.4.1 and therefore enabling screened outdoor storage in additional parts of the Town Centre</p>
<p>12.5.5</p>	<p>Verandas</p> <p>12.5.5.1 Every new, reconstructed or altered building (excluding repainting) with frontage to the roads listed below shall include a veranda or other means of weather protection.</p> <ol style="list-style-type: none"> a. Shotover Street (Stanley Street to Hay Street); b. Hay Street c. Beach Street; d. Rees Street; e. Camp Street (Church Street to Man Street); f. Brecon Street (Man Street to Shotover Street); g. Church Street (north west side); h. Queenstown Mall (Ballarat Street); i. Athol Street; j. Stanley Street (Coronation Drive to Memorial Street); <p>12.5.5.2 Verandas shall be no higher than 3m above pavement level and no verandas on the north side of a public place or road shall extend over that space by more than 2m and those verandas on the south side of roads</p>	<p>RD*</p> <p>Comment [MSOffice78]: 663 (IHG)</p>

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	Standards for activities located in the Queenstown Town Centre Zone	Non-compliance status
	<p>shall not extend over the space by more than 3m.</p> <p>*Discretion is restricted to consideration of all of the following:</p> <ul style="list-style-type: none"> • Consistency of the proposal and the Queenstown Town Centre Design Guidelines (2015) where applicable; and • Effects on pedestrian amenity, the human scale of the built form, and on historic heritage values. 	
12.5.6	<p>Residential Activities</p> <p>12.5.6.1 Residential activities shall not be situated at ground level in any building with frontage to the following roads:</p> <ol style="list-style-type: none"> Stanley Street (Coronation Drive to Memorial Street); Camp Street (Man Street to Earl Street); Queenstown Mall (Ballarat Street); Church Street; Marine Parade (north of Church Street); Beach Street; Rees Street; Shotover Street; Brecon Street; Athol Street; Duke Street; <p>*Discretion is restricted to consideration of all of the following:</p> <ul style="list-style-type: none"> • effects on the ability to achieve active frontages along these streets; • effects on surrounding buildings and activities; and • the quality of the living environment within the building. 	RD*
12.5.7	<p>Flood Risk</p> <p>No building greater than 20m² shall be constructed or relocated with a ground floor level less than RL 312.0m above sea level (412.0m Otago Datum) at Queenstown.</p> <p>*Discretion is restricted to consideration of all of the following:</p> <ul style="list-style-type: none"> • The level of risk from flooding and whether the risk can be appropriately avoided or mitigated; and • the extent to which the construction of the building will result in the increased vulnerability of other sites to flooding. 	RD*
12.5.8	<p>Provision of Pedestrian Links and lanes</p> <p>12.5.8.1 All new buildings and building redevelopments located on sites which are identified for pedestrian links or lanes in Figure 1 of this rule (below at the end of this chapter) shall provide a ground level pedestrian link or lane in the general location shown; Any such link must be at least 1 m wide and have an average minimum width of 2.5m and be open to the public during all retailing hours.</p>	RD* <div style="border: 1px solid black; padding: 2px; margin-top: 5px;"> Comment [MSOffice79]: 238 (NZIA) </div> <div style="border: 1px solid black; padding: 2px; margin-top: 5px;"> Comment [MSOffice80]: 238 (NZIA), 599 (Peter Fleming) </div> <div style="border: 1px solid black; padding: 2px; margin-top: 5px;"> Comment [MSOffice81]: Drafting only - replaced with an expanded 12.5.8.3 </div>

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	Standards for activities located in the Queenstown Town Centre Zone	Non-compliance status
	<p>12.5.8.2 Where a pedestrian link is required to be provided and is open to the public during retailing hours the Council will consider off-setting any such area against development levies and car parking requirements:-</p> <p>12.5.8.3 <u>Where an existing lane or link is uncovered then it shall remain as such and shall be a minimum of 4m wide as part of any redevelopment and where an existing link is covered then it may remain covered and shall be at least 1.8 m wide with an average minimum width of 2.5m. In all cases, lanes and links shall be open to the public during all retailing hours.</u></p> <p><u>Note: Nothing in rules 12.5.8.1 and 12.5.8.2 shall prevent a building or part of a building being constructed at first floor level over a pedestrian link,</u></p> <p>Figure 1:</p>  <p>Location of Pedestrian Links within the Queenstown Town Centre.</p> <ol style="list-style-type: none"> 1. Shotover St/ Beach St, Lot 2 DP 16293, 2910645200, Lot 2 DP 11098 (2910648800), Lot 3 DP 11098, (-), Sec 27 Blk VI Town of Queenstown (2910648800). 2. Trustbank Arcade (Shotover St/ Beach St), Lot 1 DP 11098 (2910648700), Part Section 24 Block VI Queenstown (2910648700), Part Section 23 Block VI Town of Queenstown; (2910648700) 3. Plaza Arcade, Shotover St/ Beach St, Section 27 BLK VI, Queenstown (2910648800) Lot 1 DP 17661; (2910645900). 4. Cow Lane/ Beach Street, (Sec 30 Blk I Town of Queenstown); 5. <u>Cow Lane/ Beach Street, Lot 1 DP 25042;</u> 6. <u>Cow lane/ Ballarat Street, Lot 2 DP 19416;</u> 7. <u>Ballarat St/ Searle Lane, Sec 22 & Pt Sec 23 Blk II Tn of Queenstown; Sections</u> 	<p>Comment [MSOffice82]: 238 (NZIA)</p> <p>Comment [MSOffice83]: 238 (NZIA)</p> <p>Comment [MSOffice84]: 238 (NZIA), 599 (Peter Fleming)</p>

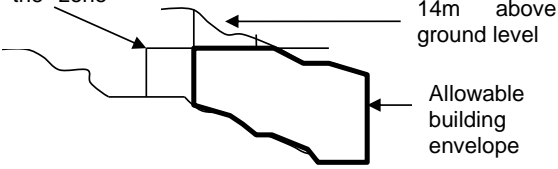
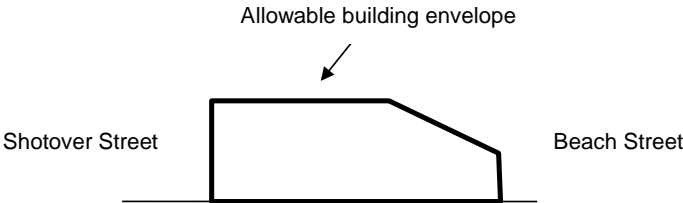
QUEENSTOWN TOWN CENTRE 12

	Standards for activities located in the Queenstown Town Centre Zone	Non-compliance status
	<p>1, 2, 3, 27, Pt 26b BLK II Queenstown, (2910504300).</p> <p>8. Ballarat Street/ Searle Lane, part of the Searle Lane land parcel; (2910504000) Section 22 (2910503800) and part Sections 23 (2910503800) and 24 Block II, Queenstown.</p> <p>9. Church St/ Earl St, Sections 2, 3, 12, 13 BLK III, Queenstown, (2910504900) Lot 1 DP 27486;</p> <p>10. Searle Lane/ Church St, Sec 30 Blk II Town of Queenstown (2910503000). Lot 100 DP 303504;</p> <p>11. Camp/ Stanley St, post office precinct, Lot 2 DP 416867;</p> <p>12. Camp/ Athol St, Lot 1 DP 20875, Village Green Rec Reserve (2910631100).</p> <p>Note: Where an <u>uncovered pedestrian link or a lane (i.e. open to the sky)</u> is provided in accordance with this rule, additional building height may be appropriate pursuant to Policies 12.2.2.4 and 12.2.2.5.</p> <p>* Where the required link is not proposed as part of development, discretion is restricted to consideration of all of the following:</p> <ul style="list-style-type: none"> • The adverse effects on the pedestrian environment, connectivity, legibility, and Town Centre character from not providing the link. <p>It is noted that where an alternative link is proposed as part of the application, which is not on the development site but achieves the same or a better outcome then this is likely to be considered appropriate.</p>	<p>Comment [MSOffice85]: 238 (NZIA), 599 (Peter Fleming)</p> <p>Comment [MSOffice86]: 238 (NZIA)</p> <p>Comment [MSOffice87]: 238 (NZIA)</p>
12.5.9	<p>Discretionary Building Height in Precinct 1 and Precinct 1(A)</p> <p>For the purpose of this rule, refer to the Height Precinct Map (Figure 2) at the end of Chapter 12, which takes precedence over the general descriptions below.</p> <p>12.5.9.1 The maximum height shall be 12m and the building shall contain no more than 4 storeys (excluding basements), except that: and</p> <p>12.5.9.2 In that part of the precinct on the eastern side of Brecon Street annotated as Within Precinct 1(A) as shown on the Height Precinct Map (figure 2) where the maximum height shall be 15.5m above ground level and shall be limited to no more than 4 storeys in height (excluding basements), provided no part of any building shall protrude through a recession line inclined towards the site at an angle of 45 degrees commencing from a line 10m above the street boundary.</p> <p>*Discretion is restricted to consideration of the effects of any additional building height on:</p> <ul style="list-style-type: none"> • The urban form of the Town Centre and the character of the height precinct within which it is located. The Council will consider: <ul style="list-style-type: none"> a. The extent to which the proposed building design responds sensitively to difference in height, scale and mass between the proposal and existing buildings on adjacent sites and with buildings in the wider height precinct, in terms of use of materials, facade articulation and roof forms; <u>and</u> b. The effect on human scale and character as a result of proposed articulation of the façade, the roofline, and the roofscape; and 	<p>RD*</p> <p>Comment [MSOffice88]: 59 (Lynda Baker), 82 (Toni Okkerse), 599 (Peter Fleming), and 206 (Lindsay Jackson)</p> <p>Comment [MSOffice89]: 383 (QLDC)</p> <p>Comment [MSOffice90]: Clarification only</p>


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	Standards for activities located in the Queenstown Town Centre Zone	Non-compliance status
	<p>c. The amenity of surrounding streets, lanes, footpaths and other public spaces, including the effect on sunlight access to public spaces and footpaths; the provision of public space and pedestrian links; and</p> <p>d. <u>The opportunity to establish landmark buildings on key sites, such as block corners and key view terminations; and</u></p> <ul style="list-style-type: none"> • The protection or enhancement of public views of Lake Wakatipu or of any of the following peaks: <ul style="list-style-type: none"> a. Bowen Peak; b. Walter Peak; c. Cecil Peak; d. Bobs Peak; e. Queenstown Hill; f. The Remarkables range (limited to views of Single and Double Cone); and • Effects on any adjacent Residential Zone; and • The historic heritage value of any adjacent heritage item/ precinct and whether it acknowledges and respects the scale and form of this heritage item/ precinct. 	
12.5.10	<p>Maximum building and façade height</p> <p>For the purpose of this rule, refer to the Height Precinct Map (Figure 2) at the end of Chapter 12, which takes precedence over the general geographic descriptions below.</p> <p>12.5.10.1 In Height Precinct 1, Precinct 1(A), and Precinct 2, subject to sub-clauses (a) - (e) below (Stanley and Shotover streets and the north side of Camp Street west of Ballarat, and the eastern side of Brecon Street), unless otherwise allowed by Standard 12.15.10(b) the maximum absolute height <u>limits</u> shall be <u>as follows</u>:</p> <ul style="list-style-type: none"> i. 15m on Secs 4-5 Blk Xv Queenstown Tn (48-50 Beach St); ii 15.5m on Precinct 1(A); iii 14m elsewhere; <p>And:</p> <ul style="list-style-type: none"> a. Throughout the precinct, the building shall contain no more than 4 storeys (excluding basements); b. In addition, buildings within the block bound by Ballarat, Beetham, and Stanley streets (as shown on the height overlay) shall not protrude through a horizontal plane drawn at 7m above any point along the north-eastern zone boundary of this block, as illustrated in the below diagram: 	<p>NC</p> <p>Comment [MSOffice91]: Clarification only</p> <p>Comment [MSOffice92]: 383 (QLDC)</p>

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Standards for activities located in the Queenstown Town Centre Zone	Non-compliance status
<p>7 m above the zone boundary</p>  <p>14m above ground level</p> <p>Allowable building envelope</p> <p>c. In addition, on Secs 4-5 Blk Xv Queenstown Tn (48-50 Beach St), no part of any building shall protrude through a recession line inclined towards the site at an angle of 45 degrees commencing from a line 12m above any boundary:-</p> <p>d. In addition, in Height Precinct 2 (central Shotover/ upper Beach Street block) any the street front parapet of buildings on the north side of Beach Street shall be between 6.5m and 7m in height and no part of any building, except a street front parapet, shall protrude through a recession line inclined towards the site at an angle of 30 degrees commencing from a line 6.5m above any street boundary.</p> <p style="text-align: center;">Allowable building envelope</p>  <p>Shotover Street</p> <p style="text-align: right;">Beach Street</p> <p>12.5.10.2 In Height Precinct 3 (lower Beach St to Marine Parade and the Earl/ Church Street block) the maximum height shall be 8m and the street front parapet of buildings shall be between 7.5m and 8.5m and may protrude through the height plane;</p> <p>12.5.10.3 For any buildings located on a wharf or jetty, the maximum height shall be 4 m above RL 312.0 masl (412.0m Otago Datum):-</p> <p>12.5.10.4 In Height Precinct 7 (Man Street), the following height rules apply within each of the areas shown on the below plan:</p>	<p>Comment [MSOffice93]: Clarification only</p> <p>Comment [MSOffice94]: Clarification only</p> <p>Comment [MSOffice95]: 606 (Skyline Investments Limited & O'Connells Pavilion), 383 (QLDC), 616 (Trojan Holdings Limited & Beach Street Holdings), 617 (Tweed Development), 417 (John Boyle). Consequential change from removing the setback rule</p> <p>Comment [MSOffice96]: 417 (John Boyle)</p>

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	Standards for activities located in the Queenstown Town Centre Zone	Non-compliance status
	<div style="text-align: center;">  </div> <p>a. <u>In Area A the maximum height shall be 11m above 327.1 masl. except that within the</u></p> <p>b. <u>In Area B the maximum height shall be 14m above 327.1 masl.;</u></p> <p>c. <u>In Viewshaft C the maximum height shall be 327.1 masl (i.e. no building is permitted above the existing structure);</u></p> <p>d. <u>In Viewshaft D identified on the Height Precinct map, the maximum height shall be 4.3 m above 321.7 327.1 masl.;</u></p> <p>e. <u>In Area E the maximum height shall be 12m (above ground level) and, in addition,</u></p> <ul style="list-style-type: none"> • <u>no part of any building shall protrude through a recession line inclined towards the site at an angle of 45 degrees commencing from a line 10m above the street boundary; and in addition,</u> • <u>no building shall protrude through a horizontal plane drawn at 17m above the level of Shotover Street, as measured at the site boundary.</u> <p>f. <u>In Area F the maximum height shall be 12m (above ground level) and, in addition,</u></p> <ul style="list-style-type: none"> • <u>no part of any building shall protrude through a recession line inclined towards the site at an angle of 45 degrees commencing from a line 10m above the street boundary; and in addition,</u> • <u>no building shall protrude through a horizontal plane drawn at 14m above the level of Shotover Street, as measured at the site boundary.</u> <p>12.5.10.5 For all other sites within the Town Centre Zone, the maximum height shall be 12m and, in addition, the following shall apply:</p>	<p>Comment [MSOffice97]: 20 (Aaron Cowie), 238 (NZIA)</p> <p>Comment [MSOffice98]: 238 (NZIA)</p> <p>Comment [MSOffice99]: 238 (NZIA)</p> <p>Comment [MSOffice100]: 398 (Man Street Properties Limited) 383 (QLDC)</p> <p>Comment [MSOffice101]: 398 (MSP), 417 (John Boyle)</p>

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	Standards for activities located in the Queenstown Town Centre Zone	Non-compliance status									
	<p>a. In Height Precinct 4 (lower camp/ Stanley/ Coronation Dr block, Earl/ Gardens block, and lower Beach/ lower Shotover block, south side of Beach St and the north side of Church Street) no part of any building shall protrude through a recession line inclined towards the site at an angle of 45 degrees commencing from a line 10m above the street boundary;:-</p> <p>b. In Height Precinct 5 (The Mall heritage precinct and those sites facing Rees Street) the street front parapet shall be between 7.5 and 8.5m in height and no part of any building shall protrude through a recession line inclined towards the site at an angle of 45 degrees commencing from a line 7.5m above any street boundary;:-</p> <p>c. In Height Precinct 6 (land bound by Man, Duke and Brecon streets):</p> <ul style="list-style-type: none"> • No building shall protrude through a horizontal plane drawn at RL 332.20 masl (being 432.20 Otago datum), except that decorative parapets may encroach beyond this by a maximum of up to 0.9 metre. This rule shall not apply to any lift tower within a visitor accommodation development in this area, which exceeds the maximum height permitted for buildings by 1m or less; and <p>No part of any building shall protrude through a recession line inclined towards the site at an angle of 45° commencing from a line 10m above the street boundary.</p>										
12.5.11	<p>Noise</p> <p>12.5.11.1 Sound* from activities in the Town Centre Zone and Town Centre Transition Subzone (excluding sound from the sources specified in rules 12.5.11.3 to 12.5.11.5 below) shall not exceed the following noise limits at any point within any other site in these zones:</p> <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 30%;">a. daytime</td> <td style="width: 30%;">(0800 to 2200 hrs)</td> <td style="width: 40%; text-align: right;">60 dB L_{Aeq}(15 min)</td> </tr> <tr> <td>b. night-time</td> <td>(2200 to 0800 hrs)</td> <td style="text-align: right;">50 dB L_{Aeq}(15 min)</td> </tr> <tr> <td>c. night-time</td> <td>(2200 to 0800 hrs)</td> <td style="text-align: right;">75 dB L_{AFmax}</td> </tr> </table> <p>*measured in accordance with NZS 6801:2008 and assessed in accordance with NZS 6802:2008</p> <p>12.5.11.2 Sound from activities in the Town Centre Zone and Town Centre Transition Sub-zone (excluding sound from the sources specified in rules 12.5.11.3 and 12.5.11.4 below) which is received in another zone shall comply with the noise limits set for the zone the sound is received in;:-</p> <p>12.5.11.3 Within the Town Centre Zone <u>only excluding the Town Centre Transition Subzone,</u> sound* from music shall not exceed the following limits:</p> <ol style="list-style-type: none"> a. 60 dB LAeq(5 min) at any point within any other site in the Entertainment Precinct; and b. 55 dB LAeq(5 min) at any point within any other site outside the Entertainment Precinct. <p>*measured in accordance with NZS 6801:2008 and assessed in accordance with NZS 6802:2008, and excluding any special audible characteristics and duration adjustments.</p> <p>12.5.11.4 Within the Town Centre Zone <u>only excluding the Town Centre Transition Subzone,</u> sound* from voices shall not exceed the following limits:</p>	a. daytime	(0800 to 2200 hrs)	60 dB L_{Aeq}(15 min)	b. night-time	(2200 to 0800 hrs)	50 dB L_{Aeq}(15 min)	c. night-time	(2200 to 0800 hrs)	75 dB L_{AFmax}	NC
a. daytime	(0800 to 2200 hrs)	60 dB L_{Aeq}(15 min)									
b. night-time	(2200 to 0800 hrs)	50 dB L_{Aeq}(15 min)									
c. night-time	(2200 to 0800 hrs)	75 dB L_{AFmax}									

Comment [MSOffice102]: Submitters 151 (Imperium Group, 503 (DJ and EJ Cassells, The Bulling Family, The Bennett Family, M Lynch), 506 (Friends of the Wakatipu Gardens and Reserves Incorporated), 654 (Warren Cooper & Associates), FS1063 (Peter Fleming and Others), FS1318 (Imperium Group), 302 and FS1043.18 (Grand Lakes Management Limited), 474 (Evan Jenkins), 217 (Jay Berriman)

Comment [MSOffice103]: As above

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	Standards for activities located in the Queenstown Town Centre Zone	Non-compliance status
	<p>a. 65 dB LAeq(15 min) at any point within any other site in the Entertainment Precinct; and</p> <p>b. 60 dB LAeq(15 min) at any point within any other site outside the Entertainment Precinct.</p> <p>*measured in accordance with NZS 6801:2008 and assessed in accordance with NZS 6802:2008.</p> <p>12.5.11.5 Within the Town Centre Zone <u>only excluding the Town Centre Transition subzone</u>, sound* from any loudspeaker outside a building shall not exceed 75 dB LAeq(5 min) measured at 0.6 metres from the loudspeaker.</p> <p>* measured in accordance with NZS 6801:2008 and assessed in accordance with NZS 6802:2008, excluding any special audible characteristics and duration adjustments.</p> <p>Exemptions <u>from Rule 12.5.11:</u></p> <ul style="list-style-type: none"> • The noise limits in 12.5.11.1 and 12.5.11.2 shall not apply to construction sound which shall be assessed in accordance and comply with NZS 6803:1999;- • The noise limits in 12.5.11.1 to 12.5.11.5 shall not apply to outdoor public events pursuant to Chapter 35 of the District Plan;- • <u>The noise limits in 12.5.11.1 and 12.5.11.2 shall not apply to motor/ water noise from commercial motorised craft within the Queenstown Town Centre waterfront subzone which is, instead, subject to Rule 36.5.14.</u> 	<p>Comment [MSOffice104]: As above</p> <p>Comment [MSOffice105]: Clarification only</p> <p>Comment [MSOffice106]: 621 (Real Journeys)</p>
12.5.12	<p>Acoustic insulation, other than in the Entertainment Precinct</p> <p>12.5.12.1 A mechanical ventilation system shall be installed for all critical listening environments in accordance with Table 6 in Chapter 36;-</p> <p>12.5.12.2 All elements of the façade of any critical listening environment shall have an airborne sound insulation of at least 40 dB R_w+C_{tr} determined in accordance with ISO 10140 and ISO 717-1.</p> <p>*Discretion is restricted to consideration of all of the following:</p> <ul style="list-style-type: none"> • the noise levels that will be received within the critical listening environments, with consideration including the nature and scale of the residential or visitor accommodation activity; • the extent of insulation proposed; and • whether covenants exist or are being volunteered which limit noise emissions on adjacent sites such that such noise insulation will not be necessary. 	RD*
12.5.13	<p>Acoustic insulation within the Entertainment Precinct</p> <p>12.5.13.1 A mechanical ventilation system shall be installed for all critical listening environments in accordance with Table 6 in Chapter 36;-</p> <p>12.5.13.2 All elements of the façade of any critical listening environment shall have an airborne sound insulation of at least 40 dB R_w+C_{tr} determined in accordance with ISO 10140 and ISO 717-1.</p>	NC
12.5.14	<p>Glare</p> <p>12.5.14.1 All exterior lighting, other than footpath or pedestrian link amenity lighting, installed on sites or buildings within the zone shall be directed away from adjacent sites, roads and public places, <u>and so as to limit the effects on the night sky.</u></p>	NC

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	Standards for activities located in the Queenstown Town Centre Zone	Non-compliance status
12.5.14.2	No activity in this zone shall result in a greater than 10 lux spill (horizontal or vertical) of light onto any property within the zone, measured at any point inside the boundary of any adjoining property;:-	
12.5.14.3	No activity shall result in a greater than 3 lux spill (horizontal or vertical) of light onto any adjoining property which is zoned High Density Residential measured at any point more than 2m inside the boundary of the adjoining property.	
12.5.14.4	<p>External building materials shall either:</p> <p>a. Be coated in colours which have a reflectance value of between 0 and 36%; or</p> <p>b. Consist of unpainted wood (including sealed or stained wood), unpainted stone, unpainted concrete, or copper;</p> <p><u>Except that:</u></p> <ul style="list-style-type: none"> Architectural features, including doors and window frames, may be any colour, and roof colours shall have a reflectance value of between 0 and 20%. 	

Comment [MSOffice108]: 616 (Trojan Holdings Limited & Beach Street Holdings Limited), 614 (Shotover Memorial Properties Limited & Horne Water Holdings Limited), 398 (Man Street Properties Limited), 606 (Skyline Investments Limited & O'Connells Pavilion Limited), 609 (Skyline Properties Limited & Accommodation and Booking Agents Queenstown Limited), 617 (Tweed Development Limited), and FS1200 (Stanley Street Investments Limited and Stanley Street Limited and Kelso Investments Limited)

Comment [MSOffice109]: 719 (NZTA)

Comment [MSOffice110]: 238 (consequential change)

Comment [MSOffice111]: Clarificati on only

12.6 Rules - Non-Notification of Applications

12.6.1 Applications for Controlled activities shall not require the written consent of other persons and shall not be notified or limited-notified, except for:

12.6.1.1 ~~Where visitor accommodation proposes vehicle to access onto the State Highway, the road controlling authority may be deemed an affected party.~~

12.6.2 The following Restricted Discretionary activities shall not require the written consent of other persons and shall not be notified or limited-notified:

12.6.2.1 Buildings;:-

12.6.2.2 Building coverage in the Town Centre Transition subzone and comprehensive development of ~~sites 1800m² or properties larger than 1400m²;~~

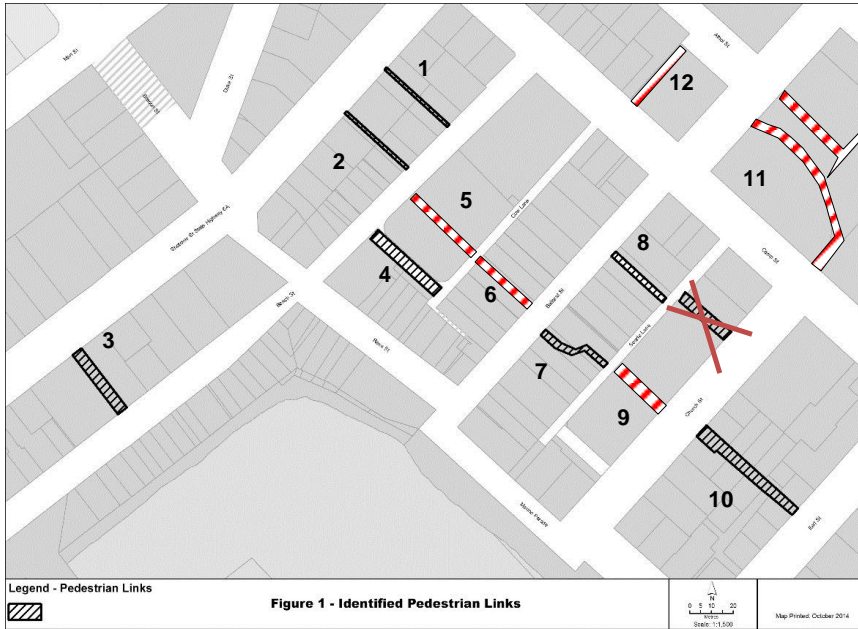
12.6.2.3 Waste and recycling storage space.

12.6.3 The following Restricted Discretionary activities will not be publicly notified but notice will be served on those persons considered to be adversely affected if those persons have not given their written approval:

12.6.3.1 Discretionary building height in Height Precinct 1 and Height Precinct 1(A).

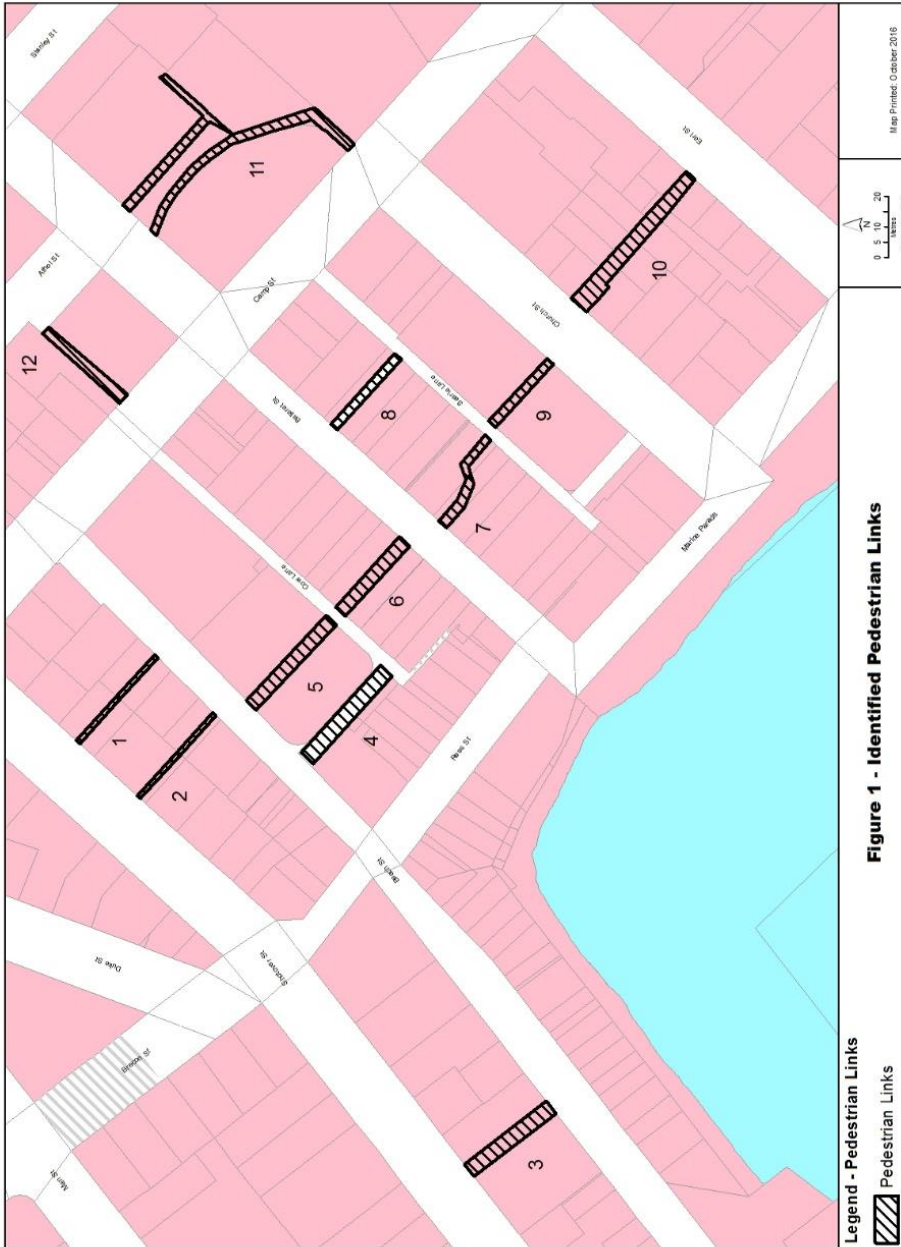
QUEENSTOWN TOWN CENTRE 12

Figure 1



Comment [MSOffice112]: 2 plans are included in this version; the first showing the changes proposed to the notified version in red and the second showing the larger format final amended recommended plan

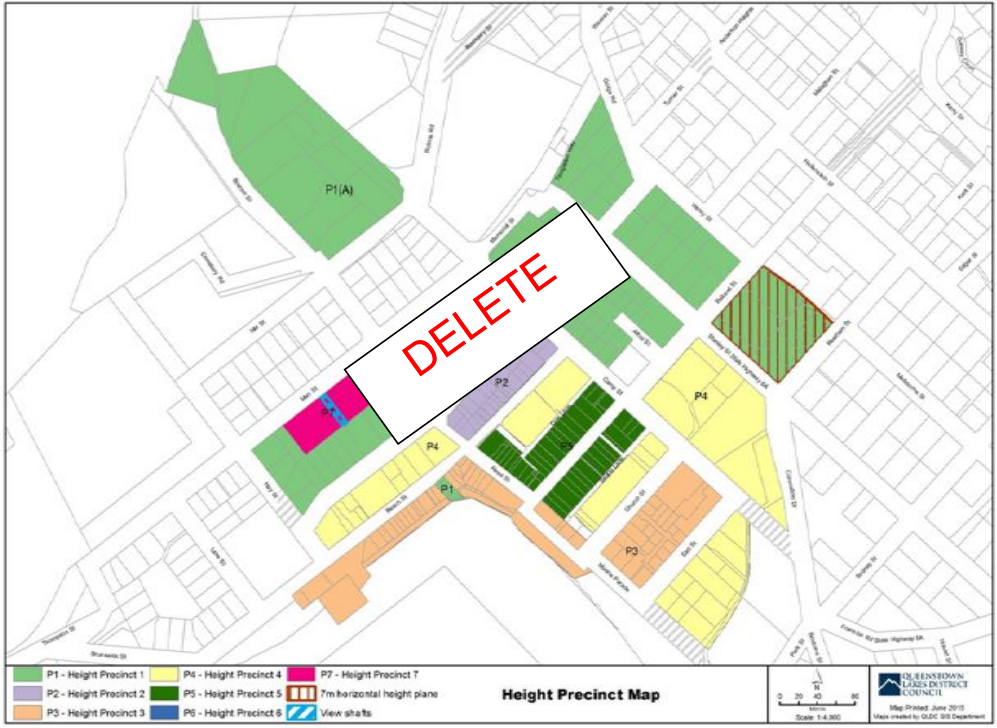
QUEENSTOWN TOWN CENTRE 12



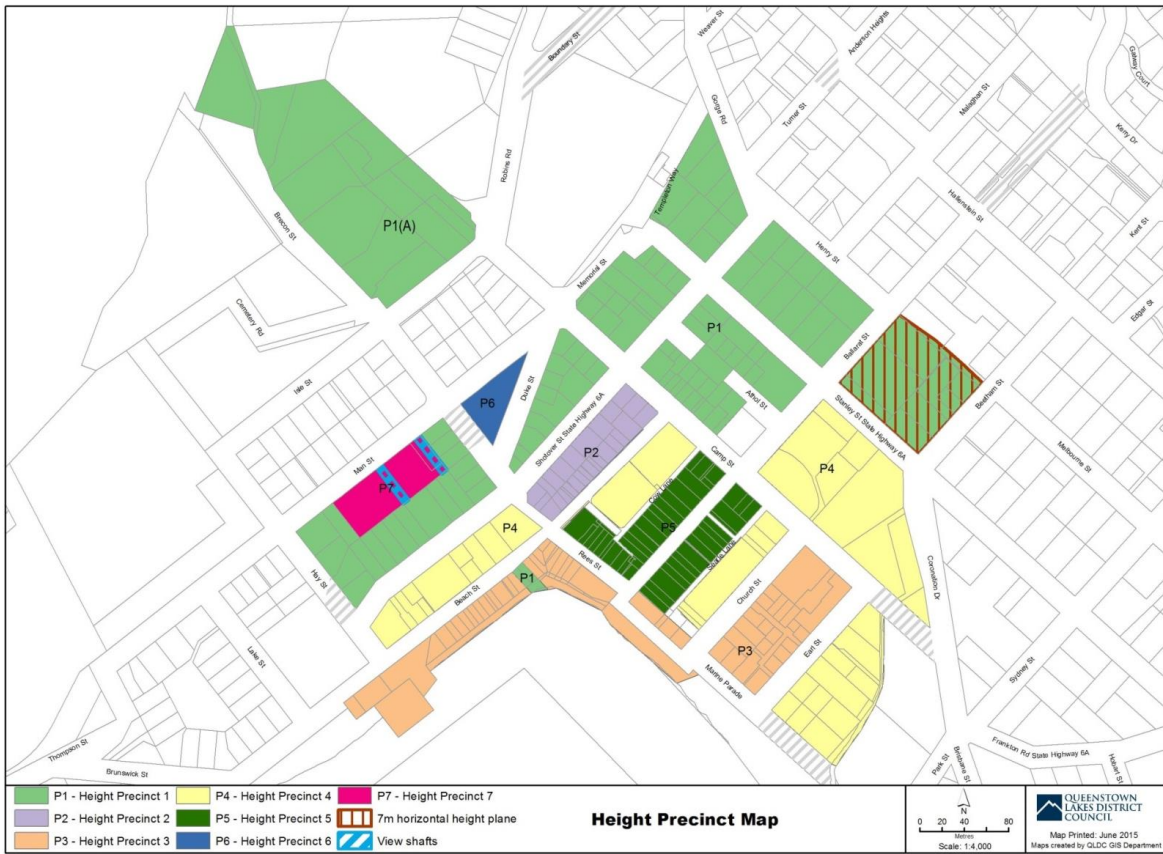
QUEENSTOWN TOWN CENTRE 12

Figure 2 - Queenstown Town Centre Height precinct map

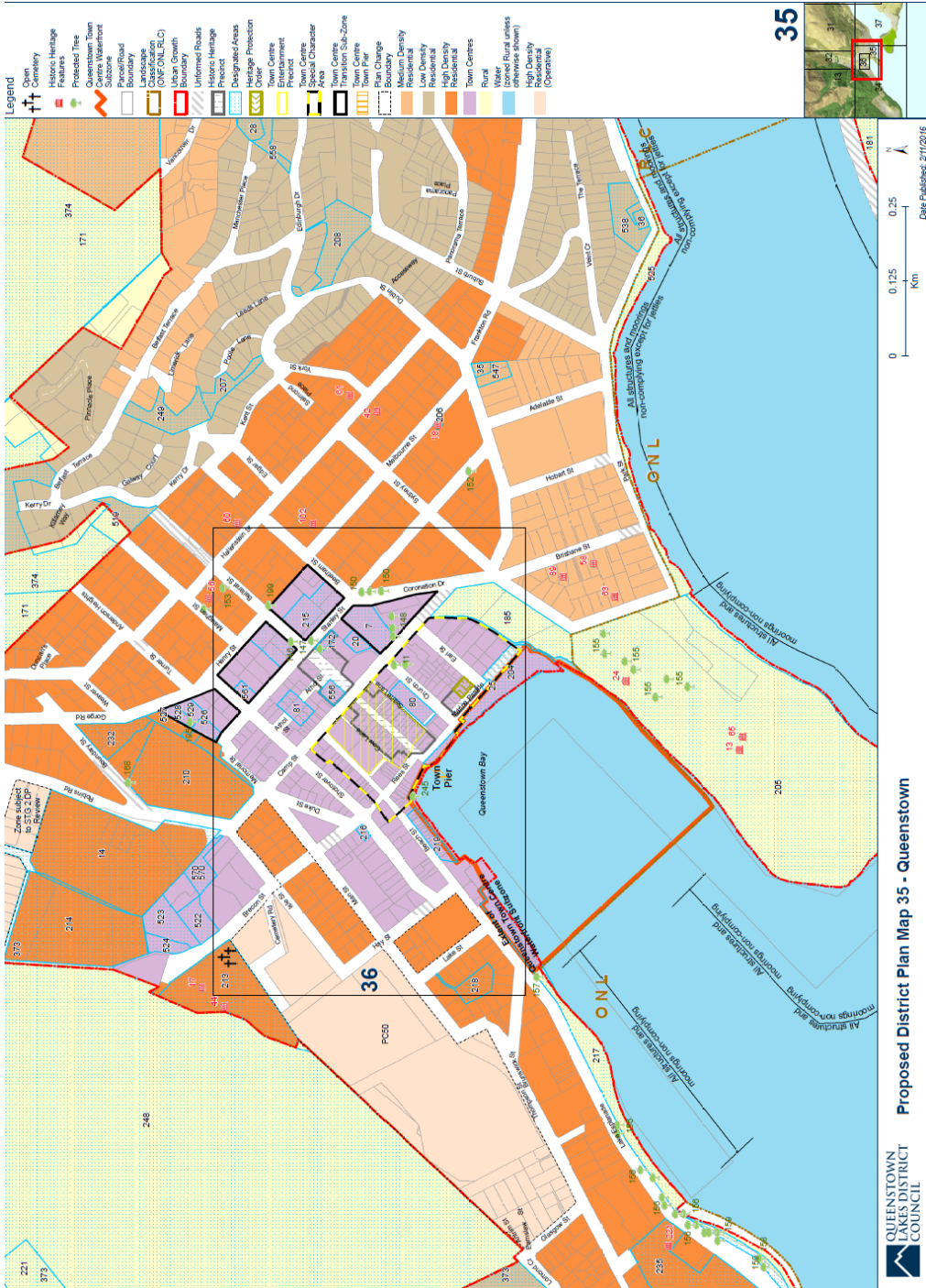
Comment [MSOffice113]: 417 (John Boyle), 398 (MSP), 383 (QLDC)



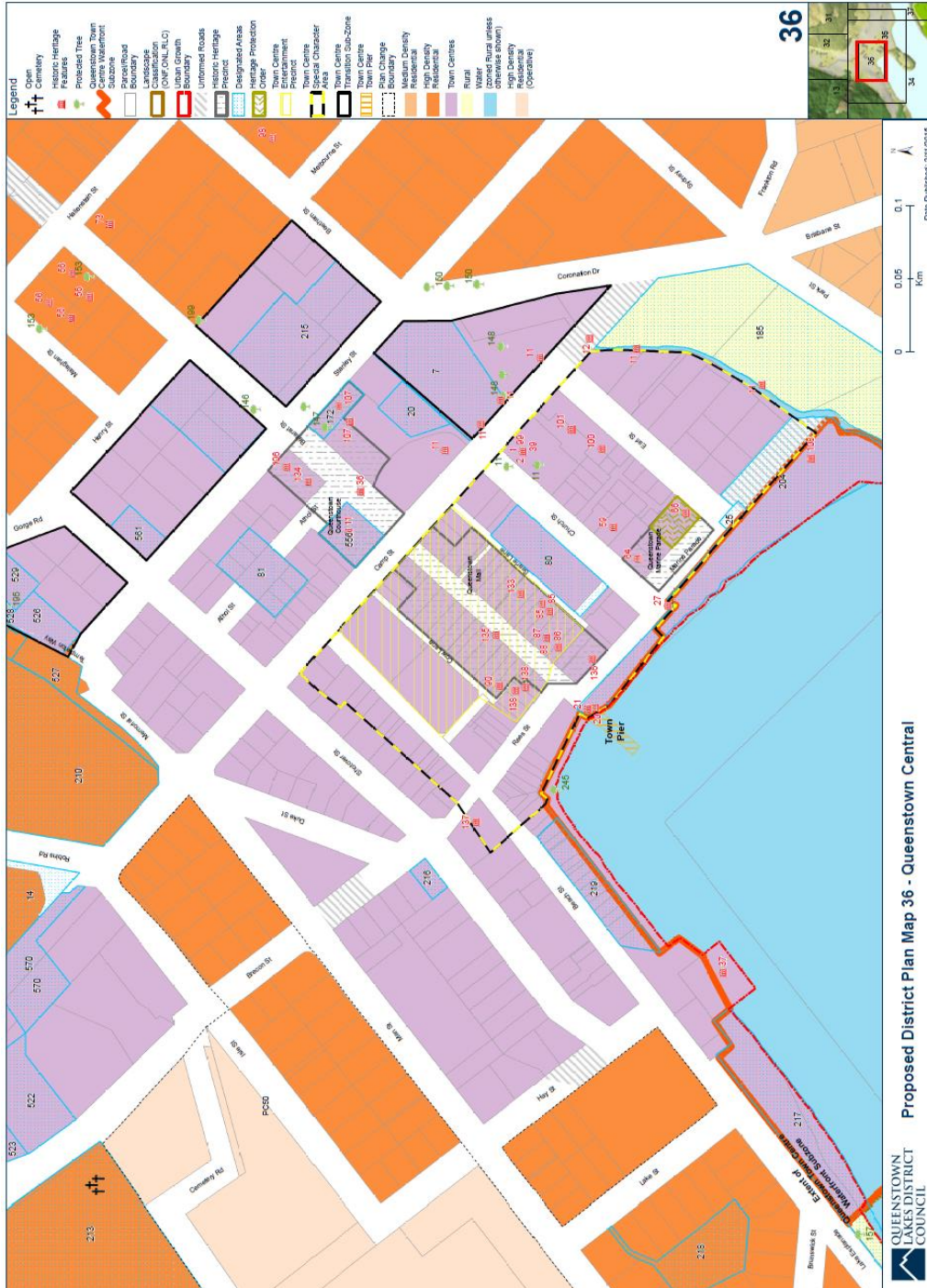
QUEENSTOWN TOWN CENTRE 12



QUEENSTOWN TOWN CENTRE 12



QUEENSTOWN TOWN CENTRE 12



NOISE 36

Key:

Recommend changes to notified chapter are shown in red underlined text for additions and ~~red-strike~~ through text for deletions. Appendix 1 to Right of Reply, dated 22 September 2016.

Recommend changes to notified chapter are shown in underlined text for additions and ~~strike through text~~ for deletions. Appendix 1 to section 42A report, dated 17 August 2016.

Recommend changes to notified chapter recommended through the chapter 12 hearing are shown in double underlined text for additions and ~~strike through text~~ for deletions. Appendix 1 to Queenstown Town Centre section 42A report, dated 2 November 2016.

36 Noise

36.1 Purpose

The purpose of this section is to manage the effects of noise in the District. Noise is part of the environment. While almost all activities give rise to some degree of noise, noise can cause ~~nuisance~~ and give rise to adverse effects on amenity values and the health and wellbeing of people and communities. Adverse effects may arise where the location, character, frequency, duration, or and timing of noise is inconsistent or incompatible with anticipated or reasonable noise levels.

Comment [RE114]: Non-substantive clarification

Comment [RE115]: Submission 649

Comment [RE116]: Submission 649

The Resource Management Act (RMA) 1991 requires every occupier of land and every person carrying out an activity to adopt the best practicable option to ensure noise does not exceed a reasonable level. The RMA also defines noise to include vibration. "Reasonable" noise levels are determined by the standard of amenity and ambient noise level of the receiving environment and the Council provides direction on this through the prescription of noise levels limits for each Zone. Noise is also managed by the Council through the use of relevant New Zealand Standards for noise. Land use and development activities, including activities on the surface of lakes and rivers should be managed in a manner that avoids, remedies or mitigates the adverse effects of noise to a reasonable level.

Comment [RE117]: Submission 649

In most situations, activities should consider the control of noise at the source and the mitigation of adverse effects of noise on the receiving environment. However, the onus on the reduction of effects of noise should not always fall on the noise generating activity. In some cases it may be appropriate for the noise receiver to avoid or mitigate the effects from an existing noise generating activity, particularly where the noise receiver is a noise sensitive activity.

Comment [RE118]: Submission 649

Comment [RE119]: Amended to reflect correct section of Civil Aviation Act.

Comment [RE120]: Added for clarity

Comment [MSOffice121]: QTC s42A change: 621 (Real Journeys)

Comment [RE122]: Added for clarity

Comment [RE123]: Deleted for clarity.

Comment [RE124]: Added for clarity

Comment [RE126]: Added for clarity.

Overflying aircraft have the potential to adversely affect amenity values. The Council controls noise emissions from airports, including take-offs and landings, via provisions in this District Plan, and Designation conditions. However, this is different from controlling noise from aircraft that are in flight. The RMA which empowers territorial authorities to regulate activities on land and water affecting amenity values, does not enable the authorities to control noise from overflying aircraft. Noise from overflying aircraft can be controlled through is controlled under section 29~~AB~~ of the Civil Aviation Act 1990.

Comment [MSOffice125]: QTC s42A change:

Submitters 151 (Imperium Group, 503 (DJ and EJ Cassells, The Bulling Family, The Bennett Family, M Lynch), 506 (Friends of the Wakatipu Gardens and Reserves Incorporated), 654 (Warren Cooper & Associates), FS1063 (Peter Fleming and Others), FS1318 (Imperium Group), 302 and FS1043.18 (Grand Lakes Management Limited), 474 (Evan Jenkins), 217 (Jay Berriman).

With the exception of ventilation requirements for the Queenstown and Wanaka town centres contained in 36.7, and noise from water and motor-related noise from commercial motorised craft within the Queenstown Town Centre Waterfront Subzone, which is subject to Rule 36.5.14, noise in relation to received within town centres is not addressed in this chapter, but rather in the Queenstown, Wanaka and Arrowtown Town Centres Zone chapters. This is due to the town centre-specific complexities on noise in those zones, and its fundamental nature as an issue that inter-relates with all other issues in those zones. Noise generated in the town centres but received outside of the town centres is ~~still~~ managed under this chapter, except that noise from music, voices, and loud speakers in the Wanaka and Queenstown Town Centres (excluding the Queenstown Town Centre Transition Subzone), need not meet the noise limits set by chapter 36.

NOISE 36

36.2 Objectives and Policies

36.2.1 ~~Objective - Control the adverse effects~~ **The adverse effects of noise emissions are controlled** to a reasonable level **to manage and manage** the potential for conflict arising from adverse noise effects between land use activities **is managed.**

Comment [RE127]: Objective rephrased in accordance with the Panel's procedural minute of 8 April 2016.

Policies

36.2.1.1 ~~Manage subdivision, land use and development activities in a manner that~~ **Avoids, remedies** or mitigates ~~the~~ adverse effects of unreasonable noise from land use and development.

Comment [RE128]: Reworded for clarity.

36.2.1.2 Avoid, remedy or mitigate adverse noise reverse sensitivity effects.

Comment [RE129]: Reworded for clarity.

Comment [RE130]: Reworded for clarity.

36.3 Other Provisions

36.3.1 District Wide

Attention is drawn to the following District Wide Chapters. All provisions referred to are within Stage 1 of the Proposed District Plan, unless marked ~~as Operative District Plan (ODP).~~

Comment [RE132]: Changes made for consistency with other chapters. Plan guidance only, no change in substance.

<u>1 Introduction</u>	<u>2 Definitions</u>	<u>3 Strategic Direction</u>
<u>4 Urban Development</u>	<u>5 Tangata Whenua</u>	<u>6 Landscapes</u>
<u>24—Signs (18 Operative ODP)</u>	<u>25—Earthworks (22 Operative ODP)</u>	<u>26 Historic Heritage</u>
<u>27 Subdivision</u>	<u>28 Natural Hazards</u>	<u>29—Transport (14 Operative ODP)</u>
<u>30 Energy and Utilities and Renewable Energy</u>	<u>31 Hazardous Substances (16 Operative ODP)</u>	<u>32 Protected Trees</u>
<u>33 Indigenous Vegetation</u>	<u>34 Wilding Exotic Trees</u>	<u>35 Temporary Activities and Relocated Buildings</u>
<u>36 Noise</u>	<u>37 Designations</u>	<u>Planning Maps</u>

Comment [RE131]: Change to reflect incorrect chapter reference.

36.3.2 Clarification

36.3.2.1 ~~The following tables describe activities, standards and subsequent level of activity for resource consent purposes.~~ Any activity that is not Permitted requires resource consent, ~~and a~~ Any activity that **does not specify an activity status for non-compliance is not specifically identified in a level of activity**, but breaches a standard, requires resource consent as a Non-complying activity.

Comment [RE133]: Non-substantive amendment for clarity and efficiency.

36.3.2.2 The following abbreviations are used in the tables:

P	Permitted	C	Controlled
RD	Restricted Discretionary	D	Discretionary
NC	Non Complying	PR	Prohibited

36.3.2.3 Sound levels shall be measured and assessed in accordance with NZS 6801:2008 Acoustics - Measurement of Environmental Sound and NZS 6802:2008 Acoustics - Environmental Noise, except where another Standard has been referenced in these rules, in which case that Standard should apply.

NOISE 36

- 36.3.2.4 Any activities which are Permitted, Controlled or Restricted Discretionary in any section of the District Plan must comply with the noise standards in Tables 2, 3, 4 and 5 below, where that standard is relevant to that activity.
- 36.3.2.5 In addition to the above, the noise from the following activities listed in Table 1 shall be permitted activities in all zones (unless otherwise stated). For the avoidance of doubt, the activities in Table 1 are exempt from complying with the noise standards set out in Table 2.
- 36.3.2.6 Notwithstanding compliance with Rules 36.5.13 (Helicopters) and 36.5.14 (Fixed Wing Aircraft) in Table 3, informal airports shall be subject to the rules in the applicable zones.
- 36.3.2.7 Sound from non-residential activities, visitor accommodation activities and sound from stationary electrical and mechanical equipment must not exceed the noise limits in Table 2 in each of the zones in which sound from an activity is received. The noise limits in Table 2 do not apply to assessment locations within the same site as the activity.
- 36.3.2.8 The noise limits contained in Table 2 do not apply to sound from aircraft operations at Queenstown Airport or Wanaka Airport.
- 36.3.2.9 Noise standards for noise received in the Queenstown, Wanaka and Arrowtown Town Centre, Local Corner Shopping and Business Mixed Use zones are not included in this chapter. Please refer to Chapters 12, 13, 14, 15 and 16. The noise standards in this chapter still apply for noise generated within these zones but received in other zones, except that noise from music, voices, and loud speakers in the Wanaka and Queenstown Town Centres (excluding the Queenstown Town Centre Transition Subzone) need not meet the noise limits set by chapter 36.
- 36.3.2.10 The standards in Table 3 are specific to the activities listed in each row and are exempt from complying with the noise standards set out in Table 2.

Comment [RE134]: Submission 433

Comment [RE135]: Added for clarity

Comment [RE136]: Amended to reflect the correct zone name.

Comment [RE137]: Added for clarity

Comment [MSOffice138]: QTC s42A change:
 Submitters 151 (Imperium Group, 503 (DJ and EJ Cassells, The Bulling Family, The Bennett Family, M Lynch), 506 (Friends of the Wakatipu Gardens and Reserves Incorporated), 654 (Warren Cooper & Associates), FS1063 (Peter Fleming and Others), FS1318 (Imperium Group), 302 and FS1043.18 (Grand Lakes Management Limited), 474 (Evan Jenkins), 217 (Jay Berriman).

Comment [RE139]: Consolidated with 36.8 for efficiency reasons due to duplication between this rule and 36.8.

...

<p>36.5.46 1514</p>	<p>Commercial Motorised Craft</p> <p>Motorised craft on the surface of lakes and rivers must be operated and conducted such that a maximum sound level is not exceeded, when measured and assessed in accordance with 36.8</p> <p><u>Sound from motorised craft must be measured and assessed in accordance with ISO 2922:2000 and ISO 14509-1:2008.</u></p>	<p><u>Refer 36.8 - 25 metres from the craft</u></p>	<p><u>Refer 36.8</u></p> <p><u>0800h to 2000h</u></p> <p><u>2000h to 0800h</u></p>	<p><u>77 dB</u></p> <p><u>77 dB L_{Asmax}</u></p> <p><u>67 dB</u></p>	
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Appendix 2. List of Submitters and Recommended Decisions

Appendix 2 to the Section 42A Report for Chapter 12 - Queenstown Town Centre

Original Point No	Further Submission No	Submitter	Lowest Clause	Submitter Position	Submission Summary	Planner Recommendation	Transferred	Issue Reference
70.1		Westwood Group		Other	The proposed entertainment zone should also include the Steamer Wharf and a 'Steamer Wharf entertainment zone' established.	Reject		TCEP
70.1	FS1318.8	Imperium Group		Oppose	Opposes. Requests that the Town Centre Entertainment Precinct not be extended, and indeed be deleted in accordance with my original submission.	Accept in Part		TCEP
151.1		Imperium Group		Oppose	Delete last sentence commencing 'The Entertainment Precinct....' from the Queenstown Town Centre 12.1 Zone Purpose AND make all other deletions, alterations, amendments, consequential or otherwise necessary to give full effect to this submission.	Reject		TCEP
151.1	FS1043.4	Grand Lakes Management Limited		Support	GLML support Mr Ray's submission as he opposes the increasing of noise levels within the Town Centre Zone and Town Centre Entertainment Precinct. GLML support Mr Ray's submission to provide for increased noise levels within the Entertainment Precinct on a case by case basis through a resource consent process as discretionary activity where potential effects associated with the increased noise can be appropriately considered.	Reject		Noise
212.1		E J L Guthrie		Support	Confirm the provisions of Chapter 12 (Queenstown Town Centre) including but not limited to, the Zone Purpose and all Objectives, Policies and Rules, as notified.	Accept in Part		Misc.
212.1	FS1117.6	Remarkables Park Limited		Oppose	The proposed Queenstown Town Centre zone cannot be properly assessed or approved until it is considered in conjunction with Plan Change 50.	Accept in Part		Misc.
212.1	FS1318.2	Imperium Group		Oppose	Opposes. Requests that the Town Centre Entertainment Precinct be deleted in accordance with my original submission.	Accept in Part		Misc.
238.4		NZIA Southern and Architecture + Women Southern		Other	That Queenstown Town Centre design guidelines 2015 be expanded to include the following points or, failing that, to include these points in the zone purpose, noting that the guidelines are only about buildings, which alone does not define character and that more analysis is needed: 1.Include council landscaping(including hard and soft) standards and guidelines. 2.Natural features (land form, water, significant vegetation) 3.Major roads and pathways 4.Grids (subdivision patterns, permeability, geometry, permeability, hierarchy, discontinuities) 5.Public open spaces (orientation, pedestrian routes) 6.Built form (landmarks, heritage features, building types, building scale, density coverage, distribution of fronts and backs, spatial definition-degree of enclosure, recurring relationships of buildings and public spaces) 7.Existing circulation patterns (pedestrian, vehicle, public transportation, distribution of activities, density and intensity) 8.Experiences (way finding, memorable sequences, views) This analysis would guide building form and public space.	Accept in Part		Urban design (guidelines)
238.4	FS1107.9	Man Street Properties Ltd		Oppose	The Submitter opposes this submission. Submission 238 will not promote or give effect to Part 2 of the Act. The matters raised in the submission do not meet section 32 of the Act, and are not the most appropriate method for achieving the objectives of the Proposed District Plan having regard to its efficiency and effectiveness, and taking into account the costs and benefits.	Accept		Urban design (guidelines)
238.4	FS1226.9	Ngai Tahu Property Limited & Ngai Tahu Justice Holdings Limited		Oppose	The submitter opposes this submission . Alerts that the submission and matters sought in it will therefore not promote or give effect to Part 2 of the Act. States that matters raised in the submission do not meet section 32 of the Act. are not the most appropriate method for achieving the objectives of the Proposed District Plan having regard to its efficiency and effectiveness, and taking into account the costs and benefits.	Accept in Part		Urban design (guidelines)
238.4	FS1234.9	Shotover Memorial Properties Limited & Horne Water Holdings Limited		Oppose	States that submission 238 will not promote or give effect to Part 2 of the Act. Agrees that matters raised in the submission do not meet section 32 of the Act. are not the most appropriate method for achieving the objectives.	Accept in Part		Urban design (guidelines)
238.4	FS1239.9	Skyline Enterprises Limited & O'Connells Pavillion Limited		Oppose	Agrees that submission 238 will not promote or give effect to Part 2 of the Act. States that matters raised in the submission do not meet section 32 of the Act. are not the most appropriate method for achieving the objectives.	Accept in Part		Urban design (guidelines)
238.4	FS1241.9	Skyline Enterprises Limited & Accommodation and Booking Agents		Oppose	Agrees that submission 238 will not promote or give effect to Part 2 of the Act. States that matters raised in the submission do not meet section 32 of the Act. are not the most appropriate method for achieving the objectives.	Accept in Part		Urban design (guidelines)
238.4	FS1248.9	Trojan Holdings Limited & Beach Street Holdings Limited		Oppose	The submitter opposes this submission . Alerts that the submission and matters sought in it will therefore not promote or give effect to Part 2 of the Act. States that matters raised in the submission do not meet section 32 of the Act. are not the most appropriate method for achieving the objectives of the Proposed District Plan having regard to its efficiency and effectiveness, and taking into account the costs and benefits.	Accept in Part		Urban design (guidelines)
238.4	FS1249.9	Tweed Development Limited		Oppose	The submitter opposes this submission . Alerts that the submission and matters sought in it will therefore not promote or give effect to Part 2 of the Act. States that matters raised in the submission do not meet section 32 of the Act. are not the most appropriate method for achieving the objectives of the Proposed District Plan having regard to its efficiency and effectiveness, and taking into account the costs and benefits.	Accept in Part		Urban design (guidelines)
238.4	FS1242.32	Antony & Ruth Stokes		Oppose	The submitter seeks submission be disallowed as it relates to the expansion of the Business Mixed Use Zone (submission point 238.93) with the High Density Residential Zone on the northern side of Henry Street being retained.		Transferred to Hearing Stream Business	Further submission point is not relevant to Queenstown Town Centre Zone
243.5		Christine Byrch		Other	Has an interest in (neither in support or opposition to) Figure 2 but there is no decision sought or reason specified	Reject		Height
243.5	FS1224.5	Matakauri Lodge Limited		Oppose	The submitter opposes this submission and considers that the Proposed District Plan and Visitor Accommodation Sub-zone is an appropriate method to recognise and enable visitor accommodation on Lot 2 DP 27037. Seeks it to be disallowed.	Accept		Height
247.1		Pog Mahones Irish Pub		Other	Support the creation of an Entertainment Precinct (EP) within the Town Centre but oppose the current boundaries and request that the entertainment precinct boundary be extended to include the area behind Rees Street, along the green and the Steamer Wharf. Pog Mahones is a long time (17 years) business in Queenstown. As the plan rightly points out a vibrant waterfront area is essential to maintaining Queenstown's reputation as a premier destination - it is essential therefore that the Queenstown Bay waterfront be part of the EP as well as Steamer Wharf.	Reject		TCEP
247.1	FS1318.10	Imperium Group		Oppose	Opposes. Requests that the Town Centre Entertainment Precinct not be extended, and indeed be deleted in accordance with my original submission.	Accept in Part		TCEP
308.1		Well Smart Investment Holding (NZQN) Limited		Support	Support 65-67 Shotover Street and 5-15 Hay Street, which are zoned as TCTZ in the Operative District Plan, being zoned Town Centre Zone with no additional controls imposed on development and use beyond those applied to other Town Centre zoned sites, and any such other consequential relief as is necessary to give effect to the submission.	Accept		Zone extensions
394.1		Stanley Street Investments Limited and Stanley Street Limited and Kelso Investments Limited		Support	Submitter seeks that their property located on the corners of Stanley Street, Shotover Street and Gorge Road shown on proposed Planning Map 36 is zoned Queenstown Town Centre Zone.	Accept		Zone extensions

Appendix 2 to the Section 42A Report for Chapter 12 - Queenstown Town Centre

Original Point No	Further Submission No	Submitter	Lowest Clause	Submitter Position	Submission Summary	Planner Recommendation	Transferred	Issue Reference
394.1	FS1117.48	Remarkables Park Limited		Not Stated	Support/Oppose. Support the integration of Plan Change 50 into the District Plan. Oppose the overall extent and location of the Queenstown Town Centre when both Plan Change 50 and the District Plan Review are considered.	Accept in Part		Zone extensions
398.1		Man Street Properties Limited		Support	Confirm the zoning of the Submitter's site (Lot 1 DP399240) as 'Town Centre', as this will provide for a logical expansion of the town centre; will better reflect this existing interrelationship; be an efficient use of a scarce resource and better enable development of the site.	Accept		Zone extensions
398.1	FS1274.2	John Thompson and MacFarlane Investments Limited		Oppose	Opposes. Believes that the relief requested is inappropriate, taking into account all relevant considerations. Seeks that the submission be disallowed.	Reject		Zone extensions
398.16		Man Street Properties Limited		Other	Any consequential relief or alternative amendments to objectives and provisions to give effect to the matters raised in this submission.	Accept in Part		Zone extensions
398.16	FS1274.17	John Thompson and MacFarlane Investments Limited		Oppose	Opposes. Believes that the relief requested is inappropriate, taking into account all relevant considerations. Seeks that the submission be disallowed.	Accept in Part		Zone extensions
417.2		Ellis Gould		Oppose	Mr Boyle seeks the following relief: (a) Amend the Proposed Plan to ensure that the maximum building heights enabled in the Queenstown Town Centre are no greater than those enabled in the Operative Plan; (b) In the alternative, in the event that the Council is not minded to grant to the relief sought in (a) above, amend the maximum building heights enabled in the block bounded by Man, Brecon, Shotover and Hay Streets to ensure that they are no greater than those enabled in the Operative Plan; and (c) All other related, consequential or alternative relief that is required in order to give effect to this submission, including with	Reject		height (man sty CP block)
417.2	FS1107.159	Man Street Properties Ltd		Oppose	The Submitter opposes this submission the Matters raised in the submission do not meet section 32 of the Act, and are not the most appropriate method for achieving the objectives of the Proposed District Plan having regard to its efficiency and effectiveness, and taking into account the costs and benefits.	Accept		height (man sty CP block)
417.2	FS1226.160	Ngai Tahu Property Limited & Ngai Tahu Justice Holdings Limited		Oppose	The submitter opposes and considers that operative provisions relating to height are not the most appropriate or effective method to promote or give effect to Part 2 of the Act. Agrees that matters raised in the submission do not meet section 32 of the Act. are not the most appropriate method for achieving the objectives of the Proposed District Plan having regard to its efficiency and effectiveness, and taking into account the costs and benefits.	Accept		height (man sty CP block)
417.2	FS1234.160	Shotover Memorial Properties Limited & Horne Water Holdings Limited		Oppose	The submitter opposes and considers that operative provisions relating to height are not the most appropriate or effective method to promote or give effect to Part 2 of the Act. Assures that matters raised in the submission do not meet section 32 of the Act. are not the most appropriate method for achieving the objectives.	Accept		height (man sty CP block)
417.2	FS1239.160	Skyline Enterprises Limited & O'Connells Pavillion Limited		Oppose	The submitter opposes and considers that operative provisions relating to height are not the most appropriate or effective method. Assures that the matters raised in the submission do not meet section 32 of the Act. are not the most appropriate method for achieving the objectives.	Accept		height (man sty CP block)
417.2	FS1241.160	Skyline Enterprises Limited & Accommodation and Booking Agents		Oppose	The submitter opposes and considers that operative provisions relating to height are not the most appropriate or effective method. Assures that the matters raised in the submission do not meet section 32 of the Act. are not the most appropriate method for achieving the objectives.	Accept		height (man sty CP block)
417.2	FS1248.160	Trojan Holdings Limited & Beach Street Holdings Limited		Oppose	The submitter opposes and considers that operative provisions relating to height are not the most appropriate or effective method to promote or give effect to Part 2 of the Act. Agrees that matters raised in the submission do not meet section 32 of the Act. are not the most appropriate method for achieving the objectives of the Proposed District Plan having regard to its efficiency and effectiveness, and taking into account the costs and benefits.	Accept		height (man sty CP block)
417.2	FS1249.160	Tweed Development Limited		Oppose	The submitter opposes and considers that operative provisions relating to height are not the most appropriate or effective method to promote or give effect to Part 2 of the Act. Agrees that matters raised in the submission do not meet section 32 of the Act. are not the most appropriate method for achieving the objectives of the Proposed District Plan having regard to its efficiency and effectiveness, and taking into account the costs and benefits.	Accept		height (man sty CP block)
544.1		Good Group Limited		Not Stated	Expansion of the Town Centre Entertainment Precinct within the QTCZ, with the exception of the Town Centre Transition Sub-Zone.	Reject		TCEP
544.1	FS1134.3	Robbie McGillivray		Support	The whole of the submission	Reject		TCEP
544.1	FS1318.13	Imperium Group		Oppose	Opposes. Requests that the Town Centre Entertainment Precinct noise rules not be extended to the balance of the Town Centre Zone, and indeed for the Town Centre Entertainment Precinct to be deleted in accordance with my original submission.	Accept in Part		TCEP
544.6		Good Group Limited		Not Stated	Any consequential relief or alternative amendments to objectives and provisions to give effect to the matters raised in this submission.	Reject		TCEP
548.6		Maximum Mojo Holdings Limited		Not Stated	Any consequential relief or alternative amendments to objectives and provisions to give effect to the matters raised in this submission.	Reject		Plan Change 50 land, height, partly out of scope
548.6	FS1117.217	Remarkables Park Limited		Not Stated	Support/Oppose. Support the integration of Plan Change 50 into the District Plan. Oppose the overall extent and location of the Queenstown Town Centre when both Plan Change 50 and the District Plan Review are considered.	Accept		Plan Change 50 land, height, partly out of scope
549.1		Watertight Investments T/A REPUBLIC HOSPITALITY GROUP (RHG) Operating WINNIES, BALLARAT TRADING COMPANY, ZEPHYR, BARUP, HABANA, BELOW ZERO AND BUFALLO CLUB.		Not Stated	Supports the introduction of an entertainment precinct but the area should be increased to include both sides of Searle Lane within the Entertainment Zone. This is important to ensure the ongoing development of what is Queenstown busiest, most vibrant, diverse and most logical area within Queenstown CBD for an entertainment precinct. See uploaded submission	Accept in Part		TCEP
549.1	FS1134.2	Robbie McGillivray		Support	The whole of the submission	Accept in Part		TCEP
549.1	FS1318.14	Imperium Group		Oppose	Opposes. Requests that the Town Centre Entertainment Precinct not be extended, and indeed be deleted in accordance with his original submission.	Accept in Part		TCEP
574.4		Skyline Enterprises Limited		Other	That the Queenstown Town Centre Zone provisions be amended as outlined in this submission: Opposes the Goals, Objectives, Policies and Provisions of the Queenstown Town Centre chapter; requests a rezoning of the gondola facility as a new Commercial Tourism & Recreation Sub-Zone, which should encompass the lower terminal building site and car parking area at the northern end of Brecon St; is concerned with the application of the proposed Queenstown Town Centre Zone and its associated provisions over Section 1 SO 22971; if the Council is going to re-zone the submitter's leasehold land then the proposed zoning should cover all the land depicted within Appendix [C] (i.e. an expansion of the TC zone over rural zoned land); opposes the PDP objectives, policies and Queenstown Town Centre Design Guidelines 2015 that inform and support Rules 12.4.6.1, 12.4.6.2, 12.5.9.2, and 12.5.10.1; opposes the PDP rule changing the status of buildings from controlled to restricted discretionary; and requests that the proposed height Rules (12.5.9.2 and 12.5.10.1) for the Queenstown Town Centre Zone and Height Precinct 1A be changed to 15.5 m to avoid the current ambiguity and contradiction.	Reject		Height, guidelines, urban design, structure plan requirement, coverage, partly re-allocated to the re-zoning hearing

Appendix 2 to the Section 42A Report for Chapter 12 - Queenstown Town Centre

Original Point No	Further Submission No	Submitter	Lowest Clause	Submitter Position	Submission Summary	Planner Recommendation	Transferred	Issue Reference
574.4	FS1063.22	Peter Fleming and Others		Oppose	Oppose all	Accept		height, guidelines, urban design, structure plan requirement, coverage), partly re-allocated to the re-zoning hearing
587.5		Simple Simon Suck Fizzle Soup and Gourmet Pie Company Trading as The Atlas Beer Cafe		Not Stated	In relation to the entertainment precinct and the inclusion of the Steamer Wharf complex in any such Precinct. request any other additional or consequential relief to the Proposed Plan, including but not limited to the maps, issues, objectives, policies, rules, discretions, assessment criteria and explanations that will fully give effect to the matters raised in the submission.	Reject		TCEP
587.5	FS1318.19	Imperium Group		Oppose	Opposes. Requests that the Town Centre Entertainment Precinct not be extended, and indeed be deleted in accordance with his original submission.	Accept in Part		TCEP
589.5		Goose Cherry Cod Catering Company Limited Trading as Ivy and Lolas		Not Stated	In relation to the entertainment precinct and the inclusion of the Steamer Wharf complex in any such Precinct. request any other additional or consequential relief to the Proposed Plan, including but not limited to the maps, issues, objectives, policies, rules, discretions, assessment criteria and explanations that will fully give effect to the matters raised in the submission.	Reject		TCEP
589.5	FS1318.26	Imperium Group		Oppose	Opposes. Requests that the Town Centre Entertainment Precinct not be extended, and indeed be deleted in accordance with his original submission.	Accept in Part		TCEP
596.1		Ngai Tahu Property Limited & Ngai Tahu Justice Holdings Limited		Other	Support in part. The Proposed District Plan as notified is confirmed as it relates to: • The zoning of NTPL & NTJHL land Town Centre, • The removal of controls over site coverage.	Accept in Part		Building coverage, zoning
596.4		Ngai Tahu Property Limited & Ngai Tahu Justice Holdings Limited		Other	Oppose in part. The Proposed District Plan is modified so: • The Town Centre Entertainment Precinct is extended to include the Pig 'n' Whistle and Historic Courthouse buildings.	Reject		TCEP
596.4	FS1318.29	Imperium Group		Oppose	Opposes. Requests that the Town Centre Entertainment Precinct not be extended, and indeed be deleted in accordance with his original submission.	Accept in Part		TCEP
599.7		Peter Fleming		Not Stated	What makes council think that diminishing standards will increase vibrancy	Reject		Noise
606.1		Skyline Investments Limited & O'Connells Pavilion Limited		Other	Support in part. The Proposed District Plan as notified is confirmed as it relates to: • The zoning of SIL's & OPL's land Town Centre, • The removal of controls over site coverage, • The removal of parapet height and recession plane controls applicable to Dairy Corner, • The removal of parapet height controls from the Marine Parade Site and removal of the recession plane control applicable to the Marine Parade frontage of the Marine Parade Site, • The removal of parapet height controls and relaxation of the height recession plane controls for the O'Connells site, and • The location of AVA Backpackers within Precinct 1 and Rules 12.5.9.1 & 12.5.10.1 enabling a height limit of 15m.	Accept in Part		Height, coverage
606.1	FS1063.24	Peter Fleming and Others		Oppose	Oppose all	Accept in Part		Height, coverage
607.26		Te Anau Developments Limited		Not Stated	Extract provisions relating to the protection, use and development of the surface of lakes and rivers and their margins, and insert them into a specific chapter that focuses on development and activities carried out on the surface of water and within the margins of waterways	Reject		Waterfront subzone
609.1		Skyline Properties Limited & Accommodation and Booking Agents Queenstown Limited		Other	Support in part. The Proposed District Plan as notified is confirmed as it relates to: • The zoning of SPL's & ABAQL's land Town Centre, • The removal of controls over site coverage, • The removal of parapet height and recession plane controls applicable to the Town Pier site and Part Section 16 and Lot 1 of the Eichardts site (Height Precinct 3), and • The location of the Chester Building within Precinct 1 and Rules 12.5.9.1 & 12.5.10.1 enabling a height limit of 14m.	Accept in Part		Height, coverage
609.1	FS1063.31	Peter Fleming and Others		Oppose	Oppose all	Accept in Part		Height, coverage
614.1		Shotover Memorial Properties Limited & Horne Water Holdings Limited		Other	Support in part. The Proposed District Plan as notified is confirmed as it relates to: • The zoning of the Submitter's land Town Centre, • The removal of controls over site coverage, • The removal of recession plane controls applicable to the Submitter's site, and • The location of the Submitter's site within Precinct 1 and Rules 12.5.9.1 & 12.5.10.1 enabling a height limit of 14m,	Accept in Part		Height, coverage
614.1	FS1200.1	Stanley Street Investments Limited and Stanley Street Limited and Kelso Investments Limited		Support	all relief sought be allowed	Accept in Part		Height, coverage
616.1		Trojan Holdings Limited & Beach Street Holdings Limited		Other	Support in part. The Proposed District Plan as notified is confirmed as it relates to: • The zoning of THL & BSHL land Town Centre, • The removal of controls over site coverage, • The removal of a parapet height control applicable to Stratton House, • The location of Stratton House and Avis within Precinct 1 and Rules 12.5.9.1 & 12.5.10.1 enabling a height limit of 14m, and • The height recession plane control as provided in Rule 12.5.10.5 (a).	Accept in Part		Height, coverage
616.2		Trojan Holdings Limited & Beach Street Holdings Limited		Other	Oppose in part. The Proposed District Plan is modified so: • Rule 12.4.6.1 triggers a controlled activity consent not restricted discretionary, • Rule 12.5.2.1 Building Setback and Rule 12.5.10.1 (d) are deleted, and • Rule 12.5.14.4 is deleted.	Accept in Part		urban design, setbacks, height, glare

Appendix 2 to the Section 42A Report for Chapter 12 - Queenstown Town Centre

Original Point No	Further Submission No	Submitter	Lowest Clause	Submitter Position	Submission Summary	Planner Recommendation	Transferred	Issue Reference
617.1		Tweed Development Limited		Support	The Proposed District Plan as notified is confirmed as it relates to the zoning of Lot 1 DP 20093 and Sections 20 & 21 Block II Town of Queenstown Town Centre Zone.	Accept		misc.
621.77		Real Journeys Limited		Not Stated	Extract provisions relating to the protection, use and development of the surface of lakes and rivers and their margins, and insert them into a specific chapter that focuses on development and activities carried out on the surface of water and within the margins of waterways.	Reject		Waterfront subzone
630.1		DowntownQT		Not Stated	DowntownQT (DTQT) believes it is vital the District Plan is reviewed and supports the current process to facilitate that. Following the implementation of its Town Centre Strategy, DTQT wishes the District Plan to align with that strategy.	Reject		Misc.
630.1	FS1043.8	Grand Lakes Management Limited		Oppose	GLML oppose Downtown QT submission as they seek to increase the proposed Entertainment Precinct significantly and also provide more permissive provisions for outdoor entertainment and hospitality activities until 12am within the Precinct. GLML oppose this submission as the increased noise levels and extension to the Entertainment Precinct has the potentially to adversely affect the operation of the Sofitel Hotel.	Accept in Part		Misc.
630.2		DowntownQT		Support	DTQT supports the minor extensions to the Town Centre Zone Boundary.	Accept		zone extensions
630.2	FS1043.9	Grand Lakes Management Limited		Oppose	GLML oppose Downtown QT submission as they seek to increase the proposed Entertainment Precinct significantly and also provide more permissive provisions for outdoor entertainment and hospitality activities until 12am within the Precinct. GLML oppose this submission as the increased noise levels and extension to the Entertainment Precinct has the potentially to adversely affect the operation of the Sofitel Hotel.	Accept in Part		zone extensions
630.3		DowntownQT		Support	DTQT supports the introduction of an Entertainment Precinct (EP), however believes the area of the zone should be increased. DTQT wishes to be consulted about the boundaries of any future Entertainment Precinct.	Accept in Part		TCEP, noise
630.3	FS1043.10	Grand Lakes Management Limited		Oppose	GLML oppose Downtown QT submission as they seek to increase the proposed Entertainment Precinct significantly and also provide more permissive provisions for outdoor entertainment and hospitality activities until 12am within the Precinct. GLML oppose this submission as the increased noise levels and extension to the Entertainment Precinct has the potentially to adversely affect the operation of the Sofitel Hotel.	Accept in Part		TCEP, noise
630.4		DowntownQT		Support	DTQT supports the increases in night time noise allowed within the Town Centre and sees this as a necessary component of a resort town. DTQT, however, is still concerned as to whether the increases are sufficient to provide appropriately for night time entertainment.	Accept		Noise
630.4	FS1043.11	Grand Lakes Management Limited		Oppose	GLML oppose Downtown QT submission as they seek to increase the proposed Entertainment Precinct significantly and also provide more permissive provisions for outdoor entertainment and hospitality activities until 12am within the Precinct. GLML oppose this submission as the increased noise levels and extension to the Entertainment Precinct has the potentially to adversely affect the operation of the Sofitel Hotel.	Accept in Part		Noise
630.5		DowntownQT		Support	DowntownQT wants to encourage additional residential accommodation close to where residents work and play. DTQT therefore supports the change Allowing Business Mixed Use Zoning along Gorge Road.		Transferred to Hearing Stream Business	Deferred
630.5	FS1043.12	Grand Lakes Management Limited		Oppose	GLML oppose Downtown QT submission as they seek to increase the proposed Entertainment Precinct significantly and also provide more permissive provisions for outdoor entertainment and hospitality activities until 12am within the Precinct. GLML oppose this submission as the increased noise levels and extension to the Entertainment Precinct has the potentially to adversely affect the operation of the Sofitel Hotel.		Transferred to Hearing Stream Business	Deferred
630.6		DowntownQT		Support	DTQT also supports residential and visitor accommodation in the Queenstown Town Centre Zone.	Accept		Misc. (role of the Town Centre)
630.6	FS1043.13	Grand Lakes Management Limited		Oppose	GLML oppose Downtown QT submission as they seek to increase the proposed Entertainment Precinct significantly and also provide more permissive provisions for outdoor entertainment and hospitality activities until 12am within the Precinct. GLML oppose this submission as the increased noise levels and extension to the Entertainment Precinct has the potentially to adversely affect the operation of the Sofitel Hotel.	Accept in Part		Misc. (mix of uses in the Town Centre)
630.7		DowntownQT		Support	DTQT supports an intensification of residential development along with additional height allowances. It also regards the caveat around Green Star ratings as being worthwhile. DTQT agrees if developers achieve a Green Star rating they should be able to add additional height to a building – but any new buildings must be fit for purpose and this is even more crucial when High Density living is being proposed.	Accept in Part		Height, misc.
630.7	FS1043.14	Grand Lakes Management Limited		Oppose	GLML oppose Downtown QT submission as they seek to increase the proposed Entertainment Precinct significantly and also provide more permissive provisions for outdoor entertainment and hospitality activities until 12am within the Precinct. GLML oppose this submission as the increased noise levels and extension to the Entertainment Precinct has the potentially to adversely affect the operation of the Sofitel Hotel.	Accept in Part		TCEP, noise
630.9		DowntownQT		Not Stated	DTQT wishes the council to provide a permitted activity status for small “pop up” buildings for a time limited period (e.g. 6 months) This should apply to the entire Town Centre Zone, or could equally be restricted to specific areas such the Lake Esplanade.	Accept in Part		urban design
630.9	FS1043.16	Grand Lakes Management Limited		Oppose	GLML oppose Downtown QT submission as they seek to increase the proposed Entertainment Precinct significantly and also provide more permissive provisions for outdoor entertainment and hospitality activities until 12am within the Precinct. GLML oppose this submission as the increased noise levels and extension to the Entertainment Precinct has the potentially to adversely affect the operation of the Sofitel Hotel.	Accept in Part		urban design
630.10		DowntownQT		Not Stated	DTQT wishes to ensure that art work and sculptures can be approved without the need for a resource consent (for example avoid them being captured by the definition of “building”)	Accept in Part		urban design
630.10	FS1043.17	Grand Lakes Management Limited		Oppose	GLML oppose Downtown QT submission as they seek to increase the proposed Entertainment Precinct significantly and also provide more permissive provisions for outdoor entertainment and hospitality activities until 12am within the Precinct. GLML oppose this submission as the increased noise levels and extension to the Entertainment Precinct has the potentially to adversely affect the operation of the Sofitel Hotel.	Accept in Part		urban design
650.1		Foodstuffs South Island Ltd and Foodstuffs South Island Properties Ltd		Support	Support the inclusion of the Four Square and Henry's Queenstown within the Queenstown Town Centre Zone and the exclusion of site coverage maximum. Removal of site coverage maximums will allow greater flexibility in design and better promote the efficient use of land and built resources.	Accept in Part		Building coverage

Appendix 2 to the Section 42A Report for Chapter 12 - Queenstown Town Centre

Original Point No	Further Submission No	Submitter	Lowest Clause	Submitter Position	Submission Summary	Planner Recommendation	Transferred	Issue Reference
654.1		Warren Cooper & Associates		Oppose	Oppose the creation of a Town Centre Entertainment Centre. Request to retain the status quo in regards to noise and outside dining hours.	Accept in Part		TCEP, noise
654.1	FS1043.18	Grand Lakes Management Limited		Support	GLML support Warren Cooper and Associates submission as they oppose the increasing of night time noise in the Town Centre Entertainment Precinct. GLML support this submission given the potential effects of increased noise on the Sofitel Hotel and their patrons.	Accept in Part		TCEP, noise
654.1	FS1063.18	Peter Fleming and Others		Support	We support all of their submission. QLDC have provided little or no relevant section 32 reports that is it is lacking in section 32 reports that are of any use. It is unacceptable that submissions on A4 paper all stacked on top of one another would be over 1 metre height and that they can be cross referenced by us mere mortals in 3 weeks. They are closed off less than a week before Christmas New Year which is stupid. We wish to comment further on this at Hearings. We wish to object to all submissions that in fact amount to private plan changes. They are undemocratic and most likely illegal. The maps are unreadable.	Accept in Part		TCEP, noise
654.1	FS1318.46	Imperium Group		Support	Supports. Requests that the relief sought by the original submitter be granted and, consistent with the relief sought in my own submission, the Town Centre Entertainment Precinct be deleted.	Accept in Part		TCEP, noise
663.20		IHG Queenstown Ltd and Carter Queenstown Ltd		Other	Retain all provisions in Section 12 not otherwise submitted upon in this submission as notified unless they duplicate other provisions in which case they should be deleted.	Accept in Part		misc.
663.20	FS1139.21	Carl & Lorraine Holt		Oppose	Seek that the whole of submission 663 be disallowed.	Accept in Part		misc.
663.20	FS1191.20	Adam & Kirsten Zaki		Oppose	Seeks that the whole submission be disallowed. - For the general reasons stated by the Submitters in their primary submission, specifically 5.7 - 5.11. - The decisions version of PC50 (currently subject to appeal before the Environment Court) was sought in the alternative to the retention of high density residential zoning in the Submitters' primary submission. - The Council through PC50 appropriately assessed and determined (in a section 32 sense) the (inter alia) efficiency and effectiveness of the provisions of PC50 in relation to the Submitters' land and the balance of the Beach Street Block, particularly in relation to bulk, site coverage and height. - Town Centre zoning and requested amendments to that zoning for the Beach Street Block in parts and as a whole are inconsistent with Part 2, relevant provisions of superior planning instruments and the Operative and Proposed District Plans.	Accept in Part		misc.
766.1		Queenstown Wharves GP Limited		Not Stated	Allow flexibility the future use and management of the St Omer and O'Regans wharves and their connections for a wide range of uses.	Reject		Waterfront subzone
766.34		Queenstown Wharves GP Limited		Not Stated	Amend map to more clearly identify where the boundary of St Omer Park is located, so that it is clear as to where this rule applies. It appears on the planning maps that St Omer park extends further than the lines denoting where the non-complying status ends. Amend map to better clarify around extent of the Town Centre Waterfront Zone, which appears to have been removed.	Accept		Waterfront subzone
777.1		Pier 19		Oppose	The submitter requests that the Steamer Wharf is included as an Entertainment Precinct. See full submission.	Reject		TCEP
777.1	FS1318.33	Imperium Group		Oppose	Opposes. Requests that the Town Centre Entertainment Precinct not be extended, and indeed be deleted in accordance with his original submission.	Accept in Part		TCEP
804.2		Southern Pub Company Limited - T/A Pub on Wharf		Support	Supports concept of entertainment precincts within the Queenstown Town Centre and inclusion of specific policy that supports and facilitates late night bar and restaurant activities as being integral to enhancing a vibrant town centre.	Accept		TCEP
804.2	FS1318.35	Imperium Group		Oppose	Opposes. Requests that the Town Centre Entertainment Precinct not be extended, and indeed be deleted in accordance with his original submission.	Accept in Part		TCEP
807.77	FS1236.15	Skyline Enterprises Limited		Oppose	Believes that the leasehold site at the top of Brecon St should be re-zoned to 'Commercial Recreation & Tourism Sub-Zone' or alternatively, be zoned Queenstown Town Centre with a maximum height limit of 17.5m. Seeks that this submission be disallowed.	Reject		height and zone extensions/change
835.1		Wai Queenstown Limited		Other	Support in part. Submitter seeks that the Steamer Wharf is included as an Entertainment Precinct.	Reject		TCEP
835.1	FS1318.36	Imperium Group		Oppose	Opposes. Requests that the Town Centre Entertainment Precinct not be extended, and indeed be deleted in accordance with his original submission.	Accept in Part		TCEP
839.1		Little Blackwood and Minus 5° ICE BAR, owned by Future Bars Limited		Support	Submitter requests that the Steamer Wharf is included as an Entertainment Precinct. (see partially completed submission.).	Reject		TCEP
839.1	FS1318.38	Imperium Group		Oppose	Opposes. Requests that the Town Centre Entertainment Precinct not be extended, and indeed be deleted in accordance with his original submission.	Accept in Part		TCEP
71.1		Chris Duffy	12.1 Zone Purpose	Support	The Steamer Wharf should also be classified as part of the Entertainment Precinct.	Reject		TCEP
71.1	FS1318.9	Imperium Group	12.1 Zone Purpose	Oppose	Opposes. Requests that the Town Centre Entertainment Precinct not be extended, and indeed be deleted in accordance with my original submission.	Accept		TCEP
217.6		Jay Berriman	12.1 Zone Purpose	Other	As a commercial building owner of 9b Earl St, the submitter supports 12.1 and the proposed Zoning of the Town Centre.	Accept in Part		zone purpose
238.65		NZIA Southern and Architecture + Women Southern	12.1 Zone Purpose	Other	That Queenstown Town Centre design guidelines 2015 be expanded to include the following points or, failing that, include points 1-7 in zone purpose, noting that the Design Guidelines are only about buildings, which alone does not define character: 1. Natural features (land form, water, significant vegetation) 2. Major roads and pathways 3. Grids (subdivision patterns, permeability, geometry, permeability, hierarchy, discontinuities) 4. Public open spaces (, orientation, pedestrian routes) 5. Built form (landmarks, heritage features, building types, building scale, density coverage, distribution of fronts and backs, spatial definition-degree of enclosure, recurring relationships of buildings and public spaces) 6. Existing circulation patterns (pedestrian, vehicle, public transportation, distribution of activities, density and intensity) 7. Experiences (way finding, memorable sequences, views) 8. Council landscaping (including hard and soft) standards and guidelines.	Reject		Urban design (guidelines)

Appendix 2 to the Section 42A Report for Chapter 12 - Queenstown Town Centre

Original Point No	Further Submission No	Submitter	Lowest Clause	Submitter Position	Submission Summary	Planner Recommendation	Transferred	Issue Reference
238.65	FS1107.70	Man Street Properties Ltd	12.1 Zone Purpose	Oppose	The Submitter opposes this submission. Submission 238 will not promote or give effect to Part 2 of the Act. The matters raised in the submission do not meet section 32 of the Act, and are not the most appropriate method for achieving the objectives of the Proposed District Plan having regard to its efficiency and effectiveness, and taking into account the costs and benefits.	Accept		Urban design (guidelines)
238.65	FS1226.70	Ngai Tahu Property Limited & Ngai Tahu Justice Holdings Limited	12.1 Zone Purpose	Oppose	The submitter opposes this submission . Alerts that the submission and matters sought in it will therefore not promote or give effect to Part 2 of the Act. States that matters raised in the submission do not meet section 32 of the Act. are not the most appropriate method for achieving the objectives of the Proposed District Plan having regard to its efficiency and effectiveness, and taking into account the costs and benefits.	Accept		Urban design (guidelines)
238.65	FS1234.70	Shotover Memorial Properties Limited & Horne Water Holdings Limited	12.1 Zone Purpose	Oppose	States that submission 238 will not promote or give effect to Part 2 of the Act. Agrees that matters raised in the submission do not meet section 32 of the Act. are not the most appropriate method for achieving the objectives.	Accept		Urban design (guidelines)
238.65	FS1239.70	Skyline Enterprises Limited & O'Connells Pavillion Limited	12.1 Zone Purpose	Oppose	Agrees that submission 238 will not promote or give effect to Part 2 of the Act. States that matters raised in the submission do not meet section 32 of the Act. are not the most appropriate method for achieving the objectives.	Accept		Urban design (guidelines)
238.65	FS1241.70	Skyline Enterprises Limited & Accommodation and Booking Agents	12.1 Zone Purpose	Oppose	Agrees that submission 238 will not promote or give effect to Part 2 of the Act. States that matters raised in the submission do not meet section 32 of the Act. are not the most appropriate method for achieving the objectives.	Accept		Urban design (guidelines)
238.65	FS1242.93	Antony & Ruth Stokes	12.1 Zone Purpose	Oppose	The submitter seeks submission be disallowed as it relates to the expansion of the Business Mixed Use Zone (submission point 238.93) with the High Density Residential Zone on the northern side of Henry Street being retained.		Transferred to Hearing Stream Business	Further submission point is not relevant to Queenstown Town Centre Zone
238.65	FS1248.70	Trojan Holdings Limited & Beach Street Holdings Limited	12.1 Zone Purpose	Oppose	The submitter opposes this submission . Alerts that the submission and matters sought in it will therefore not promote or give effect to Part 2 of the Act. States that matters raised in the submission do not meet section 32 of the Act. are not the most appropriate method for achieving the objectives of the Proposed District Plan having regard to its efficiency and effectiveness, and taking into account the costs and benefits.	Accept		Urban design (guidelines)
238.65	FS1249.70	Tweed Development Limited	12.1 Zone Purpose	Oppose	The submitter opposes this submission . Alerts that the submission and matters sought in it will therefore not promote or give effect to Part 2 of the Act. States that matters raised in the submission do not meet section 32 of the Act. are not the most appropriate method for achieving the objectives of the Proposed District Plan having regard to its efficiency and effectiveness, and taking into account the costs and benefits.	Accept		Urban design (guidelines)
380.35		Villa delLago	12.1 Zone Purpose	Support	Support the Queenstown Town Centre Zone Purpose	Accept		Role of the town
380.35	FS1318.4	Imperium Group	12.1 Zone Purpose	Oppose	Opposes. Requests that the Town Centre Entertainment Precinct be deleted in accordance with my original submission.	Reject		Role of the town
587.1		Simple Simon Suck Fizzle Soup and Gourmet Pie Company Trading as The Atlas Beer Cafe	12.1 Zone Purpose	Not Stated	Include the Steamer Wharf complex as an Entertainment Precinct (map provided in the submission). Note: If conflict arises between the entertainment precinct in the Proposed Plan, or any other areas requested by other submitter's, that the Steamer Wharf Entertainment Precinct is given primacy over the others on the basis of it being the most appropriately located site.	Reject		TCEP
587.1	FS1318.15	Imperium Group	12.1 Zone Purpose	Oppose	Opposes. Requests that the Town Centre Entertainment Precinct not be extended, and indeed be deleted in accordance with his original submission.	Accept in Part		TCEP
589.1		Goose Cherry Cod Catering Company Limited Trading as Ivy and Lolas	12.1 Zone Purpose	Not Stated	Include the Steamer Wharf complex as an Entertainment Precinct (map provided in the submission). Note: If conflict arises between the entertainment precinct in the Proposed Plan, or any other areas requested by other submitter's, that the Steamer Wharf Entertainment Precinct is given primacy over the others on the basis of it being the most appropriately located site.	Reject		TCEP
589.1	FS1318.22	Imperium Group	12.1 Zone Purpose	Oppose	Opposes. Requests that the Town Centre Entertainment Precinct not be extended, and indeed be deleted in accordance with his original submission.	Accept in Part		TCEP
672.1		Watertight Investments Ltd	12.1 Zone Purpose	Oppose	Alternative, amended, or such other relief deemed more consistent with or better able to give effect to these submissions or the provisions referred to by these submissions.	Accept in Part		General support
672.16		Watertight Investments Ltd	12.1 Zone Purpose	Other	Retain all provisions in Section 12 not otherwise submitted on as notified, unless they duplicate other provisions in which case they should be deleted.	Accept in Part		General support
714.1		Kopuwai Investments Limited	12.1 Zone Purpose	Other	Amend to: ...Development within the Special Character Area of the Town Centre Zone (shown on Planning Maps) is required to be consistent with the Queenstown Town Centre Design Guidelines 2015, reflecting the specific character and design attributes of development in this part of the Town Centre. The Entertainment Precincts (also shown on Planning Maps) has have permitted noise thresholds that are higher than other parts of the Town Centre in order to encourage those noisier operations to locate in the most central part of town, where it will have least effect on residential zones.	Reject		TCEP
714.1	FS1318.30	Imperium Group	12.1 Zone Purpose	Oppose	Opposes. Requests that the Town Centre Entertainment Precinct not be extended, and indeed be deleted in accordance with his original submission.	Accept in Part		TCEP
714.18		Kopuwai Investments Limited	12.1 Zone Purpose	Other	If conflict arises between the PDP Entertainment Precinct or any other such area suggested by other submitters, that the Steamer Wharf Entertainment Precinct is given primacy as it is the most appropriately located.	Reject		TCEP
798.47		Otago Regional Council	12.1 Zone Purpose	Oppose	Public transport users are multi-modal as they generally walk or cycle to access bus services. Developments should look to create active transport connections, but also link these with existing public transport services and infrastructure where possible.	Reject		Transport
807.80		Remarkables Park Limited	12.1 Zone Purpose	Oppose	Amend the Zone purpose to recognise that the Queenstown Town Centre may not be the administrative centre of the District.	Accept in Part		Role of the town
398.7		Man Street Properties Limited	12.2 Objectives and Policies	Other	Oppose in part the objectives, policies, and Queenstown Town Centre Design Guidelines 2015 that inform and support Rule 12.4.6.1.	Accept in Part		urban design (guidelines)
398.7	FS1274.8	John Thompson and MacFarlane Investments Limited	12.2 Objectives and Policies	Oppose	Opposes. Believes that the relief requested is inappropriate, taking into account all relevant considerations. Seeks that the submission be disallowed.	Accept in Part		urban design (guidelines)
398.9		Man Street Properties Limited	12.2 Objectives and Policies	Other	Oppose in part the objectives, policies, and Queenstown Town Centre Design Guidelines 2015 that inform and support Rule 12.4.6.2.	Accept in Part		urban design (guidelines)
398.9	FS1274.10	John Thompson and MacFarlane Investments Limited	12.2 Objectives and Policies	Oppose	Opposes. Believes that the relief requested is inappropriate, taking into account all relevant considerations. Seeks that the submission be disallowed.	Accept in Part		urban design (guidelines)
398.12		Man Street Properties Limited	12.2 Objectives and Policies	Other	Oppose in part the objectives, policies, and Queenstown Town Centre Design Guidelines 2015 that inform and support Figure 2 Height Precinct Map.	Accept in Part		Height (guidelines)
398.12	FS1274.13	John Thompson and MacFarlane Investments Limited	12.2 Objectives and Policies	Oppose	Opposes. Believes that the relief requested is inappropriate, taking into account all relevant considerations. Seeks that the submission be disallowed.	Accept in Part		Height (guidelines)
398.17		Man Street Properties Limited	12.2 Objectives and Policies	Other	Support in part the objectives, policies and rules that enable and promote development in the Town Centre Zone and support and inform the identification of the submitter's site within Height Precinct 7 and Rule 12.5.10.4, which provides for an 11m height limit on the site.	Accept in Part		Height

Appendix 2 to the Section 42A Report for Chapter 12 - Queenstown Town Centre

Original Point No	Further Submission No	Submitter	Lowest Clause	Submitter Position	Submission Summary	Planner Recommendation	Transferred	Issue Reference
398.17	FS1274.18	John Thompson and MacFarlane Investments Limited	12.2 Objectives and Policies	Oppose	Opposes. Believes that the relief requested is inappropriate, taking into account all relevant considerations. Seeks that the submission be disallowed.	Accept in Part		Height
398.18		Man Street Properties Limited	12.2 Objectives and Policies	Other	Oppose in part the objectives, policies and Queenstown Town Centre Design Guidelines 2015 that inform and support Rule 12.5.14 regarding glare.	Reject		Urban design (glare)
398.18	FS1274.19	John Thompson and MacFarlane Investments Limited	12.2 Objectives and Policies	Oppose	Opposes. Believes that the relief requested is inappropriate, taking into account all relevant considerations. Seeks that the submission be disallowed.	Accept		Urban design (glare)
544.7		Good Group Limited	12.2 Objectives and Policies	Not Stated	Opposes in part the objectives and policies that inform Rules 12.5.11.3(b) and 12.5.11.4(b) in terms of the noise limits proposed within these rules	Reject		Noise
587.4		Simple Simon Suck Fizzle Soup and Gourmet Pie Company Trading as The Atlas Beer Cafe	12.2 Objectives and Policies	Not Stated	Support the inclusion of specific policy that supports and facilitates late night bar and restaurant activities as being integral to enhancing and promoting a vibrant town centre and in particular, supports the intent of policies 12.2.1.3, 12.2.1.4, 12.2.3.1, 12.2.3.3 and 12.2.3.4.	Accept		Noise
587.4	FS1318.18	Imperium Group	12.2 Objectives and Policies	Oppose	Opposes. Requests that the Town Centre Entertainment Precinct not be extended, and indeed be deleted in accordance with his original submission.	Accept in Part		Noise
589.4		Goose Cherry Cod Catering Company Limited Trading as Ivy and Lolos	12.2 Objectives and Policies	Not Stated	Support the inclusion of specific policy that supports and facilitates late night bar and restaurant activities as being integral to enhancing and promoting a vibrant town centre and in particular, supports the intent of policies 12.2.1.3, 12.2.1.4, 12.2.3.1, 12.2.3.3 and 12.2.3.4.	Accept		Noise, vibrancy policies
589.4	FS1318.25	Imperium Group	12.2 Objectives and Policies	Oppose	Opposes. Requests that the Town Centre Entertainment Precinct not be extended, and indeed be deleted in accordance with his original submission.	Accept in Part		Noise, vibrancy policies
151.2		Imperium Group	12.2.1 Objective 1.	Oppose	Amend Policy 12.2.1.3 by deleting the words 'without unduly restrictive' and inserting in their place 'subject to appropriate.'	Accept		Noise, vibrancy policies
217.7		Jay Berriman	12.2.1 Objective 1.	Oppose	That there be no increase to noise levels in the entertainment precinct or any other zones (i.e. the noise limit at night in the entertainment district and all other zones should be retained at the current level) and that the number of liquor licenses in the Town Centre be restricted as increases in noise and antisocial behavior associated with the party image affects the tenant's visitor accommodation business and a more balanced approach to night entertainment is needed.	Reject		Noise, licensed premises
217.7	FS1318.39	Imperium Group	12.2.1 Objective 1.	Support	Supports. Requests that the relief sought by the original submitter be granted and, consistent with the relief sought in my own submission, the Town Centre Entertainment Precinct be deleted.	Reject		Noise, licensed premises
217.8		Jay Berriman	12.2.1 Objective 1.	Support	Support and encourage sustainable growth that does not effect existing business or is to the detriment of the appeal of Queenstown.	Accept		Role of the town
238.66		NZIA Southern and Architecture + Women Southern	12.2.1 Objective 1.	Other	Amend as follows as unclear what "administrative" means: "A Town Centre that remains relevant to residents and visitors alike and continues to be the District's principal mixed use centre of retail, commercial, administrative, local government, entertainment, cultural, and tourism activity"	Accept in Part		Role of the town
238.66	FS1318.3	Imperium Group	12.2.1 Objective 1.	Oppose	Opposes. Requests that the Town Centre Entertainment Precinct be deleted in accordance with my original submission.	Reject		Role of the town
238.66	FS1107.71	Man Street Properties Ltd	12.2.1 Objective 1.	Oppose	The Submitter opposes this submission. Submission 238 will not promote or give effect to Part 2 of the Act. The matters raised in the submission do not meet section 32 of the Act, and are not the most appropriate method for achieving the objectives of the Proposed District Plan having regard to its efficiency and effectiveness, and taking into account the costs and benefits.	Accept in Part		Role of the town
238.66	FS1226.71	Ngai Tahu Property Limited & Ngai Tahu Justice Holdings Limited	12.2.1 Objective 1.	Oppose	The submitter opposes this submission. Alerts that the submission and matters sought in it will therefore not promote or give effect to Part 2 of the Act. States that matters raised in the submission do not meet section 32 of the Act. are not the most appropriate method for achieving the objectives of the Proposed District Plan having regard to its efficiency and effectiveness, and taking into account the costs and benefits	Accept in Part		Role of the town
238.66	FS1234.71	Shotover Memorial Properties Limited & Horne Water Holdings Limited	12.2.1 Objective 1.	Oppose	States that submission 238 will not promote or give effect to Part 2 of the Act. Agrees that matters raised in the submission do not meet section 32 of the Act. are not the most appropriate method for achieving the objectives.	Accept in Part		Role of the town
238.66	FS1239.71	Skyline Enterprises Limited & O'Connells Pavillion Limited	12.2.1 Objective 1.	Oppose	Agrees that submission 238 will not promote or give effect to Part 2 of the Act. States that matters raised in the submission do not meet section 32 of the Act. are not the most appropriate method for achieving the objectives.	Accept in Part		Role of the town
238.66	FS1241.71	Skyline Enterprises Limited & Accommodation and Booking Agents	12.2.1 Objective 1.	Oppose	Agrees that submission 238 will not promote or give effect to Part 2 of the Act. States that matters raised in the submission do not meet section 32 of the Act. are not the most appropriate method for achieving the objectives.	Accept in Part		Role of the town
238.66	FS1242.94	Antony & Ruth Stokes	12.2.1 Objective 1.	Oppose	The submitter seeks submission be disallowed as it relates to the expansion of the Business Mixed Use Zone (submission point 238.93) with the High Density Residential Zone on the northern side of Henry Street being retained.		Transferred to Hearing Stream Business	Further submission point is not relevant to Queenstown Town Centre Zone
238.66	FS1248.71	Trojan Holdings Limited & Beach Street Holdings Limited	12.2.1 Objective 1.	Oppose	The submitter opposes this submission. Alerts that the submission and matters sought in it will therefore not promote or give effect to Part 2 of the Act. States that matters raised in the submission do not meet section 32 of the Act. are not the most appropriate method for achieving the objectives of the Proposed District Plan having regard to its efficiency and effectiveness, and taking into account the costs and benefits.	Accept in Part		Role of the town
238.66	FS1249.71	Tweed Development Limited	12.2.1 Objective 1.	Oppose	The submitter opposes this submission. Alerts that the submission and matters sought in it will therefore not promote or give effect to Part 2 of the Act. States that matters raised in the submission do not meet section 32 of the Act. are not the most appropriate method for achieving the objectives of the Proposed District Plan having regard to its efficiency and effectiveness, and taking into account the costs and benefits.	Accept in Part		Role of the town
470.4		Queenstown Playcentre	12.2.1 Objective 1.	Other	Generally support increasing density close to town, however we are concerned about the lack of surety of adequate residential (or community) amenity being safeguarded for neighbours of new medium and high density residential development and request that guidelines are introduced and plans are reviewed by an appropriate panel to ensure that Queenstown Lakes District remains a great place to live for our local families. We know that density does not have to mean loss of residential or community amenity - but it certainly can if proper safeguards are not put in place.	Accept in Part		Noise, res amenity, guidelines, misc.
630.8		DowntownQT	12.2.1 Objective 1.	Support	DowntownQT supports through its strategy the QLDC District Plan objective 12.2.1 "A Town Centre that remains relevant to residents and visitors alike and contributes to the District's principal mixed use centre of retail, commercial, administrative, entertainment, cultural, and tourism activity."	Accept in Part		Role of the town

Appendix 2 to the Section 42A Report for Chapter 12 - Queenstown Town Centre

Original Point No	Further Submission No	Submitter	Lowest Clause	Submitter Position	Submission Summary	Planner Recommendation	Transferred	Issue Reference
630.8	FS1043.15	Grand Lakes Management Limited	12.2.1 Objective 1.	Oppose	GLML oppose Downtown QT submission as they seek to increase the proposed Entertainment Precinct significantly and also provide more permissive provisions for outdoor entertainment and hospitality activities until 12am within the Precinct. GLML oppose this submission as the increased noise levels and extension to the Entertainment Precinct has the potentially to adversely affect the operation of the Sofitel Hotel	Accept in Part		TCEP
630.8	FS1117.263	Remarkables Park Limited	12.2.1 Objective 1.	Oppose	The submission is opposed for the reasons stated in RPL's original submission.	Accept in Part		Role of the town
804.3		Southern Pub Company Limited - T/A Pub on Wharf	12.2.1 Objective 1.	Support	Supports the intent of policies 12.2.1.3, 12.2.1.4,	Accept		Noise, vibrancy, role of Town Centre
238.67		NZIA Southern and Architecture + Women Southern	12.2.1.1	Other	Amend the policy as follows as it is unclear what 'satisfactorily mitigated' means: " <i>Enable intensification within the Town Centre through providing for greater site coverage and additional building height provided effects on key public amenity and character attributes are in accordance with best practice Urban design principles.</i> "	Accept in Part		urban design
238.67	FS1107.72	Man Street Properties Ltd	12.2.1.1	Oppose	The Submitter opposes this submission. Submission 238 will not promote or give effect to Part 2 of the Act. The matters raised in the submission do not meet section 32 of the Act, and are not the most appropriate method for achieving the objectives of the Proposed District Plan having regard to its efficiency and effectiveness, and taking into account the costs and benefits.	Reject		urban design
238.67	FS1226.72	Ngai Tahu Property Limited & Ngai Tahu Justice Holdings Limited	12.2.1.1	Oppose	The submitter opposes this submission . Alerts that the submission and matters sought in it will therefore not promote or give effect to Part 2 of the Act. States that matters raised in the submission do not meet section 32 of the Act. are not the most appropriate method for achieving the objectives of the Proposed District Plan having regard to its efficiency and effectiveness, and taking into account the costs and benefits.	Reject		urban design
238.67	FS1234.72	Shotover Memorial Properties Limited & Horne Water Holdings Limited	12.2.1.1	Oppose	States that submission 238 will not promote or give effect to Part 2 of the Act. Agrees that matters raised in the submission do not meet section 32 of the Act. are not the most appropriate method for achieving the objectives.	Reject		urban design
238.67	FS1239.72	Skyline Enterprises Limited & O'Connells Pavillion Limited	12.2.1.1	Oppose	Agrees that submission 238 will not promote or give effect to Part 2 of the Act. States that matters raised in the submission do not meet section 32 of the Act. are not the most appropriate method for achieving the objectives.	Reject		urban design
238.67	FS1241.72	Skyline Enterprises Limited & Accommodation and Booking Agents	12.2.1.1	Oppose	Agrees that submission 238 will not promote or give effect to Part 2 of the Act. States that matters raised in the submission do not meet section 32 of the Act. are not the most appropriate method for achieving the objectives.	Reject		urban design
238.67	FS1242.95	Antony & Ruth Stokes	12.2.1.1	Oppose	The submitter seeks submission be disallowed as it relates to the expansion of the Business Mixed Use Zone (submission point 238.93) with the High Density Residential Zone on the northern side of Henry Street being retained.		Transferred to Hearing Stream Business	Further submission point is not relevant to Queenstown Town Centre Zone
238.67	FS1248.72	Trojan Holdings Limited & Beach Street Holdings Limited	12.2.1.1	Oppose	The submitter opposes this submission . Alerts that the submission and matters sought in it will therefore not promote or give effect to Part 2 of the Act. States that matters raised in the submission do not meet section 32 of the Act. are not the most appropriate method for achieving the objectives of the Proposed District Plan having regard to its efficiency and effectiveness, and taking into account the costs and benefits.	Reject		urban design
238.67	FS1249.72	Tweed Development Limited	12.2.1.1	Oppose	The submitter opposes this submission . Alerts that the submission and matters sought in it will therefore not promote or give effect to Part 2 of the Act. States that matters raised in the submission do not meet section 32 of the Act. are not the most appropriate method for achieving the objectives of the Proposed District Plan having regard to its efficiency and effectiveness, and taking into account the costs and benefits.	Reject		urban design
650.3		Foodstuffs South Island Ltd and Foodstuffs South Island Properties Ltd	12.2.1.1	Support	Exclusion of the site coverage maximum. Removal of site coverage maximums will allow greater flexibility in design and better promote the efficient use of land and built resources.	Accept		Building coverage
714.2		Kopuwai Investments Limited	12.2.1.3	Support	Retain Policy 12.2.1.3	Accept in Part		noise, vibrancy, role of Town Centre
238.68		NZIA Southern and Architecture + Women Southern	12.2.1.4	Other	Amend this policy as follows as it is questioned why we should accept a lower level of amenity- it is just noise - and some people will love noise and choose to be in that area and we need to design for this: " <i>Enable residential activities and visitor accommodation activities while acknowledging that there will be a lower level of residential amenity... increased noise and activity due to the mix of activities and late night nature of the town centre</i> "	Accept		Noise (res amenity)
238.68	FS1107.73	Man Street Properties Ltd	12.2.1.4	Oppose	The Submitter opposes this submission. Submission 238 will not promote or give effect to Part 2 of the Act. The matters raised in the submission do not meet section 32 of the Act, and are not the most appropriate method for achieving the objectives of the Proposed District Plan having regard to its efficiency and effectiveness, and taking into account the costs and benefits.	Reject		Noise (res amenity)
238.68	FS1226.73	Ngai Tahu Property Limited & Ngai Tahu Justice Holdings Limited	12.2.1.4	Oppose	The submitter opposes this submission . Alerts that the submission and matters sought in it will therefore not promote or give effect to Part 2 of the Act. States that matters raised in the submission do not meet section 32 of the Act. are not the most appropriate method for achieving the objectives of the Proposed District Plan having regard to its efficiency and effectiveness, and taking into account the costs and benefits.	Reject		Noise (res amenity)
238.68	FS1234.73	Shotover Memorial Properties Limited & Horne Water Holdings Limited	12.2.1.4	Oppose	States that submission 238 will not promote or give effect to Part 2 of the Act. Agrees that matters raised in the submission do not meet section 32 of the Act. are not the most appropriate method for achieving the objectives.	Reject		Noise (res amenity)
238.68	FS1239.73	Skyline Enterprises Limited & O'Connells Pavillion Limited	12.2.1.4	Oppose	Agrees that submission 238 will not promote or give effect to Part 2 of the Act. States that matters raised in the submission do not meet section 32 of the Act. are not the most appropriate method for achieving the objectives.	Reject		Noise (res amenity)
238.68	FS1241.73	Skyline Enterprises Limited & Accommodation and Booking Agents	12.2.1.4	Oppose	Agrees that submission 238 will not promote or give effect to Part 2 of the Act. States that matters raised in the submission do not meet section 32 of the Act. are not the most appropriate method for achieving the objectives.	Reject		Noise (res amenity)
238.68	FS1242.96	Antony & Ruth Stokes	12.2.1.4	Oppose	The submitter seeks submission be disallowed as it relates to the expansion of the Business Mixed Use Zone (submission point 238.93) with the High Density Residential Zone on the northern side of Henry Street being retained.		Transferred to Hearing Stream Business	Further submission point is not relevant to Queenstown Town Centre Zone
238.68	FS1248.73	Trojan Holdings Limited & Beach Street Holdings Limited	12.2.1.4	Oppose	The submitter opposes this submission . Alerts that the submission and matters sought in it will therefore not promote or give effect to Part 2 of the Act. States that matters raised in the submission do not meet section 32 of the Act. are not the most appropriate method for achieving the objectives of the Proposed District Plan having regard to its efficiency and effectiveness, and taking into account the costs and benefits.	Reject		Noise (res amenity)
238.68	FS1249.73	Tweed Development Limited	12.2.1.4	Oppose	The submitter opposes this submission . Alerts that the submission and matters sought in it will therefore not promote or give effect to Part 2 of the Act. States that matters raised in the submission do not meet section 32 of the Act. are not the most appropriate method for achieving the objectives of the Proposed District Plan having regard to its efficiency and effectiveness, and taking into account the costs and benefits.	Reject		Noise (res amenity)
714.3		Kopuwai Investments Limited	12.2.1.4	Support	Retain Policy 12.2.1.4	Accept in Part		Noise/ vibrancy/ role of Town Centre

Appendix 2 to the Section 42A Report for Chapter 12 - Queenstown Town Centre

Original Point No	Further Submission No	Submitter	Lowest Clause	Submitter Position	Submission Summary	Planner Recommendation	Transferred	Issue Reference
59.1		Lynda Baker	12.2.2 Objective 2	Other	Support proposed policy 12-2-2-2 but request that: a) a clause be added such as 'Developers required to add positively to the availability of car parking spaces in CBD or near surrounds' b) provision be made for car parking based on the size of the building. At present workers are parking all day in the gardens and Park St, which is stopping genuine users of the Gardens from having somewhere to park. c) the word 'historic' be added to the third point as follows. 'Positively respond to the Town Centre's <u>historic</u> character' as the term 'Town Centre's character' is ambiguous and does not refer to the heritage of the Town Centre.	Accept in Part		Urban design (point c), and points a) and b) transport
59.1	FS1075.1	Oxford Holdings Limited	12.2.2 Objective 2	Oppose	That part of the submission relating to managing the height in the Town Centre Zone	Reject		Urban design (point c), and points a) and b) transport
59.1	FS1265.4	DJ and EJ Cassells, the Bulling Family, the Bennett Family, M Lynch	12.2.2 Objective 2	Support	That the Submission be allowed insofar as it seeks make provision for traffic and car parking requirements within the park Street/Brisbane Street area, and the recognition of historic character in chapter 12.	Accept in Part		Urban design (point c), and points a) and b) transport
59.1	FS1268.4	Friends of the Wakatipu Gardens and Reserves Inc	12.2.2 Objective 2	Support	That the Submission be allowed insofar as it seeks make provision for traffic and car parking requirements within the park Street/Brisbane Street area, and the recognition of historic character in chapter 12.	Accept in Part		Urban design (point c), and points a) and b) transport
59.1	FS1063.42	Peter Fleming and Others	12.2.2 Objective 2	Support	All be allowed	Accept in Part		Urban design (point c), and points a) and b) transport
59.4		Lynda Baker	12.2.2 Objective 2	Support	Remove policies 12-2-2-4 and 12-2-2-5 such that the policies make no provision for buildings to exceed the height limits in the Town Centre.	Reject		Height
59.4	FS1236.3	Skyline Enterprises Limited	12.2.2 Objective 2	Oppose	Opposes to impose a maximum height limit of 8.5m. Assures that this is an inefficient use of land resource close to the existing Queenstown Town Centre and height limits should be increased. Requests that these submissions be disallowed.	Accept		Height
59.4	FS1063.45	Peter Fleming and Others	12.2.2 Objective 2	Support	All be allowed	Reject		Height
238.69		NZIA Southern and Architecture + Women Southern	12.2.2 Objective 2	Other	Good to see acknowledgement of sense of place/ identity in this objective but request more information on what this actually means. Does the Queenstown Town Centre strategy need updating?	Accept in Part		Urban design
238.69	FS1107.74	Man Street Properties Ltd	12.2.2 Objective 2	Oppose	The Submitter opposes this submission. Submission 238 will not promote or give effect to Part 2 of the Act. The matters raised in the submission do not meet section 32 of the Act, and are not the most appropriate method for achieving the objectives of the Proposed District Plan having regard to its efficiency and effectiveness, and taking into account the costs and benefits.	Reject		Urban design
238.69	FS1226.74	Ngai Tahu Property Limited & Ngai Tahu Justice Holdings Limited	12.2.2 Objective 2	Oppose	The submitter opposes this submission . Alerts that the submission and matters sought in it will therefore not promote or give effect to Part 2 of the Act. States that matters raised in the submission do not meet section 32 of the Act. are not the most appropriate method for achieving the objectives of the Proposed District Plan having regard to its efficiency and effectiveness, and taking into account the costs and benefits.	Reject		Urban design
238.69	FS1234.74	Shotover Memorial Properties Limited & Horne Water Holdings Limited	12.2.2 Objective 2	Oppose	States that submission 238 will not promote or give effect to Part 2 of the Act. Agrees that matters raised in the submission do not meet section 32 of the Act. are not the most appropriate method for achieving the objectives.	Reject		Urban design
238.69	FS1239.74	Skyline Enterprises Limited & O'Connells Pavillion Limited	12.2.2 Objective 2	Oppose	Agrees that submission 238 will not promote or give effect to Part 2 of the Act. States that matters raised in the submission do not meet section 32 of the Act. are not the most appropriate method for achieving the objectives.	Reject		Urban design
238.69	FS1241.74	Skyline Enterprises Limited & Accommodation and Booking Agents	12.2.2 Objective 2	Oppose	Agrees that submission 238 will not promote or give effect to Part 2 of the Act. States that matters raised in the submission do not meet section 32 of the Act. are not the most appropriate method for achieving the objectives.	Reject		Urban design
238.69	FS1242.97	Antony & Ruth Stokes	12.2.2 Objective 2	Oppose	The submitter seeks submission be disallowed as it relates to the expansion of the Business Mixed Use Zone (submission point 238.93) with the High Density Residential Zone on the northern side of Henry Street being retained.		Transferred to Hearing Stream Business	Further submission point is not relevant to Queenstown Town Centre Zone
238.69	FS1248.74	Trojan Holdings Limited & Beach Street Holdings Limited	12.2.2 Objective 2	Oppose	The submitter opposes this submission . Alerts that the submission and matters sought in it will therefore not promote or give effect to Part 2 of the Act. States that matters raised in the submission do not meet section 32 of the Act. are not the most appropriate method for achieving the objectives of the Proposed District Plan having regard to its efficiency and effectiveness, and taking into account the costs and benefits.	Reject		Urban design
238.69	FS1249.74	Tweed Development Limited	12.2.2 Objective 2	Oppose	The submitter opposes this submission . Alerts that the submission and matters sought in it will therefore not promote or give effect to Part 2 of the Act. States that matters raised in the submission do not meet section 32 of the Act. are not the most appropriate method for achieving the objectives of the Proposed District Plan having regard to its efficiency and effectiveness, and taking into account the costs and benefits.	Reject		Urban design
238.73		NZIA Southern and Architecture + Women Southern	12.2.2 Objective 2	Other	Add the following further Policy in recognition that Council has a role in managing and investing in street environment and encouraging vitality through both soft and hard. landscaping (council should lead the way in this regard): "12.2.2.10 Council will invest ,maintain and promote excellent urban design and amenity in all council owned and managed public spaces"	Reject		Urban design
238.73	FS1107.78	Man Street Properties Ltd	12.2.2 Objective 2	Oppose	The Submitter opposes this submission. Submission 238 will not promote or give effect to Part 2 of the Act. The matters raised in the submission do not meet section 32 of the Act, and are not the most appropriate method for achieving the objectives of the Proposed District Plan having regard to its efficiency and effectiveness, and taking into account the costs and benefits.	Accept		Urban design
238.73	FS1226.78	Ngai Tahu Property Limited & Ngai Tahu Justice Holdings Limited	12.2.2 Objective 2	Oppose	The submitter opposes this submission . Alerts that the submission and matters sought in it will therefore not promote or give effect to Part 2 of the Act. States that matters raised in the submission do not meet section 32 of the Act. are not the most appropriate method for achieving the objectives of the Proposed District Plan having regard to its efficiency and effectiveness, and taking into account the costs and benefits.	Accept		Urban design
238.73	FS1234.78	Shotover Memorial Properties Limited & Horne Water Holdings Limited	12.2.2 Objective 2	Oppose	States that submission 238 will not promote or give effect to Part 2 of the Act. Agrees that matters raised in the submission do not meet section 32 of the Act. are not the most appropriate method for achieving the objectives.	Accept		Urban design
238.73	FS1239.78	Skyline Enterprises Limited & O'Connells Pavillion Limited	12.2.2 Objective 2	Oppose	Agrees that submission 238 will not promote or give effect to Part 2 of the Act. States that matters raised in the submission do not meet section 32 of the Act. are not the most appropriate method for achieving the objectives.	Accept		Urban design
238.73	FS1241.78	Skyline Enterprises Limited & Accommodation and Booking Agents	12.2.2 Objective 2	Oppose	Agrees that submission 238 will not promote or give effect to Part 2 of the Act. States that matters raised in the submission do not meet section 32 of the Act. are not the most appropriate method for achieving the objectives.	Accept		Urban design
238.73	FS1248.78	Trojan Holdings Limited & Beach Street Holdings Limited	12.2.2 Objective 2	Oppose	The submitter opposes this submission . Alerts that the submission and matters sought in it will therefore not promote or give effect to Part 2 of the Act. States that matters raised in the submission do not meet section 32 of the Act. are not the most appropriate method for achieving the objectives of the Proposed District Plan having regard to its efficiency and effectiveness, and taking into account the costs and benefits.	Accept		Urban design

Appendix 2 to the Section 42A Report for Chapter 12 - Queenstown Town Centre

Original Point No	Further Submission No	Submitter	Lowest Clause	Submitter Position	Submission Summary	Planner Recommendation	Transferred	Issue Reference
238.73	FS1249.78	Tweed Development Limited	12.2.2 Objective 2	Oppose	The submitter opposes this submission . Alerts that the submission and matters sought in it will therefore not promote or give effect to Part 2 of the Act. States that matters raised in the submission do not meet section 32 of the Act. are not the most appropriate method for achieving the objectives of the Proposed District Plan having regard to its efficiency and effectiveness, and taking into account the costs and benefits	Accept		Urban design
238.73	FS1242.101	Antony & Ruth Stokes	12.2.2 Objective 2	Oppose	The submitter seeks submission be disallowed as it relates to the expansion of the Business Mixed Use Zone (submission point 238.93) with the High Density Residential Zone on the northern side of Henry Street being retained.		Transferred to Hearing Stream Business	Further submission point is not relevant to Queenstown Town Centre Zone
380.36		Villa dellago	12.2.2 Objective 2	Support	Support Objective 2 (12.2.2)	Accept		Urban design
470.2		Queenstown Playcentre	12.2.2 Objective 2	Other	Generally support increasing density close to town, however we are concerned about the lack of surety of adequate residential (or community) amenity being safeguarded for neighbours of new medium and high density residential development and request that guidelines are introduced and plans are reviewed by an appropriate panel to ensure that Queenstown Lakes District remains a great place to live for our local families. Density need not reduce residential or community amenity but can if proper safeguards are not put in place.	Accept in Part		urban design guidelines, res amenity, noise
238.70		NZIA Southern and Architecture + Women Southern	12.2.2.1	Other	Support the Council requiring development in the Special Character Area to be consistent with the design outcomes sought by the Queenstown Town Centre Design Guidelines 2015 but request that the guidelines or zone purpose be expanded to cover the following point and that developments are reviewed by the QLDC Urban design Panel: <ul style="list-style-type: none"> •Include council landscaping(including hard and soft) standards and guidelines. •Natural features (land form, water, significant vegetation) •Major roads and pathways •Grids (subdivision patterns, permeability, geometry, permeability, hierarchy, discontinuities) •Public open spaces (orientation, pedestrian routes) •Built form (landmarks, heritage features, building types, building scale, density coverage, distribution of fronts and backs, spatial definition-degree of enclosure, recurring relationships of buildings and public spaces) •Existing circulation patterns (pedestrian, vehicle, public transportation, distribution of activities, density and intensity) •Experiences (way finding, memorable sequences, views) This analysis would guide building form and public space. 	Accept in Part		Urban design, guidelines, Special Character Area
238.70	FS1107.75	Man Street Properties Ltd	12.2.2.1	Oppose	The Submitter opposes this submission. Submission 238 will not promote or give effect to Part 2 of the Act. The matters raised in the submission do not meet section 32 of the Act, and are not the most appropriate method for achieving the objectives of the Proposed District Plan having regard to its efficiency and effectiveness, and taking into account the costs and benefits.	Accept in Part		Urban design, guidelines, Special Character Area
238.70	FS1226.75	Ngai Tahu Property Limited & Ngai Tahu Justice Holdings Limited	12.2.2.1	Oppose	The submitter opposes this submission . Alerts that the submission and matters sought in it will therefore not promote or give effect to Part 2 of the Act. States that matters raised in the submission do not meet section 32 of the Act. are not the most appropriate method for achieving the objectives of the Proposed District Plan having regard to its efficiency and effectiveness, and taking into account the costs and benefits	Accept in Part		Urban design, guidelines, Special Character Area
238.70	FS1234.75	Shotover Memorial Properties Limited & Horne Water Holdings Limited	12.2.2.1	Oppose	States that submission 238 will not promote or give effect to Part 2 of the Act. Agrees that matters raised in the submission do not meet section 32 of the Act. are not the most appropriate method for achieving the objectives.	Accept in Part		Urban design, guidelines, Special Character Area
238.70	FS1239.75	Skyline Enterprises Limited & O'Connells Pavillion Limited	12.2.2.1	Oppose	Agrees that submission 238 will not promote or give effect to Part 2 of the Act. States that matters raised in the submission do not meet section 32 of the Act. are not the most appropriate method for achieving the objectives.	Accept in Part		Urban design, guidelines, Special Character Area
238.70	FS1241.75	Skyline Enterprises Limited & Accommodation and Booking Agents	12.2.2.1	Oppose	Agrees that submission 238 will not promote or give effect to Part 2 of the Act. States that matters raised in the submission do not meet section 32 of the Act. are not the most appropriate method for achieving the objectives.	Accept in Part		Urban design, guidelines, Special Character Area
238.70	FS1242.98	Antony & Ruth Stokes	12.2.2.1	Oppose	The submitter seeks submission be disallowed as it relates to the expansion of the Business Mixed Use Zone (submission point 238.93) with the High Density Residential Zone on the northern side of Henry Street being retained.	Accept in Part	Transferred to Hearing Stream Business	Further submission point is not relevant to Queenstown Town Centre Zone
238.70	FS1248.75	Trojan Holdings Limited & Beach Street Holdings Limited	12.2.2.1	Oppose	The submitter opposes this submission . Alerts that the submission and matters sought in it will therefore not promote or give effect to Part 2 of the Act. States that matters raised in the submission do not meet section 32 of the Act. are not the most appropriate method for achieving the objectives of the Proposed District Plan having regard to its efficiency and effectiveness, and taking into account the costs and benefits	Accept in Part		Urban design, guidelines, Special Character Area
238.70	FS1249.75	Tweed Development Limited	12.2.2.1	Oppose	The submitter opposes this submission . Alerts that the submission and matters sought in it will therefore not promote or give effect to Part 2 of the Act. States that matters raised in the submission do not meet section 32 of the Act. are not the most appropriate method for achieving the objectives of the Proposed District Plan having regard to its efficiency and effectiveness, and taking into account the costs and benefits	Accept in Part		Urban design, guidelines, Special Character Area
82.1		Toni Okkerse	12.2.2.2	Support	Support Policy 2.2.2.2 but amend it by: a) Adding the clause 'development required to add positively to the parking spaces in the CBD or near surrounds' b) Adding the word 'historic' to the last bullet point (i.e. '- Positively respond to the Town Centre's <u>historic</u> character' And make provision for carparking based on the size of the building - currently workers are parking all day in places like the gardens and the Park Street	Accept in Part		Urban design (point c), and points a) and b) transport
82.1	FS1107.1	Man Street Properties Ltd	12.2.2.2	Oppose	The Submitter opposes this submission and considers that the requirements for parking within the CBD are inappropriate and inefficient. Amendments to height as detailed in the submission are inappropriate and inefficient. The submission and matters sought in it will therefore not promote or give effect to Part 2 of the Act. The matters raised in the submission do not meet section 32 of the Act, and are not the most appropriate method for achieving the objectives of the Proposed District Plan having regard to its efficiency and effectiveness, and taking into account the costs and benefits	Accept in Part		Urban design (point c), and points a) and b) transport
82.1	FS1226.1	Ngai Tahu Property Limited & Ngai Tahu Justice Holdings Limited	12.2.2.2	Oppose	The submitter opposes this submission and considers requirements for parking within the CBD is inappropriate and inefficient. Believes that amendments to height are inappropriate and inefficient. Alerts that the submission and matters sought in it will therefore not promote or give effect to Part 2 of the Act. States that matters raised in the submission do not meet section 32 of the Act. are not the most appropriate method for achieving the objectives of the Proposed District Plan having regard to its efficiency and effectiveness, and taking into account the costs and benefits.	Accept in Part		Urban design (point c), and points a) and b) transport
82.1	FS1234.1	Shotover Memorial Properties Limited & Horne Water Holdings Limited	12.2.2.2	Oppose	The submitter opposes and considers requirements for parking within the CBD is inappropriate and inefficient. Assures that amendments to height as detailed in the submission are inappropriate and inefficient. Alerts that the submission and matters sought in it will therefore not promote or give effect to Part 2 of the Act. Assures that matters raised in the submission do not meet section 32 of the Act. are not the most appropriate method for achieving the objectives.	Accept in Part		Urban design (point c), and points a) and b) transport

Appendix 2 to the Section 42A Report for Chapter 12 - Queenstown Town Centre

Original Point No	Further Submission No	Submitter	Lowest Clause	Submitter Position	Submission Summary	Planner Recommendation	Transferred	Issue Reference
82.1	FS1239.1	Skyline Enterprises Limited & O'Connells Pavillion Limited	12.2.2.2	Oppose	The submitter opposes and considers requirements for parking within the CBD is inappropriate and inefficient. Believes that amendments to height are inappropriate and inefficient. Agrees that the submission and matters sought in it will therefore not promote or give effect to Part 2 of the Act. States that matters raised in the submission do not meet section 32 of the Act. are not the most appropriate method for achieving the objectives	Accept in Part		Urban design (point c), and points a) and b) transport
82.1	FS1241.1	Skyline Enterprises Limited & Accommodation and Booking Agents	12.2.2.2	Oppose	The submitter opposes and considers requirements for parking within the CBD is inappropriate and inefficient. Believes that amendments to height are inappropriate and inefficient. Agrees that the submission and matters sought in it will therefore not promote or give effect to Part 2 of the Act. States that matters raised in the submission do not meet section 32 of the Act. are not the most appropriate method for achieving the objectives	Accept in Part		Urban design (point c), and points a) and b) transport
82.1	FS1248.1	Trojan Holdings Limited & Beach Street Holdings Limited	12.2.2.2	Oppose	The submitter opposes this submission and considers requirements for parking within the CBD is inappropriate and inefficient. Believes that amendments to height are inappropriate and inefficient. Alerts that the submission and matters sought in it will therefore not promote or give effect to Part 2 of the Act. States that matters raised in the submission do not meet section 32 of the Act. are not the most appropriate method for achieving the objectives of the Proposed District Plan having regard to its efficiency and effectiveness, and taking into account the costs and benefits.	Accept in Part		Urban design (point c), and points a) and b) transport
82.1	FS1249.1	Tweed Development Limited	12.2.2.2	Oppose	The submitter opposes this submission and considers requirements for parking within the CBD is inappropriate and inefficient. Believes that amendments to height are inappropriate and inefficient. Alerts that the submission and matters sought in it will therefore not promote or give effect to Part 2 of the Act. States that matters raised in the submission do not meet section 32 of the Act. are not the most appropriate method for achieving the objectives of the Proposed District Plan having regard to its efficiency and effectiveness, and taking into account the costs and benefits.	Accept in Part		Urban design (point c), and points a) and b) transport
82.1	FS1265.5	DJ and EJ Cassells, the Bulling Family, the Bennett Family, M Lynch	12.2.2.2	Support	That the Submission be allowed insofar as it seeks make provision for traffic and car parking requirements within the park Street/Brisbane Street area, and the recognition of historic character in chapter 12.	Accept in Part		Urban design (point c), and points a) and b) transport
82.1	FS1268.5	Friends of the Wakatipu Gardens and Reserves Inc	12.2.2.2	Support	That the Submission be allowed insofar as it seeks make provision for traffic and car parking requirements within the park Street/Brisbane Street area, and the recognition of historic character in chapter 12.	Accept in Part		Urban design (point c), and points a) and b) transport
82.1	FS1063.37	Peter Fleming and Others	12.2.2.2	Support	All be allowed	Accept in Part		Urban design (point c), and points a) and b) transport
82.1	FS1274.21	John Thompson and MacFarlane Investments Limited	12.2.2.2	Oppose	Opposes. Believes that the relief requested is inappropriate, taking into account all relevant considerations. Seeks that the submission be disallowed.	Accept in Part		Urban design (point c), and points a) and b) transport
206.9		Lindsay Jackson	12.2.2.2	Other	Support proposed policy 12-2-2-2 but request that: a) a clause be added such as 'Developers required to add positively to the availability of car parking spaces in CBD or near surrounds' b) provision be made for car parking based on the size of the building. At present workers are parking all day in the gardens and Park St, which is stopping genuine users of the Gardens from having somewhere to park. c) the word 'historic' be added to the third point as follows. 'Positively respond to the Town Centre's historic character' as the term 'Town Centre's character' is ambiguous and does not refer to the heritage of the Town Centre.	Reject		Urban design (point c), and points a) and b) transport
206.9	FS1265.6	DJ and EJ Cassells, the Bulling Family, the Bennett Family, M Lynch	12.2.2.2	Support	That the Submission be allowed insofar as it seeks make provision for traffic and car parking requirements within the park Street/Brisbane Street area, and the recognition of historic character in chapter 12.	Reject		Urban design (point c), and points a) and b) transport
206.9	FS1268.6	Friends of the Wakatipu Gardens and Reserves Inc	12.2.2.2	Support	That the Submission be allowed insofar as it seeks make provision for traffic and car parking requirements within the park Street/Brisbane Street area, and the recognition of historic character in chapter 12.	Reject		Urban design (point c), and points a) and b) transport
206.9	FS1059.21	Erna Spijkerbosch	12.2.2.2	Oppose	Oppose point 'b'	Accept		Urban design (point c), and points a) and b) transport
206.9	FS1063.54	Peter Fleming and Others	12.2.2.2	Support	All be allowed	Reject		Urban design (point c), and points a) and b) transport
206.9	FS1274.34	John Thompson and MacFarlane Investments Limited	12.2.2.2	Oppose	Opposes. Believes that the relief requested is inappropriate, taking into account all relevant considerations. Seeks that the submission be disallowed.	Accept		Urban design (point c), and points a) and b) transport
217.9		Jay Berriman	12.2.2.2	Support	Agree with Objective 12.2.2. Good quality building and effective planning in the Town Centre.	Accept		urban design
663.3		IHG Queenstown Ltd and Carter Queenstown Ltd	12.2.2.2	Oppose	Amend Policy 12.2.2.2 as follows: Require development visible from public places to: • Maintain the existing human scale of the Town Centre as experienced from street level through building articulation and detailing of the façade, which incorporates elements which break down building mass into smaller units which are recognisably connected to the viewer; and • Contribute to the quality of streets and other public spaces and people's enjoyment of those places; and • Positively respond to the Town Centre's character and contribute to the town's 'sense of place'	Reject		Urban design
663.3	FS1139.4	Carl & Lorraine Holt	12.2.2.2	Oppose	Seek that the whole of submission 663 be disallowed.	Accept		Urban design
663.3	FS1191.3	Adam & Kirsten Zaki	12.2.2.2	Oppose	Seeks that the whole submission be disallowed. - For the general reasons stated by the Submitters in their primary submission, specifically 5.7 - 5.11. - The decisions version of PC50 (currently subject to appeal before the Environment Court) was sought in the alternative to the retention of high density residential zoning in the Submitters' primary submission. - The Council through PC50 appropriately assessed and determined (in a section 32 sense) the (inter alia) efficiency and effectiveness of the provisions of PC50 in relation to the Submitters' land and the balance of the Beach Street Block, particularly in relation to bulk, site coverage and height. - Town Centre zoning and requested amendments to that zoning for the Beach Street Block in parts and as a whole are inconsistent with Part 2, relevant provisions of superior planning instruments and the Operative and Proposed District Plans.	Accept		Urban design
672.3		Watertight Investments Ltd	12.2.2.2	Oppose	Amend Policy 12.2.2.2 as worded in the submission in order to restrict its application only to development that is visible from public places and to delete the last part of the first bullet point (commencing ", which incorporates..." as it is verbose and contains a level of specificity not required.	Reject		Urban design
82.2		Toni Okkerse	12.2.2.3	Support	Support proposed policy 12.2.2.3 however make provision for carparking based on the size of the building - currently workers are parking all day in places like the gardens and the Park Street	Accept in Part		Transport

Appendix 2 to the Section 42A Report for Chapter 12 - Queenstown Town Centre

Original Point No	Further Submission No	Submitter	Lowest Clause	Submitter Position	Submission Summary	Planner Recommendation	Transferred	Issue Reference
82.2	FS1107.2	Man Street Properties Ltd	12.2.2.3	Oppose	The Submitter opposes this submission and considers that the requirements for parking within the CBD are inappropriate and inefficient. Amendments to height as detailed in the submission are inappropriate and inefficient. The submission and matters sought in it will therefore not promote or give effect to Part 2 of the Act. The matters raised in the submission do not meet section 32 of the Act, and are not the most appropriate method for achieving the objectives of the Proposed District Plan having regard to its efficiency and effectiveness, and taking into account the costs and benefits	Reject		Transport
82.2	FS1226.2	Ngai Tahu Property Limited & Ngai Tahu Justice Holdings Limited	12.2.2.3	Oppose	The submitter opposes this submission and considers requirements for parking within the CBD is inappropriate and inefficient. Believes that amendments to height are inappropriate and inefficient. Alerts that the submission and matters sought in it will therefore not promote or give effect to Part 2 of the Act. States that matters raised in the submission do not meet section 32 of the Act. are not the most appropriate method for achieving the objectives of the Proposed District Plan having regard to its efficiency and effectiveness, and taking into account the costs and benefits.	Reject		Transport
82.2	FS1234.2	Shotover Memorial Properties Limited & Horne Water Holdings Limited	12.2.2.3	Oppose	The submitter opposes and considers requirements for parking within the CBD is inappropriate and inefficient. Assures that amendments to height as detailed in the submission are inappropriate and inefficient. Alerts that the submission and matters sought in it will therefore not promote or give effect to Part 2 of the Act. Assures that matters raised in the submission do not meet section 32 of the Act. are not the most appropriate method for achieving the objectives.	Reject		Transport
82.2	FS1239.2	Skyline Enterprises Limited & O'Connells Pavillion Limited	12.2.2.3	Oppose	The submitter opposes and considers requirements for parking within the CBD is inappropriate and inefficient. Believes that amendments to height are inappropriate and inefficient. Agrees that the submission and matters sought in it will therefore not promote or give effect to Part 2 of the Act. States that matters raised in the submission do not meet section 32 of the Act. are not the most appropriate method for achieving the objectives.	Reject		Transport
82.2	FS1241.2	Skyline Enterprises Limited & Accommodation and Booking Agents	12.2.2.3	Oppose	The submitter opposes and considers requirements for parking within the CBD is inappropriate and inefficient. Believes that amendments to height are inappropriate and inefficient. Agrees that the submission and matters sought in it will therefore not promote or give effect to Part 2 of the Act. States that matters raised in the submission do not meet section 32 of the Act. are not the most appropriate method for achieving the objectives.	Reject		Transport
82.2	FS1248.2	Trojan Holdings Limited & Beach Street Holdings Limited	12.2.2.3	Oppose	The submitter opposes this submission and considers requirements for parking within the CBD is inappropriate and inefficient. Believes that amendments to height are inappropriate and inefficient. Alerts that the submission and matters sought in it will therefore not promote or give effect to Part 2 of the Act. States that matters raised in the submission do not meet section 32 of the Act. are not the most appropriate method for achieving the objectives of the Proposed District Plan having regard to its efficiency and effectiveness, and taking into account the costs and benefits.	Reject		Transport
82.2	FS1249.2	Tweed Development Limited	12.2.2.3	Oppose	The submitter opposes this submission and considers requirements for parking within the CBD is inappropriate and inefficient. Believes that amendments to height are inappropriate and inefficient. Alerts that the submission and matters sought in it will therefore not promote or give effect to Part 2 of the Act. States that matters raised in the submission do not meet section 32 of the Act. are not the most appropriate method for achieving the objectives of the Proposed District Plan having regard to its efficiency and effectiveness, and taking into account the costs and benefits.	Reject		Transport
82.2	FS1063.38	Peter Fleming and Others	12.2.2.3	Support	All be allowed	Accept in Part		Transport
82.2	FS1274.22	John Thompson and MacFarlane Investments Limited	12.2.2.3	Oppose	Opposes. Believes that the relief requested is inappropriate, taking into account all relevant considerations. Seeks that the submission be disallowed.	Reject		Transport
621.42		Real Journeys Limited	12.2.2.3	Not Stated	Amend policy as follows: Control the height and mass of buildings in order to: <ul style="list-style-type: none"> • Retain and provide opportunities to frame important view shafts to the surrounding landscape; and • Maintain sunlight access to public places and to footpaths, with a particular emphasis on retaining solar access into the Special Character Area (as shown on Planning Maps 35 and 36); and • Minimise wind tunnel effects of buildings and ensure the pleasantness of the environment for pedestrians is maintained. 	Accept		height/ urban design
663.4		IHG Queenstown Ltd and Carter Queenstown Ltd	12.2.2.3	Oppose	Amend Policy 12.2.2.3 as follows: Control the height and mass of buildings in order to: <ul style="list-style-type: none"> • <u>Provide certainty in terms of potential building height and mass</u> • Retain and provide opportunities to frame important view shafts to the surrounding landscape; and • Maintain sunlight access to public places and to footpaths, with a particular emphasis on retaining solar access into the Special Character Area (as shown on Planning Maps 35 and 36). 	Accept		height/ urban design
663.4	FS1139.5	Carl & Lorraine Holt	12.2.2.3	Oppose	Seek that the whole of submission 663 be disallowed.	Reject		height/ urban design
663.4	FS1191.4	Adam & Kirsten Zaki	12.2.2.3	Oppose	Seeks that the whole submission be disallowed. - For the general reasons stated by the Submitters in their primary submission, specifically 5.7 - 5.11. - The decisions version of PC50 (currently subject to appeal before the Environment Court) was sought in the alternative to the retention of high density residential zoning in the Submitters' primary submission. - The Council through PC50 appropriately assessed and determined (in a section 32 sense) the (inter alia) efficiency and effectiveness of the provisions of PC50 in relation to the Submitters' land and the balance of the Beach Street Block, particularly in relation to bulk, site coverage and height. - Town Centre zoning and requested amendments to that zoning for the Beach Street Block in parts and as a whole are inconsistent with Part 2, relevant provisions of superior planning instruments and the Operative and Proposed District Plans.	Reject		height/ urban design
672.4		Watertight Investments Ltd	12.2.2.3	Oppose	Amend Policy 12.2.2.3 by adding a further bullet point as follows: " <i>Control the height and mass of buildings in order to:</i> • <u>Provide a reasonable degree of certainty in terms of potential building height and mass...</u> "	Accept		height/ urban design
82.4		Toni Okkerse	12.2.2.4	Oppose	Remove Policy 12.2.2.4 and, as such, make no provision for buildings to exceed the height limits in the CBD	Reject		Height
82.4	FS1107.4	Man Street Properties Ltd	12.2.2.4	Oppose	The Submitter opposes this submission and considers that the requirements for parking within the CBD are inappropriate and inefficient. Amendments to height as detailed in the submission are inappropriate and inefficient. The submission and matters sought in it will therefore not promote or give effect to Part 2 of the Act. The matters raised in the submission do not meet section 32 of the Act, and are not the most appropriate method for achieving the objectives of the Proposed District Plan having regard to its efficiency and effectiveness, and taking into account the costs and benefits	Accept		Height

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Original Point No	Further Submission No	Submitter	Lowest Clause	Submitter Position	Submission Summary	Planner Recommendation	Transferred	Issue Reference
82.4	FS1226.4	Ngai Tahu Property Limited & Ngai Tahu Justice Holdings Limited	12.2.2.4	Oppose	The submitter opposes this submission and considers requirements for parking within the CBD is inappropriate and inefficient. Believes that amendments to height are inappropriate and inefficient. Alerts that the submission and matters sought in it will therefore not promote or give effect to Part 2 of the Act. States that matters raised in the submission do not meet section 32 of the Act. are not the most appropriate method for achieving the objectives of the Proposed District Plan having regard to its efficiency and effectiveness, and taking into account the costs and benefits.	Accept		Height
82.4	FS1234.4	Shotover Memorial Properties Limited & Horne Water Holdings Limited	12.2.2.4	Oppose	The submitter opposes and considers requirements for parking within the CBD is inappropriate and inefficient. Assures that amendments to height as detailed in the submission are inappropriate and inefficient. Alerts that the submission and matters sought in it will therefore not promote or give effect to Part 2 of the Act. Assures that matters raised in the submission do not meet section 32 of the Act. are not the most appropriate method for achieving the objectives.	Accept		Height
82.4	FS1236.5	Skyline Enterprises Limited	12.2.2.4	Oppose	Opposes to impose a maximum height limit of 8.5m. Assures that this is an inefficient use of land resource close to the existing Queenstown Town Centre and height limits should be increased. Requests that these submissions be disallowed.	Accept		Height
82.4	FS1239.4	Skyline Enterprises Limited & O'Connells Pavillion Limited	12.2.2.4	Oppose	The submitter opposes and considers requirements for parking within the CBD is inappropriate and inefficient. Believes that amendments to height are inappropriate and inefficient. Agrees that the submission and matters sought in it will therefore not promote or give effect to Part 2 of the Act. States that matters raised in the submission do not meet section 32 of the Act. are not the most appropriate method for achieving the objectives.	Accept		Height
82.4	FS1241.4	Skyline Enterprises Limited & Accommodation and Booking Agents	12.2.2.4	Oppose	The submitter opposes and considers requirements for parking within the CBD is inappropriate and inefficient. Believes that amendments to height are inappropriate and inefficient. Agrees that the submission and matters sought in it will therefore not promote or give effect to Part 2 of the Act. States that matters raised in the submission do not meet section 32 of the Act. are not the most appropriate method for achieving the objectives.	Accept		Height
82.4	FS1248.4	Trojan Holdings Limited & Beach Street Holdings Limited	12.2.2.4	Oppose	The submitter opposes this submission and considers requirements for parking within the CBD is inappropriate and inefficient. Believes that amendments to height are inappropriate and inefficient. Alerts that the submission and matters sought in it will therefore not promote or give effect to Part 2 of the Act. States that matters raised in the submission do not meet section 32 of the Act. are not the most appropriate method for achieving the objectives of the Proposed District Plan having regard to its efficiency and effectiveness, and taking into account the costs and benefits.	Accept		Height
82.4	FS1249.4	Tweed Development Limited	12.2.2.4	Oppose	The submitter opposes this submission and considers requirements for parking within the CBD is inappropriate and inefficient. Believes that amendments to height are inappropriate and inefficient. Alerts that the submission and matters sought in it will therefore not promote or give effect to Part 2 of the Act. States that matters raised in the submission do not meet section 32 of the Act. are not the most appropriate method for achieving the objectives of the Proposed District Plan having regard to its efficiency and effectiveness, and taking into account the costs and benefits.	Accept		Height
82.4	FS1063.40	Peter Fleming and Others	12.2.2.4	Support	All be allowed	Reject		Height
82.4	FS1274.24	John Thompson and MacFarlane Investments Limited	12.2.2.4	Oppose	Opposes. Believes that the relief requested is inappropriate, taking into account all relevant considerations. Seeks that the submission be disallowed.	Accept		Height
206.7		Lindsay Jackson	12.2.2.4	Oppose	Opposes maximum height limit of 15m in precinct 1, and opposes provision for developers to exceed height limits in the town centre. Remove Policy 12.2.2.4 and, as such, make no provision for buildings to exceed the height limits in the CBD.	Reject		Height
206.7	FS1063.52	Peter Fleming and Others	12.2.2.4	Support	All be allowed	Reject		Height
206.7	FS1236.10	Skyline Enterprises Limited	12.2.2.4	Oppose	Opposes to impose a maximum height limit of 8.5m. Assures that this is an inefficient use of land resource close to the existing Queenstown Town Centre and height limits should be increased. Requests that these submissions be disallowed.	Accept		Height
206.7	FS1274.32	John Thompson and MacFarlane Investments Limited	12.2.2.4	Oppose	Opposes. Believes that the relief requested is inappropriate, taking into account all relevant considerations. Seeks that the submission be disallowed.	Accept		Height
238.71		NZIA Southern and Architecture + Women Southern	12.2.2.4	Other	Amend the first bullet point of the policy as follows to avoid difficulties in quantifying or judging "superior" design (i.e. what can that mean. not just about buildings but spaces, connections etc...): <i>"Allow buildings to exceed the discretionary height standards in situations where: • The outcome is of a high quality design, which is superior to that which would be achievable under the permitted height; - reviewed by urban design panel; and - there is positive public engagement with the street.."</i>	Accept in Part		height/ urban design
238.71	FS1107.76	Man Street Properties Ltd	12.2.2.4	Oppose	The Submitter opposes this submission. Submission 238 will not promote or give effect to Part 2 of the Act. The matters raised in the submission do not meet section 32 of the Act, and are not the most appropriate method for achieving the objectives of the Proposed District Plan having regard to its efficiency and effectiveness, and taking into account the costs and benefits.	Reject		height/ urban design
238.71	FS1226.76	Ngai Tahu Property Limited & Ngai Tahu Justice Holdings Limited	12.2.2.4	Oppose	The submitter opposes this submission . Alerts that the submission and matters sought in it will therefore not promote or give effect to Part 2 of the Act. States that matters raised in the submission do not meet section 32 of the Act. are not the most appropriate method for achieving the objectives of the Proposed District Plan having regard to its efficiency and effectiveness, and taking into account the costs and benefits.	Reject		height/ urban design
238.71	FS1234.76	Shotover Memorial Properties Limited & Horne Water Holdings Limited	12.2.2.4	Oppose	States that submission 238 will not promote or give effect to Part 2 of the Act. Agrees that matters raised in the submission do not meet section 32 of the Act. are not the most appropriate method for achieving the objectives.	Reject		height/ urban design
238.71	FS1239.76	Skyline Enterprises Limited & O'Connells Pavillion Limited	12.2.2.4	Oppose	Agrees that submission 238 will not promote or give effect to Part 2 of the Act. States that matters raised in the submission do not meet section 32 of the Act. are not the most appropriate method for achieving the objectives.	Reject		height/ urban design
238.71	FS1241.76	Skyline Enterprises Limited & Accommodation and Booking Agents	12.2.2.4	Oppose	Agrees that submission 238 will not promote or give effect to Part 2 of the Act. States that matters raised in the submission do not meet section 32 of the Act. are not the most appropriate method for achieving the objectives.	Reject		height/ urban design
238.71	FS1242.99	Antony & Ruth Stokes	12.2.2.4	Oppose	The submitter seeks submission be disallowed as it relates to the expansion of the Business Mixed Use Zone (submission point 238.93) with the High Density Residential Zone on the northern side of Henry Street being retained.		Transferred to Hearing Stream Business	Further submission point is not relevant to Queenstown Town Centre Zone
238.71	FS1248.76	Trojan Holdings Limited & Beach Street Holdings Limited	12.2.2.4	Oppose	The submitter opposes this submission . Alerts that the submission and matters sought in it will therefore not promote or give effect to Part 2 of the Act. States that matters raised in the submission do not meet section 32 of the Act. are not the most appropriate method for achieving the objectives of the Proposed District Plan having regard to its efficiency and effectiveness, and taking into account the costs and benefits.	Reject		height/ urban design

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Original Point No	Further Submission No	Submitter	Lowest Clause	Submitter Position	Submission Summary	Planner Recommendation	Transferred	Issue Reference
238.71	FS1249.76	Tweed Development Limited	12.2.2.4	Oppose	The submitter opposes this submission . Alerts that the submission and matters sought in it will therefore not promote or give effect to Part 2 of the Act. States that matters raised in the submission do not meet section 32 of the Act. are not the most appropriate method for achieving the objectives of the Proposed District Plan having regard to its efficiency and effectiveness, and taking into account the costs and benefits	Reject		height/ urban design
621.43		Real Journeys Limited	12.2.2.4	Not Stated	Amend policy as follows: Allow buildings to exceed the discretionary height standards in situations where: <ul style="list-style-type: none"> • The outcome is of a high quality design, which is superior to that which would be achievable under the permitted height; • The cumulative effect of the additional height does not result in additional shading that will progressively degrade the pedestrian environment or enjoyment of public spaces; and • The increase in height will facilitate the provision of residential activity; and • <u>Views of the surrounding ONLs are maintained</u> • <u>The additional building height does not worsen wind tunnel effects on pedestrian areas.</u> 	Reject		height/ urban design
663.5		IHG Queenstown Ltd and Carter Queenstown Ltd	12.2.2.4	Oppose	Amend Policy 12.2.2.4 as follows: Allow buildings to exceed the discretionary height standards in situations where: <ul style="list-style-type: none"> • The outcome is of a high quality <u>development</u> design, which is superior to that which would be achievable under the permitted height; • <u>Unless offset or compensated for, T</u> the cumulative effect of the additional height does not result in additional <u>more than minor adverse shading effects on</u> that will progressively degrade the pedestrian environment or enjoyment of public spaces; and <u>or</u> • The increase in height will facilitate the provision of residential activity. 	Accept in Part		Height
663.5	FS1139.6	Carl & Lorraine Holt	12.2.2.4	Oppose	Seek that the whole of submission 663 be disallowed.	Accept		Height
663.5	FS1191.5	Adam & Kirsten Zaki	12.2.2.4	Oppose	Seeks that the whole submission be disallowed. - For the general reasons stated by the Submitters in their primary submission, specifically 5.7 - 5.11. - The decisions version of PC50 (currently subject to appeal before the Environment Court) was sought in the alternative to the retention of high density residential zoning in the Submitters' primary submission. - The Council through PC50 appropriately assessed and determined (in a section 32 sense) the (inter alia) efficiency and effectiveness of the provisions of PC50 in relation to the Submitters' land and the balance of the Beach Street Block, particularly in relation to bulk, site coverage and height. - Town Centre zoning and requested amendments to that zoning for the Beach Street Block in parts and as a whole are inconsistent with Part 2, relevant provisions of superior planning instruments and the Operative and Proposed District Plans.	Accept in Part		Height
672.5		Watertight Investments Ltd	12.2.2.4	Oppose	Amend Policy 12.2.2.4 as follows: "Allow buildings to exceed the discretionary height standards in situations where: • <u>The outcome is of a high quality development design, which is superior to that which would be achievable under the permitted height;</u> • <u>Unless offset or compensated for, T t</u> he cumulative effect of the additional height does not result in additional <u>more than minor adverse shading effects on</u> that will progressively degrade the pedestrian environment or enjoyment of public spaces; and or • <u>The increase in height will facilitate the provision of residential activity.</u>	Accept in Part		Height
82.5		Toni Okkerse	12.2.2.5	Oppose	Remove Policy 12.2.2.5 and, as such, make no provision for buildings to exceed the height limits in the CBD	Reject		Height
82.5	FS1107.5	Man Street Properties Ltd	12.2.2.5	Oppose	The Submitter opposes this submission and considers that the requirements for parking within the CBD are inappropriate and inefficient. Amendments to height as detailed in the submission are inappropriate and inefficient. The submission and matters sought in it will therefore not promote or give effect to Part 2 of the Act. The matters raised in the submission do not meet section 32 of the Act, and are not the most appropriate method for achieving the objectives of the Proposed District Plan having regard to its efficiency and effectiveness, and taking into account the costs and benefits	Accept		Height
82.5	FS1226.5	Ngai Tahu Property Limited & Ngai Tahu Justice Holdings Limited	12.2.2.5	Oppose	The submitter opposes this submission and considers requirements for parking within the CBD is inappropriate and inefficient. Believes that amendments to height are inappropriate and inefficient. Alerts that the submission and matters sought in it will therefore not promote or give effect to Part 2 of the Act. States that matters raised in the submission do not meet section 32 of the Act. are not the most appropriate method for achieving the objectives of the Proposed District Plan having regard to its efficiency and effectiveness, and taking into account the costs and benefits.	Accept		Height
82.5	FS1234.5	Shotover Memorial Properties Limited & Horne Water Holdings Limited	12.2.2.5	Oppose	The submitter opposes and considers requirements for parking within the CBD is inappropriate and inefficient. Assures that amendments to height as detailed in the submission are inappropriate and inefficient. Alerts that the submission and matters sought in it will therefore not promote or give effect to Part 2 of the Act. Assures that matters raised in the submission do not meet section 32 of the Act. are not the most appropriate method for achieving the objectives.	Accept		Height
82.5	FS1236.6	Skyline Enterprises Limited	12.2.2.5	Oppose	Opposes to impose a maximum height limit of 8.5m. Assures that this is an inefficient use of land resource close to the existing Queenstown Town Centre and height limits should be increased. Requests that these submissions be disallowed.	Accept		Height
82.5	FS1239.5	Skyline Enterprises Limited & O'Connells Pavillion Limited	12.2.2.5	Oppose	The submitter opposes and considers requirements for parking within the CBD is inappropriate and inefficient. Believes that amendments to height are inappropriate and inefficient. Agrees that the submission and matters sought in it will therefore not promote or give effect to Part 2 of the Act. States that matters raised in the submission do not meet section 32 of the Act. are not the most appropriate method for achieving the objectives.	Accept		Height
82.5	FS1241.5	Skyline Enterprises Limited & Accommodation and Booking Agents	12.2.2.5	Oppose	The submitter opposes and considers requirements for parking within the CBD is inappropriate and inefficient. Believes that amendments to height are inappropriate and inefficient. Agrees that the submission and matters sought in it will therefore not promote or give effect to Part 2 of the Act. States that matters raised in the submission do not meet section 32 of the Act. are not the most appropriate method for achieving the objectives.	Accept		Height

Appendix 2 to the Section 42A Report for Chapter 12 - Queenstown Town Centre

Original Point No	Further Submission No	Submitter	Lowest Clause	Submitter Position	Submission Summary	Planner Recommendation	Transferred	Issue Reference
82.5	FS1248.5	Trojan Holdings Limited & Beach Street Holdings Limited	12.2.2.5	Oppose	The submitter opposes this submission and considers requirements for parking within the CBD is inappropriate and inefficient. Believes that amendments to height are inappropriate and inefficient. Alerts that the submission and matters sought in it will therefore not promote or give effect to Part 2 of the Act. States that matters raised in the submission do not meet section 32 of the Act. are not the most appropriate method for achieving the objectives of the Proposed District Plan having regard to its efficiency and effectiveness, and taking into account the costs and benefits.	Accept		Height
82.5	FS1249.5	Tweed Development Limited	12.2.2.5	Oppose	The submitter opposes this submission and considers requirements for parking within the CBD is inappropriate and inefficient. Believes that amendments to height are inappropriate and inefficient. Alerts that the submission and matters sought in it will therefore not promote or give effect to Part 2 of the Act. States that matters raised in the submission do not meet section 32 of the Act. are not the most appropriate method for achieving the objectives of the Proposed District Plan having regard to its efficiency and effectiveness, and taking into account the costs and benefits.	Accept		Height
82.5	FS1063.41	Peter Fleming and Others	12.2.2.5	Support	All be allowed	Reject		Height
82.5	FS1274.25	John Thompson and MacFarlane Investments Limited	12.2.2.5	Oppose	Opposes. Believes that the relief requested is inappropriate, taking into account all relevant considerations. Seeks that the submission be disallowed.	Accept		Height
206.8		Lindsay Jackson	12.2.2.5	Oppose	Opposes maximum height limit of 15m in precinct 1, and opposes provision for developers to exceed height limits in the town centre. Remove Policy 12.2.2.5 and, as such, make no provision for buildings to exceed the height limits in the CBD.	Reject		Height
206.8	FS1063.53	Peter Fleming and Others	12.2.2.5	Support	All be allowed	Reject		Height
206.8	FS1236.11	Skyline Enterprises Limited	12.2.2.5	Oppose	Opposes to impose a maximum height limit of 8.5m. Assures that this is an inefficient use of land resource close to the existing Queenstown Town Centre and height limits should be increased. Requests that these submissions be disallowed.	Accept		Height
206.8	FS1274.33	John Thompson and MacFarlane Investments Limited	12.2.2.5	Oppose	Opposes. Believes that the relief requested is inappropriate, taking into account all relevant considerations. Seeks that the submission be disallowed.	Accept		Height
238.72		NZIA Southern and Architecture + Women Southern	12.2.2.5	Other	1) Amend policy 12.2.2.5 as follows as it is important that pedestrian links are open to the sky and in recognition that our lanes and alleyways at a small grain are a big feature of Queenstown: "b) ... •Provision of sunlight to any public space of prominence or space where people regularly congregate •Provision of a pedestrian link <u>open to the sky</u> •Provision of high quality, safe public open space •Retention of a view shaft to an identified landscape feature •Promote restoration and opening up of Horne Creek" 2) Identify/ list the "identified landscape features" referred to in Policy 12.2.2.5 in a document somewhere and state who has identified them.	Accept		Urban design, height
238.72	FS1107.77	Man Street Properties Ltd	12.2.2.5	Oppose	The Submitter opposes this submission. Submission 238 will not promote or give effect to Part 2 of the Act. The matters raised in the submission do not meet section 32 of the Act, and are not the most appropriate method for achieving the objectives of the Proposed District Plan having regard to its efficiency and effectiveness, and taking into account the costs and benefits.	Reject		Urban design, height
238.72	FS1226.77	Ngai Tahu Property Limited & Ngai Tahu Justice Holdings Limited	12.2.2.5	Oppose	The submitter opposes this submission . Alerts that the submission and matters sought in it will therefore not promote or give effect to Part 2 of the Act. States that matters raised in the submission do not meet section 32 of the Act. are not the most appropriate method for achieving the objectives of the Proposed District Plan having regard to its efficiency and effectiveness, and taking into account the costs and benefits.	Reject		Urban design, height
238.72	FS1234.77	Shotover Memorial Properties Limited & Horne Water Holdings Limited	12.2.2.5	Oppose	States that submission 238 will not promote or give effect to Part 2 of the Act. Agrees that matters raised in the submission do not meet section 32 of the Act. are not the most appropriate method for achieving the objectives.	Reject		Urban design, height
238.72	FS1239.77	Skyline Enterprises Limited & O'Connells Pavillion Limited	12.2.2.5	Oppose	Agrees that submission 238 will not promote or give effect to Part 2 of the Act. States that matters raised in the submission do not meet section 32 of the Act. are not the most appropriate method for achieving the objectives.	Reject		Urban design, height
238.72	FS1241.77	Skyline Enterprises Limited & Accommodation and Booking Agents	12.2.2.5	Oppose	Agrees that submission 238 will not promote or give effect to Part 2 of the Act. States that matters raised in the submission do not meet section 32 of the Act. are not the most appropriate method for achieving the objectives.	Reject		Urban design, height
238.72	FS1248.77	Trojan Holdings Limited & Beach Street Holdings Limited	12.2.2.5	Oppose	The submitter opposes this submission . Alerts that the submission and matters sought in it will therefore not promote or give effect to Part 2 of the Act. States that matters raised in the submission do not meet section 32 of the Act. are not the most appropriate method for achieving the objectives of the Proposed District Plan having regard to its efficiency and effectiveness, and taking into account the costs and benefits.	Reject		Urban design, height
238.72	FS1249.77	Tweed Development Limited	12.2.2.5	Oppose	The submitter opposes this submission . Alerts that the submission and matters sought in it will therefore not promote or give effect to Part 2 of the Act. States that matters raised in the submission do not meet section 32 of the Act. are not the most appropriate method for achieving the objectives of the Proposed District Plan having regard to its efficiency and effectiveness, and taking into account the costs and benefits.	Reject		Urban design, height
238.72	FS1242.100	Antony & Ruth Stokes	12.2.2.5	Oppose	The submitter seeks submission be disallowed as it relates to the expansion of the Business Mixed Use Zone (submission point 238.93) with the High Density Residential Zone on the northern side of Henry Street being retained.		Transferred to Hearing Stream Business	Further submission point is not relevant to Queenstown Town Centre Zone
663.6		IHG Queenstown Ltd and Carter Queenstown Ltd	12.2.2.5	Oppose	Amend Policy 12.2.2.5 as follows: Allow buildings to exceed the non-complying height standards only in situations where: <u>(i) adverse effects arising from the additional building height are no more than minor; or</u> <u>(ii) the proposed design is an example of design excellence and building height and bulk have been reduced elsewhere on the site in order to:</u> (a) Reduce the impact of the proposed building on a listed heritage item; or (b) Provide an urban design outcome that is beneficial to the public environment. For the purpose of this policy, urban design outcomes that are beneficial to the public environment include: • Provision of sunlight to any public space of prominence or space where people regularly congregate • Provision of a pedestrian link • Provision of high quality, safe public open space • Retention of a view shaft to an identified landscape feature	Reject		Height/ urban design
663.6	FS1139.7	Carl & Lorraine Holt	12.2.2.5	Oppose	Seek that the whole of submission 663 be disallowed.	Accept		Height/ urban design

Appendix 2 to the Section 42A Report for Chapter 12 - Queenstown Town Centre

Original Point No	Further Submission No	Submitter	Lowest Clause	Submitter Position	Submission Summary	Planner Recommendation	Transferred	Issue Reference
663.6	FS1191.6	Adam & Kirsten Zaki	12.2.2.5	Oppose	Seeks that the whole submission be disallowed. - For the general reasons stated by the Submitters in their primary submission, specifically 5.7 - 5.11. - The decisions version of PC50 (currently subject to appeal before the Environment Court) was sought in the alternative to the retention of high density residential zoning in the Submitters' primary submission. - The Council through PC50 appropriately assessed and determined (in a section 32 sense) the (inter alia) efficiency and effectiveness of the provisions of PC50 in relation to the Submitters' land and the balance of the Beach Street Block, particularly in relation to bulk, site coverage and height. - Town Centre zoning and requested amendments to that zoning for the Beach Street Block in parts and as a whole are inconsistent with Part 2, relevant provisions of superior planning instruments and the Operative and Proposed District Plans.	Accept		Height/ urban design
672.6		Watertight Investments Ltd	12.2.2.5	Oppose	Amend Policy 12.2.2.5 as per the wording in the submission by adding the following subclause "(j) <u>adverse effects arising from the additional building height are no more than minor; or</u> " and deleting the explanatory text in sub-clause (b) commencing "For the purpose..." as it is not necessary.	Reject		Height/ urban design
663.7		IHG Queenstown Ltd and Carter Queenstown Ltd	12.2.2.7	Oppose	Delete Policy 12.2.2.7	Reject		Cultural heritage - In part related to Tangata whenua and allocated also to hearing stream 1A
663.7	FS1139.8	Carl & Lorraine Holt	12.2.2.7	Oppose	Seek that the whole of submission 663 be disallowed.	Accept		Cultural heritage - In part related to Tangata whenua and allocated also to hearing stream 1A
663.7	FS1191.7	Adam & Kirsten Zaki	12.2.2.7	Oppose	Seeks that the whole submission be disallowed. - For the general reasons stated by the Submitters in their primary submission, specifically 5.7 - 5.11. - The decisions version of PC50 (currently subject to appeal before the Environment Court) was sought in the alternative to the retention of high density residential zoning in the Submitters' primary submission. - The Council through PC50 appropriately assessed and determined (in a section 32 sense) the (inter alia) efficiency and effectiveness of the provisions of PC50 in relation to the Submitters' land and the balance of the Beach Street Block, particularly in relation to bulk, site coverage and height. - Town Centre zoning and requested amendments to that zoning for the Beach Street Block in parts and as a whole are inconsistent with Part 2, relevant provisions of superior planning instruments and the Operative and Proposed District Plans.	Accept		Cultural heritage - In part related to Tangata whenua and allocated also to hearing stream 1A
672.7		Watertight Investments Ltd	12.2.2.7	Oppose	Delete Policy 12.2.2.7	Reject		Cultural heritage - In part related to Tangata whenua and allocated also to hearing stream 1A
663.8		IHG Queenstown Ltd and Carter Queenstown Ltd	12.2.2.8	Oppose	Amend Policy 12.2.2.8 as follows: Acknowledge that parts of the Queenstown Town Centre are susceptible to flood risk and mitigate the effects of this through <u>identifying these areas on the district plan maps and manage development within these areas to:</u> (a) Requiring <u>require</u> minimum floor heights to be met; (b) Encouraging <u>encourage</u> higher floor levels (of at least 312.8 masl) where amenity, mobility, and streetscape <u>character values</u> are not adversely affected; and (c) Encouraging <u>encourage</u> building design and construction techniques which limit the impact of flooding or ponding in areas of known risk.	Accept in Part		Natural hazards (flooding)
663.8	FS1139.9	Carl & Lorraine Holt	12.2.2.8	Oppose	Seek that the whole of submission 663 be disallowed.	Accept in Part		Natural hazards (flooding)
663.8	FS1191.8	Adam & Kirsten Zaki	12.2.2.8	Oppose	Seeks that the whole submission be disallowed. - For the general reasons stated by the Submitters in their primary submission, specifically 5.7 - 5.11. - The decisions version of PC50 (currently subject to appeal before the Environment Court) was sought in the alternative to the retention of high density residential zoning in the Submitters' primary submission. - The Council through PC50 appropriately assessed and determined (in a section 32 sense) the (inter alia) efficiency and effectiveness of the provisions of PC50 in relation to the Submitters' land and the balance of the Beach Street Block, particularly in relation to bulk, site coverage and height. - Town Centre zoning and requested amendments to that zoning for the Beach Street Block in parts and as a whole are inconsistent with Part 2, relevant provisions of superior planning instruments and the Operative and Proposed District Plans.	Accept in Part		Natural hazards (flooding)
672.8		Watertight Investments Ltd	12.2.2.8	Other	Amend Policy 12.2.2.8 as per the wording in the submission, as the policy is generally appropriate however amendments are sought a) to ensure it only applies to land affected by flood risk, which should be identified in the district plan maps and b) to acknowledge that character values are a consideration in determining the appropriateness of raising floor levels.	Accept in Part		Natural hazards (flooding)
663.22		IHG Queenstown Ltd and Carter Queenstown Ltd	12.2.2.9	Oppose	Delete policy 12.2.2.9:	Reject		Urban design (large sites)
663.22	FS1139.23	Carl & Lorraine Holt	12.2.2.9	Oppose	Seek that the whole of submission 663 be disallowed.	Accept		Urban design (large sites)
663.22	FS1191.22	Adam & Kirsten Zaki	12.2.2.9	Oppose	Seeks that the whole submission be disallowed. - For the general reasons stated by the Submitters in their primary submission, specifically 5.7 - 5.11. - The decisions version of PC50 (currently subject to appeal before the Environment Court) was sought in the alternative to the retention of high density residential zoning in the Submitters' primary submission. - The Council through PC50 appropriately assessed and determined (in a section 32 sense) the (inter alia) efficiency and effectiveness of the provisions of PC50 in relation to the Submitters' land and the balance of the Beach Street Block, particularly in relation to bulk, site coverage and height. - Town Centre zoning and requested amendments to that zoning for the Beach Street Block in parts and as a whole are inconsistent with Part 2, relevant provisions of superior planning instruments and the Operative and Proposed District Plans.	Accept		Urban design (large sites)
672.10		Watertight Investments Ltd	12.2.2.9	Other	Amend policy 12.2.2.9 as follows: " <u>Require Manage high quality the design of comprehensive developments within the Town Centre Transition subzone and on large sites elsewhere in the Town Centre.</u> "	Reject		Urban design (large sites)
151.3		Imperium Group	12.2.3 Objective 3.	Oppose	Delete clause (b) from Policy 12.2.3.3	Reject		Noise/ TCEP

Appendix 2 to the Section 42A Report for Chapter 12 - Queenstown Town Centre

Original Point No	Further Submission No	Submitter	Lowest Clause	Submitter Position	Submission Summary	Planner Recommendation	Transferred	Issue Reference
250.1		1876 Bar & Restaurant	12.2.3 Objective 3.	Other	Objective 12.2.3 and Policy 12.2.3.3 (i.e. (a) Enable night time dining and socialising in varying degrees through out the town centre). Agree with the Objective provided businesses are treated fairly and equally and that all businesses that have current outdoor areas in the CBD are allowed to offer extended outside dining and socialising until at least 12 am, in line with most tourist destinations and modern cities. This activity shouldn't just be only for those in the proposed Entertainment Precinct or those currently on old licences or on trial at the wharf, but for all businesses in appropriate areas such as Ballarat Street (from Camp Street to Stanley Street) as there are no accommodation providers in the area and the majority have good outdoor areas for patrons which adds to the vibrancy as you enter the CBD.	Reject		Noise/ TCEP/ vibrancy
250.1	FS1043.6	Grand Lakes Management Limited	12.2.3 Objective 3.	Oppose	GLML oppose Mr Eccles submission as he seeks to provide more permissive standards within the Town Centre Zone for night time outdoor dining and entertainment.	Accept		Noise/ TCEP/ vibrancy
250.1	FS1318.11	Imperium Group	12.2.3 Objective 3.	Oppose	Opposes. Requests that the Town Centre Entertainment Precinct not be extended, and indeed be deleted in accordance with my original submission.	Accept in Part		Noise/ TCEP/ vibrancy
380.37		Villa dellago	12.2.3 Objective 3.	Support	Support Objective 3 (12.2.3)	Accept		Noise/ TCEP/ vibrancy
474.1		Evan Jenkins	12.2.3 Objective 3.	Other	Support the general objectives of the policies however 'vibrant' does not mean loud or louder. The overarching policy is to have a viable and vibrant town centre for everyone, not just the under 35 year olds. Unless well monitored this new less restrictive noise policy may be abused. Bars may try to outdo each other with increasing volume or open doors and windows. I'm referring to music not outside dining, general conversation, etc.	Accept		Noise/ TCEP/ vibrancy
599.12		Peter Fleming	12.2.3 Objective 3.	Not Stated	Oppose the introduction of an Entertainment Precinct as it is discriminatory, unworkable, and does not take into account cumulative effects.	Reject		TCEP
672.11		Watertight Investments Ltd	12.2.3 Objective 3.	Other	Delete policy 12.2.3.1 and capture its intent by inserting new subclauses into Policy 12.2.3.3 as follows: " <u>(d) Permitting activities within the Town Centre Zone that to comply with noise limits; (e) Requiring sensitive uses within or adjacent to the Town Centre to mitigate adverse effects of noise through insulation.</u> "	Accept in Part		Noise
672.11	FS1318.6	Imperium Group	12.2.3 Objective 3.	Oppose	Opposes. Requests that the Town Centre Entertainment Precinct be deleted in accordance with my original submission.	Reject		Noise
714.4		Kopuwai Investments Limited	12.2.3 Objective 3.	Other	Add a foot note reference to Objective 12.2.3 What is a "reasonable level" of amenity needs to be considered in light of policy 12.2.1.4	Reject		Noise
804.4		Southern Pub Company Limited - T/A Pub on Wharf	12.2.3 Objective 3.	Support	Supports policies 12.2.3.1, 12.2.3.3 and 12.2.3.4	Accept in Part		Noise (vibrancy)
663.9		IHG Queenstown Ltd and Carter Queenstown Ltd	12.2.3.1	Oppose	Delete policy 12.2.3.1	Accept in Part		Noise
663.9	FS1191.9	Adam & Kirsten Zaki	12.2.3.1	Oppose	Seeks that the whole submission be disallowed. - For the general reasons stated by the Submitters in their primary submission, specifically 5.7 - 5.11. - The decisions version of PC50 (currently subject to appeal before the Environment Court) was sought in the alternative to the retention of high density residential zoning in the Submitters' primary submission. - The Council through PC50 appropriately assessed and determined (in a section 32 sense) the (inter alia) efficiency and effectiveness of the provisions of PC50 in relation to the Submitters' land and the balance of the Beach Street Block, particularly in relation to bulk, site coverage and height. - Town Centre zoning and requested amendments to that zoning for the Beach Street Block in parts and as a whole are inconsistent with Part 2, relevant provisions of superior planning instruments and the Operative and Proposed District Plans.	Accept in Part		Noise
663.9	FS1318.5	Imperium Group	12.2.3.1	Oppose	Opposes. Requests that the Town Centre Entertainment Precinct be deleted in accordance with my original submission.	Reject		Noise
663.9	FS1139.10	Carl & Lorraine Holt	12.2.3.1	Oppose	Seek that the whole of submission 663 be disallowed.	Accept in Part		Noise
714.5		Kopuwai Investments Limited	12.2.3.1	Other	Require activities within the Town Centre Zone to comply with noise limits, and sensitive uses within the Town Centre to insulate and self-protect for noise in order to mitigate the adverse effects of noise within and adjacent to the Town Centre Zone.	Reject		Noise
187.4		Nicholas Kiddle	12.2.3.3	Support	Support 12.2.3.3 regarding the provision for noisier nighttime activity within the entertainment precinct	Accept in Part		TCEP
187.4	FS1318.1	Imperium Group	12.2.3.3	Oppose	Opposes. Requests that the Town Centre Entertainment Precinct be deleted in accordance with my original submission.	Accept in Part		TCEP
217.10		Jay Berriman	12.2.3.3	Oppose	With regard to 12.3.3.3(b), as a commercial building owner 9b Earl St, the submitter does not support any noise increase in the entertainment or any other zones, and would like to see a more balanced approach to the night entertainment in Queenstown centre.	Reject		Noise
217.10	FS1318.40	Imperium Group	12.2.3.3	Support	Supports. Requests that the relief sought by the original submitter be granted and, consistent with the relief sought in my own submission, the Town Centre Entertainment Precinct be deleted.	Reject		Noise
663.10		IHG Queenstown Ltd and Carter Queenstown Ltd	12.2.3.3	Oppose	Amend policy 12.2.3.3 as follows: Recognise the important contribution that night time activity makes to the vibrancy and economic prosperity of the Town Centre and specifically provide for those activities, while mitigating effects on residential amenity by: (a) Enabling night time dining and socialising, both indoors and outdoors, to varying degrees throughout the Town Centre; (b) Providing for noisier night time activity within the entertainment precinct in order to minimise effects on adjacent residential zones; and (c) Ensuring that the nature and scale of licensed premises located in the Town Centre Transition subzone are compatible with adjoining residential zones. <u>(d) Permitting activities within the Town Centre Zone that comply with noise limits</u> <u>(e) Requiring sensitive uses within or adjacent to the Town Centre to mitigate adverse effects of noise through insulation.</u>	Accept in Part		Noise
663.10	FS1139.11	Carl & Lorraine Holt	12.2.3.3	Oppose	Seek that the whole of submission 663 be disallowed.	Accept in Part		Noise

Appendix 2 to the Section 42A Report for Chapter 12 - Queenstown Town Centre

Original Point No	Further Submission No	Submitter	Lowest Clause	Submitter Position	Submission Summary	Planner Recommendation	Transferred	Issue Reference
663.10	FS1191.10	Adam & Kirsten Zaki	12.2.3.3	Oppose	Seeks that the whole submission be disallowed. - For the general reasons stated by the Submitters in their primary submission, specifically 5.7 - 5.11. - The decisions version of PC50 (currently subject to appeal before the Environment Court) was sought in the alternative to the retention of high density residential zoning in the Submitters' primary submission. - The Council through PC50 appropriately assessed and determined (in a section 32 sense) the (inter alia) efficiency and effectiveness of the provisions of PC50 in relation to the Submitters' land and the balance of the Beach Street Block, particularly in relation to bulk, site coverage and height. - Town Centre zoning and requested amendments to that zoning for the Beach Street Block in parts and as a whole are inconsistent with Part 2, relevant provisions of superior planning instruments and the Operative and Proposed District Plans.	Accept in Part		Noise
714.6		Kopuwait Investments Limited	12.2.3.3	Not Stated	Amend to; Recognise the important contribution that night time activity makes to the vibrancy and economic prosperity of the Town Centre and specifically provide for those activities, while mitigating effects on residential amenity by: (a) Enabling night time dining and socialising, both indoors and outdoors, to varying degrees throughout the Town Centre; (b) Providing for noisier night time activity within the entertainment precincts in order to minimise effects on adjacent residential zones adjacent to the Town Centre; and (c) Ensuring that the nature and scale of licensed premises located in the Town Centre Transition subzone result in effects that are compatible with adjoining residential zones.	Accept		Noise
714.6	FS1318.31	Imperium Group	12.2.3.3	Oppose	Opposes. Requests that the Town Centre Entertainment Precinct not be extended, and indeed be deleted in accordance with his original submission.	Accept in Part		Noise
187.11		Nicholas Kiddle	12.2.3.4	Support	Encourage car parking within (i.e. inside) buildings in CBD and entertainment precinct	Reject		Transport
238.74		NZIA Southern and Architecture + Women Southern	12.2.3.4	Other	Mostly support Policy 12.2.3.4 but amend it as follows in order to recognise that density should not create less amenity but, rather, should create more vibrancy: <i>"Enable residential and visitor accommodation activities within the Town Centre while: (a) Acknowledging that these areas will be noisy and active level of amenity will be lower than in residential zones due to the density, mixed use, the late night nature of the Town Centre and requiring that such sensitive uses are insulated for noise."</i>	Accept in Part		Noise/ vibrancy/ role of the Town Centre
238.74	FS1107.79	Man Street Properties Ltd	12.2.3.4	Oppose	The Submitter opposes this submission. Submission 238 will not promote or give effect to Part 2 of the Act. The matters raised in the submission do not meet section 32 of the Act, and are not the most appropriate method for achieving the objectives of the Proposed District Plan having regard to its efficiency and effectiveness, and taking into account the costs and benefits.	Accept in Part		Noise/ vibrancy/ role of the Town Centre
238.74	FS1226.79	Ngai Tahu Property Limited & Ngai Tahu Justice Holdings Limited	12.2.3.4	Oppose	The submitter opposes this submission . Alerts that the submission and matters sought in it will therefore not promote or give effect to Part 2 of the Act. States that matters raised in the submission do not meet section 32 of the Act. are not the most appropriate method for achieving the objectives of the Proposed District Plan having regard to its efficiency and effectiveness, and taking into account the costs and benefits.	Accept in Part		Noise/ vibrancy/ role of the Town Centre
238.74	FS1234.79	Shotover Memorial Properties Limited & Horne Water Holdings Limited	12.2.3.4	Oppose	States that submission 238 will not promote or give effect to Part 2 of the Act. Agrees that matters raised in the submission do not meet section 32 of the Act. are not the most appropriate method for achieving the objectives.	Accept in Part		Noise/ vibrancy/ role of the Town Centre
238.74	FS1239.79	Skyline Enterprises Limited & O'Connells Pavillion Limited	12.2.3.4	Oppose	Agrees that submission 238 will not promote or give effect to Part 2 of the Act. States that matters raised in the submission do not meet section 32 of the Act. are not the most appropriate method for achieving the objectives.	Accept in Part		Noise/ vibrancy/ role of the Town Centre
238.74	FS1241.79	Skyline Enterprises Limited & Accommodation and Booking Agents	12.2.3.4	Oppose	Agrees that submission 238 will not promote or give effect to Part 2 of the Act. States that matters raised in the submission do not meet section 32 of the Act. are not the most appropriate method for achieving the objectives.	Accept in Part		Noise/ vibrancy/ role of the Town Centre
238.74	FS1248.79	Trojan Holdings Limited & Beach Street Holdings Limited	12.2.3.4	Oppose	The submitter opposes this submission . Alerts that the submission and matters sought in it will therefore not promote or give effect to Part 2 of the Act. States that matters raised in the submission do not meet section 32 of the Act. are not the most appropriate method for achieving the objectives of the Proposed District Plan having regard to its efficiency and effectiveness, and taking into account the costs and benefits.	Accept in Part		Noise/ vibrancy/ role of the Town Centre
238.74	FS1249.79	Tweed Development Limited	12.2.3.4	Oppose	The submitter opposes this submission . Alerts that the submission and matters sought in it will therefore not promote or give effect to Part 2 of the Act. States that matters raised in the submission do not meet section 32 of the Act. are not the most appropriate method for achieving the objectives of the Proposed District Plan having regard to its efficiency and effectiveness, and taking into account the costs and benefits.	Accept in Part		Noise/ vibrancy/ role of the Town Centre
238.74	FS1242.102	Antony & Ruth Stokes	12.2.3.4	Oppose	The submitter seeks submission be disallowed as it relates to the expansion of the Business Mixed Use Zone (submission point 238.93) with the High Density Residential Zone on the northern side of Henry Street being retained.		Transferred to Hearing Stream Business	Further submission point is not relevant to Queenstown Town Centre Zone
714.7		Kopuwait Investments Limited	12.2.3.4	Other	Acknowledge self protection as a method by amending the policy as follows: <i>"...Acknowledging that the level of amenity will be lower than in residential zones due to the density, mixed use, and late night nature of the Town Centre and requiring that such sensitive uses are insulated and self-protected from noise; ..."</i>	Reject		Noise
474.4		Evan Jenkins	12.2.3.6	Other	Regarding the night sky, fairy lights in trees are counterproductive. The Southern Light Strategy in the District Plan is a really good ambition but bright outdoor fairy lights are rather against the spirit.	Reject		Urban design (glare)
20.4		Aaron Cowie	12.2.4Objective 4	Other	That the centre of Queenstown is pedestrianised (except for service vehicles) in the short to medium term.		Out of scope outside TLA/DP function	Out of scope/ transport/ urban design
20.4	FS1059.5	Erna Spijkerbosch	12.2.4Objective 4	Support	We support the pedestrianization of the CBD, except for service vehicles.		Out of scope outside TLA/DP function	Out of scope/ transport/ urban design
151.4		Imperium Group	12.2.4Objective 4	Oppose	Delete clause (d) from Policy 12.2.3.4 regarding the entertainment precinct	Accept in Part		TCEP
187.12		Nicholas Kiddle	12.2.4Objective 4	Support	Car parking spaces should be provided within (i.e. inside) buildings within the CBD and within the entertainment precinct (policies 12.2.4.1, 12.2.4.4, 12.2.4.6)	Reject		Transport
217.11		Jay Berriman	12.2.4Objective 4	Support	Support Objective 12.2.4 in order to see good quality town planing for the long term.	Accept		urban design
380.38		Villa delLago	12.2.4Objective 4	Support	Support Objective 4 (12.2.4)	Accept		urban design

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Original Point No	Further Submission No	Submitter	Lowest Clause	Submitter Position	Submission Summary	Planner Recommendation	Transferred	Issue Reference
798.46		Otago Regional Council	12.2.4Objective 4	Oppose	ORC supports the Objective of achieving a compact Town centre that is safe and easily accessible (12.2.4.1 to 12.2.4.5). ORC requests the aspiration of accessibility be added to Policy 12.2.4.2. This may be achieved by limiting the number (supply) of car parks in or on the periphery of the town centre to support a shift to shared and active transport modes.	Accept in Part		Urban design/ transport
807.79		Remarkables Park Limited	12.2.4Objective 4	Support	Retain objective 12.2.4 and associated policies, particularly policy 12.2.4.2.	Accept in Part		urban design (compactness etc.)
238.75		NZIA Southern and Architecture + Women Southern	12.2.4.1.	Other	Support Policy 12.2.4.2 but amend by adding the following bullet points in recognition that pedestrian experiences are greatly enhance by small laneways and of the importance of opening up Horne Creek: "... e) Laneways and small streets open to the sky are a key feature of Queenstown character and should be promoted and encouraged wherever possible. f) Horne creek is a key feature of Queenstown character and should be promoted as both a visual and pedestrian feature wherever possible"	Accept in Part		urban design (compactness etc.)
238.75	FS1107.80	Man Street Properties Ltd	12.2.4.1.	Oppose	The Submitter opposes this submission. Submission 238 will not promote or give effect to Part 2 of the Act. The matters raised in the submission do not meet section 32 of the Act, and are not the most appropriate method for achieving the objectives of the Proposed District Plan having regard to its efficiency and effectiveness, and taking into account the costs and benefits.	Reject		urban design (compactness etc.)
238.75	FS1226.80	Ngai Tahu Property Limited & Ngai Tahu Justice Holdings Limited	12.2.4.1.	Oppose	The submitter opposes this submission . Alerts that the submission and matters sought in it will therefore not promote or give effect to Part 2 of the Act. States that matters raised in the submission do not meet section 32 of the Act. are not the most appropriate method for achieving the objectives of the Proposed District Plan having regard to its efficiency and effectiveness, and taking into account the costs and benefits.	Reject		urban design (compactness etc.)
238.75	FS1234.80	Shotover Memorial Properties Limited & Horne Water Holdings Limited	12.2.4.1.	Oppose	States that submission 238 will not promote or give effect to Part 2 of the Act. Agrees that matters raised in the submission do not meet section 32 of the Act. are not the most appropriate method for achieving the objectives.	Reject		urban design (compactness etc.)
238.75	FS1239.80	Skyline Enterprises Limited & O'Connells Pavillion Limited	12.2.4.1.	Oppose	Agrees that submission 238 will not promote or give effect to Part 2 of the Act. States that matters raised in the submission do not meet section 32 of the Act. are not the most appropriate method for achieving the objectives.	Reject		urban design (compactness etc.)
238.75	FS1241.80	Skyline Enterprises Limited & Accommodation and Booking Agents	12.2.4.1.	Oppose	Agrees that submission 238 will not promote or give effect to Part 2 of the Act. States that matters raised in the submission do not meet section 32 of the Act. are not the most appropriate method for achieving the objectives.	Reject		urban design (compactness etc.)
238.75	FS1248.80	Trojan Holdings Limited & Beach Street Holdings Limited	12.2.4.1.	Oppose	The submitter opposes this submission . Alerts that the submission and matters sought in it will therefore not promote or give effect to Part 2 of the Act. States that matters raised in the submission do not meet section 32 of the Act. are not the most appropriate method for achieving the objectives of the Proposed District Plan having regard to its efficiency and effectiveness, and taking into account the costs and benefits.	Reject		urban design (compactness etc.)
238.75	FS1249.80	Tweed Development Limited	12.2.4.1.	Oppose	The submitter opposes this submission . Alerts that the submission and matters sought in it will therefore not promote or give effect to Part 2 of the Act. States that matters raised in the submission do not meet section 32 of the Act. are not the most appropriate method for achieving the objectives of the Proposed District Plan having regard to its efficiency and effectiveness, and taking into account the costs and benefits.	Reject		urban design (compactness etc.)
238.75	FS1242.103	Antony & Ruth Stokes	12.2.4.1.	Oppose	The submitter seeks submission be disallowed as it relates to the expansion of the Business Mixed Use Zone (submission point 238.93) with the High Density Residential Zone on the northern side of Henry Street being retained.		Transferred to Hearing Stream Business	Further submission point is not relevant to Queenstown Town Centre Zone
719.79		NZ Transport Agency	12.2.4.1.	Support	Retain	Accept		Transport (walkability/ Public Transport / compactness)
719.80		NZ Transport Agency	12.2.4.2	Not Stated	Retain	Accept		Transport (walkability/ Public Transport / compactness)
663.11		IHG Queenstown Ltd and Carter Queenstown Ltd	12.2.4.3	Oppose	Amend policy 12.2.4.3 as follows: Minimise opportunities for criminal activity <u>antisocial behaviour</u> through incorporating Crime Prevention Through Environmental Design (CPTED) principles as appropriate in the design of lot configuration and the street network, carparking areas, public and semi-public spaces, accessways/ pedestrian links/ lanes, and landscaping.	Accept in Part		urban design
663.11	FS1139.12	Carl & Lorraine Holt	12.2.4.3	Oppose	Seek that the whole of submission 663 be disallowed.	Accept in Part		urban design
663.11	FS1191.11	Adam & Kirsten Zaki	12.2.4.3	Oppose	Seeks that the whole submission be disallowed. - For the general reasons stated by the Submitters in their primary submission, specifically 5.7 - 5.11. - The decisions version of PC50 (currently subject to appeal before the Environment Court) was sought in the alternative to the retention of high density residential zoning in the Submitters' primary submission. - The Council through PC50 appropriately assessed and determined (in a section 32 sense) the (inter alia) efficiency and effectiveness of the provisions of PC50 in relation to the Submitters' land and the balance of the Beach Street Block, particularly in relation to bulk, site coverage and height. - Town Centre zoning and requested amendments to that zoning for the Beach Street Block in parts and as a whole are inconsistent with Part 2, relevant provisions of superior planning instruments and the Operative and Proposed District Plans.	Accept in Part		urban design
672.12		Watertight Investments Ltd	12.2.4.3	Other	Amend policy 12.2.4.3 as follows: " <i>Minimise opportunities for criminal activity through incorporating Crime Prevention Through Environmental Design (CPTED) principles as appropriate in the design of lot configuration and the street network, carparking areas, public and semi-public spaces, accessways/ pedestrian links/ lanes, and landscaping.</i> "	Accept in Part		urban design
719.81		NZ Transport Agency	12.2.4.4	Support	Retain	Accept		Transport (Public Transport)
238.76		NZIA Southern and Architecture + Women Southern	12.2.4.5	Other	Amend Policy 12.2.4.5 as follows: " <i>Plan for future public transport options by considering the needs of public transport services and supporting infrastructure when designing roading improvements or considering jetty applications.</i> "	Accept		Transport (Public Transport)
238.76	FS1097.73	Queenstown Park Limited	12.2.4.5	Support	Importance of ferry linkages supporting public transport options is supported, and as part of this it is important to recognise the need for jetties.	Accept		Transport (Public Transport)
238.76	FS1107.81	Man Street Properties Ltd	12.2.4.5	Oppose	The Submitter opposes this submission. Submission 238 will not promote or give effect to Part 2 of the Act. The matters raised in the submission do not meet section 32 of the Act, and are not the most appropriate method for achieving the objectives of the Proposed District Plan having regard to its efficiency and effectiveness, and taking into account the costs and benefits.	Reject		Transport (Public Transport)
238.76	FS1117.10	Remarkables Park Limited	12.2.4.5	Support	Importance of ferry linkages supporting public transport options is supported, and as part of this it is important to recognise the need for jetties.	Reject		Transport (Public Transport)

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Original Point No	Further Submission No	Submitter	Lowest Clause	Submitter Position	Submission Summary	Planner Recommendation	Transferred	Issue Reference
238.76	FS1226.81	Ngai Tahu Property Limited & Ngai Tahu Justice Holdings Limited	12.2.4.5	Oppose	The submitter opposes this submission . Alerts that the submission and matters sought in it will therefore not promote or give effect to Part 2 of the Act. States that matters raised in the submission do not meet section 32 of the Act. are not the most appropriate method for achieving the objectives of the Proposed District Plan having regard to its efficiency and effectiveness, and taking into account the costs and benefits.	Accept in Part		Transport (Public Transport)
238.76	FS1234.81	Shotover Memorial Properties Limited & Horne Water Holdings Limited	12.2.4.5	Oppose	States that submission 238 will not promote or give effect to Part 2 of the Act. Agrees that matters raised in the submission do not meet section 32 of the Act. are not the most appropriate method for achieving the objectives.	Reject		Transport (Public Transport)
238.76	FS1239.81	Skyline Enterprises Limited & O'Connells Pavillion Limited	12.2.4.5	Oppose	Agrees that submission 238 will not promote or give effect to Part 2 of the Act. States that matters raised in the submission do not meet section 32 of the Act. are not the most appropriate method for achieving the objectives.	Reject		Transport (Public Transport)
238.76	FS1241.81	Skyline Enterprises Limited & Accommodation and Booking Agents	12.2.4.5	Oppose	Agrees that submission 238 will not promote or give effect to Part 2 of the Act. States that matters raised in the submission do not meet section 32 of the Act. are not the most appropriate method for achieving the objectives.	Reject		Transport (Public Transport)
238.76	FS1248.81	Trojan Holdings Limited & Beach Street Holdings Limited	12.2.4.5	Oppose	The submitter opposes this submission . Alerts that the submission and matters sought in it will therefore not promote or give effect to Part 2 of the Act. States that matters raised in the submission do not meet section 32 of the Act. are not the most appropriate method for achieving the objectives of the Proposed District Plan having regard to its efficiency and effectiveness, and taking into account the costs and benefits.	Reject		Transport (Public Transport)
238.76	FS1249.81	Tweed Development Limited	12.2.4.5	Oppose	The submitter opposes this submission . Alerts that the submission and matters sought in it will therefore not promote or give effect to Part 2 of the Act. States that matters raised in the submission do not meet section 32 of the Act. are not the most appropriate method for achieving the objectives of the Proposed District Plan having regard to its efficiency and effectiveness, and taking into account the costs and benefits.	Reject		Transport (Public Transport)
238.76	FS1242.104	Antony & Ruth Stokes	12.2.4.5	Oppose	The submitter seeks submission be disallowed as it relates to the expansion of the Business Mixed Use Zone (submission point 238.93) with the High Density Residential Zone on the northern side of Henry Street being retained.		Transferred to Hearing Stream Business	Further submission point is not relevant to Queenstown Town Centre Zone
621.44		Real Journeys Limited	12.2.4.5	Not Stated	Amend Policy as follows: Plan for future public transport options by considering the needs of public transport services and supporting infrastructure when designing roading transport improvements.	Accept in Part		Transport (Public Transport)
719.82		NZ Transport Agency	12.2.4.5	Support	Retain	Accept in Part		Transport (Public Transport)
798.37		Otago Regional Council	12.2.4.5	Oppose	Effects on Public Transport Poorly designed shop front veranda setbacks and heights can interfere with kerbside bus movement.	Accept		Transport (Public Transport)
663.12		IHG Queenstown Ltd and Carter Queenstown Ltd	12.2.4.6	Oppose	Delete policy 12.2.4.6	Reject		Transport (visitor accommodation)
663.12	FS1139.13	Carl & Lorraine Holt	12.2.4.6	Oppose	Seek that the whole of submission 663 be disallowed.	Accept in Part		Transport (visitor accommodation)
663.12	FS1191.12	Adam & Kirsten Zaki	12.2.4.6	Oppose	Seeks that the whole submission be disallowed. - For the general reasons stated by the Submitters in their primary submission, specifically 5.7 - 5.11. - The decisions version of PC50 (currently subject to appeal before the Environment Court) was sought in the alternative to the retention of high density residential zoning in the Submitters' primary submission. - The Council through PC50 appropriately assessed and determined (in a section 32 sense) the (inter alia) efficiency and effectiveness of the provisions of PC50 in relation to the Submitters' land and the balance of the Beach Street Block, particularly in relation to bulk, site coverage and height. - Town Centre zoning and requested amendments to that zoning for the Beach Street Block in parts and as a whole are inconsistent with Part 2, relevant provisions of superior planning instruments and the Operative and Proposed District Plans.	Accept in Part		Transport (visitor accommodation)
672.13		Watertight Investments Ltd	12.2.4.6	Oppose	Delete policy 12.2.4.6	Reject		Transport (visitor accommodation)
719.83		NZ Transport Agency	12.2.4.6	Not Stated	Amend Policy 12.2.4.6 to read as follows: Encourage visitor accommodation to be located and designed in a manner that minimises traffic issues that may otherwise affect the safety, efficiency and functionality of the roading network, and the safety and amenity of pedestrian and cyclists, particularly in peak periods.	Accept		Transport (visitor accommodation)
217.12		Jay Berriman	12.2.5 Objective 5	Support	Support the implementation of Objective 12.2.5	Accept		waterfront subzone
380.39		Villa delLago	12.2.5 Objective 5	Support	Support Objective 5 (12.2.5)	Accept		waterfront subzone
607.28		Te Anau Developments Limited	12.2.5 Objective 5	Not Stated	Amend objective 12.2.5 and supporting policies to ensure tourism activities, including the transport of passengers and supporting buildings, infrastructure, and structures, are specifically provided for.	Reject		waterfront subzone
607.28	FS1097.555	Queenstown Park Limited	12.2.5 Objective 5	Support	Support the intent of the submission for the reasons stated in QPL's original submission.	Reject		waterfront subzone
714.8		Kopuwai Investments Limited	12.2.5 Objective 5	Other	Add new policies 12.2.5.6 and 12.2.5.7 as follows: " 12.2.5.6 - Encourage the day time and night time use of outdoor areas for use by bars and restaurants in and around the Steamer Wharf Complex with appropriate seating, tables and/or planting to enhance the vibrancy and visual amenity." "12.2.5.7 - Ensure that residential development and visitor accommodation provide acoustic insulation over and above the minimum requirements of the Building Code to avoid reverse sensitivity."	Reject		Noise/ vibrancy/ urban design
714.8	FS1318.32	Imperium Group	12.2.5 Objective 5	Oppose	Opposes. Requests that the Town Centre Entertainment Precinct not be extended, and indeed be deleted in accordance with his original submission.	Accept		Noise/ vibrancy/ urban design
766.2		Queenstown Wharves GP Limited	12.2.5 Objective 5	Not Stated	Retain and amend to recognise importance of providing public land and water based transport links and commercial recreation activities on the water.	Reject		transport (Public Transport), waterfront subzone
766.2	FS1341.1	Real Journeys Limited	12.2.5 Objective 5	Support	Allow relief sought to the extent that is does not undermine or prevent the relief originally sought by Real Journeys (unless otherwise agreed through the submission process)	Reject		transport (Public Transport), waterfront subzone
798.54		Otago Regional Council	12.2.5 Objective 5	Oppose	ORC supports the integrated management of the Queenstown Bay land-water interface. (Objective 12.2.5). ORC requests the addition of a policy to the Objective which provides for conveniently-integrated journeys that combine travel on land and water, in order to improve accessibility through better connectivity.	Reject		transport (Public Transport), waterfront subzone
798.54	FS1341.25	Real Journeys Limited	12.2.5 Objective 5	Support	Allow relief sought to the extent that is does not undermine or prevent the relief originally sought by Real Journeys (unless otherwise agreed through the submission process)	Reject		transport (Public Transport), waterfront subzone
798.54	FS1342.16	Te Anau Developments Limited	12.2.5 Objective 5	Support	Allow relief sought to the extent that is does not undermine or prevent the relief originally sought by Te Anau Developments (unless otherwise agreed through the submission process)	Accept in Part		transport

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Original Point No	Further Submission No	Submitter	Lowest Clause	Submitter Position	Submission Summary	Planner Recommendation	Transferred	Issue Reference
807.81		Remarkables Park Limited	12.2.5 Objective 5	Oppose	Retain objective 12.2.5 and associated policies, subject to deletion of policy 12.2.5.3 and recognition of the importance of retaining a compact town centre that is easily accessible and walkable.	Accept in Part		Transport (Public Transport) and waterfront subzone
807.82		Remarkables Park Limited	12.2.5 Objective 5	Oppose	Amend the objective and policies so that they recognise the importance of providing public transport links on the water, and that this may involve expansion to existing jetties and structures to provide necessary infrastructure.	Reject		Transport (public transport), waterfront subzone
766.3		Queenstown Wharves GP Limited	12.2.5.1	Not Stated	Retain and amend to recognise importance of providing public land and water based transport links and commercial recreation activities on the water.	Reject		Transport (public transport), waterfront subzone
766.3	FS1341.3	Real Journeys Limited	12.2.5.1	Support	Allow relief sought to the extent that is does not undermine or prevent the relief originally sought by Real Journeys (unless otherwise agreed through the submission process)	Reject		Transport (public transport), waterfront subzone
621.45		Real Journeys Limited	12.2.5.2	Not Stated	Amend policy Promote a strategic comprehensive approach to the provision of facilities for water-based activities.	Reject		transport (Public Transport) and waterfront subzone
766.4		Queenstown Wharves GP Limited	12.2.5.2	Not Stated	Delete.	Reject		transport (Public Transport) and waterfront subzone
766.4	FS1341.2	Real Journeys Limited	12.2.5.2	Support	Allow relief sought to the extent that is does not undermine or prevent the relief originally sought by Real Journeys (unless otherwise agreed through the submission process)	Reject		transport (Public Transport) and waterfront subzone
766.33		Queenstown Wharves GP Limited	12.2.5.2	Other	Support in part. Retain and amend to recognise importance of providing public land and water based transport links and commercial recreation activities on the water.	Reject		Transport (public transport), waterfront subzone
621.46		Real Journeys Limited	12.2.5.3	Not Stated	Amend policy as follows: Conserve <u>Maintain</u> and enhance, <u>as far as practical</u> where appropriate, the natural qualities and amenity values of the foreshore and adjoining waters.	Reject		waterfront subzone
766.5		Queenstown Wharves GP Limited	12.2.5.3	Not Stated	Retain and amend to recognise importance of providing public land and water based transport links and commercial recreation activities on the water.	Reject		Transport (public transport), waterfront subzone
766.5	FS1341.4	Queenstown Wharves GP Limited	12.2.5.3	Support	Allow relief sought to the extent that is does not undermine or prevent the relief originally sought by Real Journeys (unless otherwise agreed through the submission process)	Reject		Transport (public transport), waterfront subzone
766.32		Queenstown Wharves GP Limited	12.2.5.3	Oppose	Delete.	Reject		waterfront subzone
766.6		Queenstown Wharves GP Limited	12.2.5.4	Not Stated	Retain.	Accept		waterfront subzone
766.6	FS1341.5	Queenstown Wharves GP Limited	12.2.5.4	Support	Allow relief sought to the extent that is does not undermine or prevent the relief originally sought by Real Journeys (unless otherwise agreed through the submission process)	Accept		waterfront subzone
766.7		Queenstown Wharves GP Limited	12.2.5.5.	Not Stated	Retain and amend to recognise importance of providing public land and water based transport links and commercial recreation activities on the water.	Reject		Transport (public transport), waterfront subzone
766.7	FS1341.6	Queenstown Wharves GP Limited	12.2.5.5.	Support	Allow relief sought to the extent that is does not undermine or prevent the relief originally sought by Real Journeys (unless otherwise agreed through the submission process)	Reject		transport (Public Transport) and waterfront subzone
238.77		NZIA Southern and Architecture + Women Southern	12.2.5.6	Other	Generally support Policy 12.2.5.6 but amend it as follows in recognition that it is not just location and appearance that need to be considered but also blocking views, filling up harbour etc.: "Provide for structures within the Queenstown Bay waterfront area subject to compliance with strict location and appearance criteria <u>review by the urban design panel</u> "	Reject		Waterfront subzone, urban design
238.77	FS1107.82	Man Street Properties Ltd	12.2.5.6	Oppose	The Submitter opposes this submission. Submission 238 will not promote or give effect to Part 2 of the Act. The matters raised in the submission do not meet section 32 of the Act, and are not the most appropriate method for achieving the objectives of the Proposed District Plan having regard to its efficiency and effectiveness, and taking into account the costs and benefits.	Accept		Waterfront subzone, urban design
238.77	FS1226.82	Ngai Tahu Property Limited & Ngai Tahu Justice Holdings Limited	12.2.5.6	Oppose	The submitter opposes this submission . Alerts that the submission and matters sought in it will therefore not promote or give effect to Part 2 of the Act. States that matters raised in the submission do not meet section 32 of the Act. are not the most appropriate method for achieving the objectives of the Proposed District Plan having regard to its efficiency and effectiveness, and taking into account the costs and benefits	Accept		Waterfront subzone, urban design
238.77	FS1234.82	Shotover Memorial Properties Limited & Horne Water Holdings Limited	12.2.5.6	Oppose	States that submission 238 will not promote or give effect to Part 2 of the Act. Agrees that matters raised in the submission do not meet section 32 of the Act. are not the most appropriate method for achieving the objectives.	Accept		Waterfront subzone, urban design
238.77	FS1239.82	Skyline Enterprises Limited & O'Connells Pavillion Limited	12.2.5.6	Oppose	Agrees that submission 238 will not promote or give effect to Part 2 of the Act. States that matters raised in the submission do not meet section 32 of the Act. are not the most appropriate method for achieving the objectives.	Accept		Waterfront subzone, urban design
238.77	FS1241.82	Skyline Enterprises Limited & Accommodation and Booking Agents	12.2.5.6	Oppose	Agrees that submission 238 will not promote or give effect to Part 2 of the Act. States that matters raised in the submission do not meet section 32 of the Act. are not the most appropriate method for achieving the objectives.	Accept		Waterfront subzone, urban design
238.77	FS1248.82	Trojan Holdings Limited & Beach Street Holdings Limited	12.2.5.6	Oppose	The submitter opposes this submission . Alerts that the submission and matters sought in it will therefore not promote or give effect to Part 2 of the Act. States that matters raised in the submission do not meet section 32 of the Act. are not the most appropriate method for achieving the objectives of the Proposed District Plan having regard to its efficiency and effectiveness, and taking into account the costs and benefits	Accept		Waterfront subzone, urban design
238.77	FS1249.82	Tweed Development Limited	12.2.5.6	Oppose	The submitter opposes this submission . Alerts that the submission and matters sought in it will therefore not promote or give effect to Part 2 of the Act. States that matters raised in the submission do not meet section 32 of the Act. are not the most appropriate method for achieving the objectives of the Proposed District Plan having regard to its efficiency and effectiveness, and taking into account the costs and benefits.	Accept		Waterfront subzone, urban design
238.77	FS1242.105	Antony & Ruth Stokes	12.2.5.6	Oppose	The submitter seeks submission be disallowed as it relates to the expansion of the Business Mixed Use Zone (submission point 238.93) with the High Density Residential Zone on the northern side of Henry Street being retained.		Transferred to Hearing Stream Business	Further submission point is not relevant to Queenstown Town Centre Zone
621.47		Real Journeys Limited	12.2.5.6	Not Stated	Amend policy as follows Provide for the development, maintenance, and upgrading of structures within the Queenstown Bay waterfront area recognising these structures are required to meet minimum safety and design standards. subject to compliance with strict location and appearance criteria	Accept		waterfront subzone
766.8		Queenstown Wharves GP Limited	12.2.5.6	Not Stated	Retain and amend to recognise importance of providing public land and water based transport links and commercial recreation activities on the water.	Reject		Transport (public transport) and waterfront subzone
766.8	FS1341.7	Real Journeys Limited	12.2.5.6	Support	Allow relief sought to the extent that is does not undermine or prevent the relief originally sought by Real Journeys (unless otherwise agreed through the submission process)	Reject		Transport (public transport) and waterfront subzone

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Original Point No	Further Submission No	Submitter	Lowest Clause	Submitter Position	Submission Summary	Planner Recommendation	Transferred	Issue Reference
617.3		Tweed Development Limited	12.4 Rules - Activities	Oppose	The Proposed District Plan is modified to remove the requirement for a 0.8m setback from Lower Beach Street and specifically Lot 1 DP 20093.	Accept		Setbacks
714.9		Kopuwai Investments Limited	12.4 Rules - Activities	Other	Add a new rule to specifically relate to the entertainment precinct at Steamer Wharf, as follows (and as further detailed in the submission, in terms of the matters of discretion): <i>"Licensed Premises with Entertainment Precinct at Steamer Wharf : 12.4.4.17 Premises within the Steamer Wharf Entertainment Precinct licensed for the consumption of liquor on the premises between the hours of 1am and 8am, provided that this rule shall not apply to the sale of liquor to any person who is residing (permanently or temporarily) on the premises."</i>	Reject		noise (licensed premises)
807.88		Remarkables Park Limited	12.4 Rules - Activities	Oppose	Delete the non-complying activity rule for buildings located on jetties and wharves. If the rule is retained, then it should be amended to exclude provision of buildings that are for the purpose of providing water based public transport facilities.	Reject		Waterfront subzone/ Transport (Public Transport)
599.11		Peter Fleming	12.4.1	Oppose	Oppose 12.4.1 regarding permitted uses.	Reject		misc.
774.4		Queenstown Chamber of Commerce	12.4.1	Support	Support the provisions of residential and visitor accommodation in the Queenstown Central Business District provided that insulation and mechanical ventilation is included to prevent reverse sensitivity effects. Support the new provisions for insulation and mechanical ventilation.	Accept		Noise (res/ visitor accommodation mix)
187.13		Nicholas Kiddle	12.4.2	Support	Car parking spaces should be provided <u>within</u> (i.e. inside) buildings within the CBD and within the entertainment precinct.	Reject		Transport/ visitor accommodation
187.13	FS1059.50	Erna Spijkerbosch	12.4.2	Oppose	Having car parking within building ultimately increases rent.	Accept		Transport/ visitor accommodation
599.3		Peter Fleming	12.4.2	Not Stated	Oppose the rule relating to visitor accommodation and ensure that any existing use rights regarding visitor accommodation as enabled by the existign plan are not diminished	Reject		Residential and visitor accommodation (landuse mix)
719.84		NZ Transport Agency	12.4.2	Not Stated	Amend Rule 12.4.2 to read as follows: . The location, provision, and screening of access and parking, traffic generation, and travel demand management, with a view to <u>maintaining the safety and efficiency of the roading network, and</u> minimising private vehicle movements to/from.....	Accept		Transport/ visitor accommodation
774.5		Queenstown Chamber of Commerce	12.4.2	Support	Support the provisions of residential and visitor accommodation in the Queenstown Central Business District provided that insulation and mechanical ventilation is included to prevent reverse sensitivity effects. Support the new provisions for insulation and mechanical ventilation.	Accept		noise (visitor accommodation)
383.30		Queenstown Lakes District Council	12.4.3	Other	Reinstate the Queenstown Waterfront Subzone on proposed planning maps 35 and 36 as shown in the operative District Plan and make sure the boundary is clear as the intention was to retain this as per the operative District Plan and to make no change other than to potentially make it clearer on the planning maps.	Accept		waterfront subzone
621.48		Real Journeys Limited	12.4.3	Not Stated	Amend rule 12.4.3 as follows: Commercial Activities within the Queenstown Town Centre Waterfront Subzone (including those that are carried out on a wharf or jetty) except for those commercial activities on the surface of water that are provided for as discretionary activities pursuant to Rule 12.4.7.2 in respect of: <i>(a) Any adverse effects of additional traffic generation from the activity and mitigation of those effects ;</i>	Reject		waterfront subzone
217.24		Jay Berriman	12.4.4	Other	Restrict the number of liquor licenses in the Town Centre in order to discourage increases in noise or further antisocial behavior and to achieve a more balanced approach to the night entertainment in Queenstown centre; catering to young and old, noting it is very difficult for accommodation businesses to deal with the ongoing noise and antisocial behavior and it's effects on our towns image and sustainability as a high end product.	Reject		noise (licensed premises)
587.6		Simple Simon Suck Fizzle Soup and Gourmet Pie Company Trading as The Atlas Beer Cafe	12.4.4	Not Stated	A number of amendments to the Proposed Plan are required, including the rules being amended to allow for outdoor dining and drinking at Steamer Wharf as a permitted activity until 1 am.	Reject		noise (licensed premises)
587.6	FS1318.20	Imperium Group	12.4.4	Oppose	Opposes. Requests that the Town Centre Entertainment Precinct not be extended, and indeed be deleted in accordance with his original submission.	Accept in Part		noise (licensed premises)
589.6		Goose Cherry Cod Catering Company Limited Trading as Ivy and Lolas	12.4.4	Not Stated	A number of amendments to the Proposed Plan are required, including the rules being amended to allow for outdoor dining and drinking at Steamer Wharf as a permitted activity until 1 am.	Reject		noise (licensed premises)
589.6	FS1318.27	Imperium Group	12.4.4	Oppose	Opposes. Requests that the Town Centre Entertainment Precinct not be extended, and indeed be deleted in accordance with his original submission.	Accept in Part		noise (licensed premises)
599.4		Peter Fleming	12.4.4	Not Stated	Oppose Rule 12.4.4 and specifically oppose the extended use of public areas for the consumption of liquor and hours of operation. There is no liquor policy. We both support and oppose other verations (sic).	Reject		Licensed premises/ partly out of scope
621.49		Real Journeys Limited	12.4.4	Not Stated	Amend rule 12.4.4 (licensed premises) so that it also applies to premises hosting off-licenses.	Reject		noise (licensed premises)
714.10		Kopuwai Investments Limited	12.4.4	Other	Amend Rule 12.4.4.1 and delete Rule 12.4.4.2: <i>Licensed Premises 12.4.4.1. Other than in the Town Centre Transition subzone Entertainment Precinct at Steamer Wharf, premises licensed for the consumption of liquor on the premises between the hours of 11pm and 8am, provided that this rule shall not apply to the sale of liquor: a. To any person who is residing (permanently or temporarily) on the premises; and/or b. To any person who is present on the premises for the purpose of drinking and dining up until 12am.</i> <i>*In relation to both 12.4.4.1 and 12.4.4.2 above, discretion is restricted to consideration all of the following: • The scale of the activity; • Car parking and traffic generation; • Effects on amenity (including that of adjoining residential zones and public reserves); • The provision of screening and/ or buffer areas between the site and adjoining residential zones; • The configuration of activities within the building and site (e.g. outdoor seating, entrances); • Potential noise issues effects, and hours of operation; and • Consideration of any alcohol policy or bylaw</i>	Accept in Part		noise (licensed premises)
544.4		Good Group Limited	12.4.4.1	Not Stated	Changing the status of Rule 12.4.4.1 to a Controlled Activity, and amending this rule to delete the 12 am restriction on persons dining in a premise.	Accept in Part		noise (licensed premises)

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Original Point No	Further Submission No	Submitter	Lowest Clause	Submitter Position	Submission Summary	Planner Recommendation	Transferred	Issue Reference
217.25		Jay Berriman	12.4.5	Other	Restrict the number of liquor licenses in the Town Centre in order to discourage any increase in noise or further antisocial behavior and to achieve a more balanced approach to the night entertainment in Queenstown centre; catering to young and old , noting it is very difficult for accommodation businesses to deal with the ongoing noise and antisocial behavior and it's effects on our towns image and sustainability as a high end product.	Reject		noise (licensed premises)
621.50		Real Journeys Limited	12.4.5	Not Stated	Amend rule 12.4.4 (licensed premises) so that it also applies to premises hosting off-licenses.	Reject		noise (licensed premises)
714.11		Kopuwai Investments Limited	12.4.5	Oppose	Delete this rule as it is covered in Rule 12.4.4.1	Reject		noise (licensed premises)
238.80		NZIA Southern and Architecture + Women Southern	12.4.6	Other	Request: <ul style="list-style-type: none"> •Restricted discretionary activity status for buildings that go through the urban design panel and full discretionary status for all others as there needs to be some incentive. (Also, it is not just about external appearance etc and who gets to say these are the right colours - will we always have to think in recessive colours, who gives permission to go outside the square, safe stuff?); and •That all buildings in the town centre be subject to review by urban design panel 	Reject		urban design (building activity status)
238.80	FS1107.85	Man Street Properties Ltd	12.4.6	Oppose	The Submitter opposes this submission. Submission 238 will not promote or give effect to Part 2 of the Act. The matters raised in the submission do not meet section 32 of the Act, and are not the most appropriate method for achieving the objectives of the Proposed District Plan having regard to its efficiency and effectiveness, and taking into account the costs and benefits.	Accept		urban design (building activity status)
238.80	FS1226.85	Ngai Tahu Property Limited & Ngai Tahu Justice Holdings Limited	12.4.6	Oppose	The submitter opposes this submission . Alerts that the submission and matters sought in it will therefore not promote or give effect to Part 2 of the Act. States that matters raised in the submission do not meet section 32 of the Act. are not the most appropriate method for achieving the objectives of the Proposed District Plan having regard to its efficiency and effectiveness, and taking into account the costs and benefits.	Accept		urban design (building activity status)
238.80	FS1234.85	Shotover Memorial Properties Limited & Horne Water Holdings Limited	12.4.6	Oppose	States that submission 238 will not promote or give effect to Part 2 of the Act. Agrees that matters raised in the submission do not meet section 32 of the Act. are not the most appropriate method for achieving the objectives.	Accept		urban design (building activity status)
238.80	FS1239.85	Skyline Enterprises Limited & O'Connells Pavillion Limited	12.4.6	Oppose	Agrees that submission 238 will not promote or give effect to Part 2 of the Act. States that matters raised in the submission do not meet section 32 of the Act. are not the most appropriate method for achieving the objectives.	Accept		urban design (building activity status)
238.80	FS1241.85	Skyline Enterprises Limited & Accommodation and Booking Agents	12.4.6	Oppose	Agrees that submission 238 will not promote or give effect to Part 2 of the Act. States that matters raised in the submission do not meet section 32 of the Act. are not the most appropriate method for achieving the objectives.	Accept		urban design (building activity status)
238.80	FS1248.85	Trojan Holdings Limited & Beach Street Holdings Limited	12.4.6	Oppose	The submitter opposes this submission . Alerts that the submission and matters sought in it will therefore not promote or give effect to Part 2 of the Act. States that matters raised in the submission do not meet section 32 of the Act. are not the most appropriate method for achieving the objectives of the Proposed District Plan having regard to its efficiency and effectiveness, and taking into account the costs and benefits.	Accept		urban design (building activity status)
238.80	FS1249.85	Tweed Development Limited	12.4.6	Oppose	The submitter opposes this submission . Alerts that the submission and matters sought in it will therefore not promote or give effect to Part 2 of the Act. States that matters raised in the submission do not meet section 32 of the Act. are not the most appropriate method for achieving the objectives of the Proposed District Plan having regard to its efficiency and effectiveness, and taking into account the costs and benefits.	Accept		urban design (building activity status)
238.80	FS1242.108	Antony & Ruth Stokes	12.4.6	Oppose	The submitter seeks submission be disallowed as it relates to the expansion of the Business Mixed Use Zone (submission point 238.93) with the High Density Residential Zone on the northern side of Henry Street being retained.		Transferred to Hearing Stream Business	Further submission point is not relevant to Queenstown Town Centre Zone
621.51		Real Journeys Limited	12.4.6	Not Stated	Amend Rule 12.4.6.1 to include a permitted relating to the storage of rubbish storage. Suggested wording is as follows: Storage of rubbish shall be screened from view from all neighbouring properties and public places.	Reject		urban design
398.6		Man Street Properties Limited	12.4.6.1	Other	Modify Rule 12.4.6.1 so that it triggers a controlled activity consent; not a restricted discretionary activity consent.	Reject		urban design (building activity status)
398.6	FS1274.7	John Thompson and MacFarlane Investments Limited	12.4.6.1	Oppose	Opposes. Believes that the relief requested is inappropriate, taking into account all relevant considerations. Seeks that the submission be disallowed.	Accept		urban design (building activity status)
596.5		Ngai Tahu Property Limited & Ngai Tahu Justice Holdings Limited	12.4.6.1	Other	Oppose in part. The Proposed District Plan is modified so: <ul style="list-style-type: none"> • Rule 12.4.6.1 triggers a controlled activity consent not restricted discretionary. 	Reject		urban design (building activity status)
606.4		Skyline Investments Limited & O'Connells Pavilion Limited	12.4.6.1	Other	Oppose in part. The Proposed District Plan is modified so: <ul style="list-style-type: none"> • Rule 12.4.6.1 triggers a controlled activity consent not restricted discretionary. 	Reject		urban design (building activity status)
606.4	FS1063.27	Peter Fleming and Others	12.4.6.1	Oppose	Oppose all	Accept		urban design (building activity status)
609.4		Skyline Properties Limited & Accommodation and Booking Agents Queenstown Limited	12.4.6.1	Other	Oppose in part. The Proposed District Plan is modified so: <ul style="list-style-type: none"> • Rule 12.4.6.1 triggers a controlled activity consent not restricted discretionary 	Reject		urban design (building activity status)
609.4	FS1063.34	Peter Fleming and Others	12.4.6.1	Oppose	Oppose all	Accept		urban design (building activity status)
614.4		Shotover Memorial Properties Limited & Horne Water Holdings Limited	12.4.6.1	Other	Oppose in part. The Proposed District Plan is modified so: <ul style="list-style-type: none"> • Rule 12.4.6.1 triggers a controlled activity consent not restricted discretionary 	Reject		urban design (building activity status)
614.4	FS1200.4	Stanley Street Investments Limited and Stanley Street Limited and Kelso Investments Limited	12.4.6.1	Support	all relief sought be allowed	Reject		urban design (building activity status)
617.2		Tweed Development Limited	12.4.6.1	Oppose	The Proposed District Plan is modified so Rule 12.4.6.1 triggers a controlled activity consent not restricted discretionary.	Reject		urban design (building activity status)

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Original Point No	Further Submission No	Submitter	Lowest Clause	Submitter Position	Submission Summary	Planner Recommendation	Transferred	Issue Reference
621.52		Real Journeys Limited	12.4.6.1	Not Stated	Amend rule to delete clause relating to natural hazard assessments: <ul style="list-style-type: none"> Where a site is subject to any natural hazard and the proposal results in an increase in gross floor area: an assessment by a suitably qualified person is provided that addresses the nature and degree of risk the hazard(s) pose to people and property, whether the proposal will alter the risk to any site, and the extent to which such risk can be avoided or sufficiently mitigated. 	Accept in Part		natural hazards
663.14		IHG Queenstown Ltd and Carter Queenstown Ltd	12.4.6.1	Oppose	Amend the rule as follows: Buildings, including verandas, and any pedestrian link provided as part of the building/ development: * Discretion Control is limited restricted to consideration of all of the following: external building design and appearance in relation to streetscape character, building design in relation to adjoining pedestrian links listed in rule 12.5.8, signage platforms, and lighting. <ul style="list-style-type: none"> Consistency with the Queenstown Town Centre Design Guidelines (2015), where applicable; External appearance, including materials and colours; Signage platforms; Lighting; The impact of the building on the streetscape, heritage values, compatibility with adjoining buildings, the relationship to adjoining verandas; The contribution the building makes to the safety of the Town Centre through adherence to CPTED principles; The contribution the building makes to pedestrian flows and linkages; The provision of active street frontages and, where relevant, outdoor dining/patronage opportunities; and Where a site is subject to any natural hazard and the proposal results in an increase in gross floor area: an assessment by a suitably qualified person is provided that addresses the nature and degree of risk the hazard(s) pose to people and property, whether the proposal will alter the risk to any site, and the extent to which such risk can be avoided or sufficiently mitigated. 	Reject		urban design
663.14	FS1139.15	Carl & Lorraine Holt	12.4.6.1	Oppose	Seek that the whole of submission 663 be disallowed.	Accept		urban design
663.14	FS1191.14	Adam & Kirsten Zaki	12.4.6.1	Oppose	Seeks that the whole submission be disallowed. - For the general reasons stated by the Submitters in their primary submission, specifically 5.7 - 5.11. - The decisions version of PC50 (currently subject to appeal before the Environment Court) was sought in the alternative to the retention of high density residential zoning in the Submitters' primary submission. - The Council through PC50 appropriately assessed and determined (in a section 32 sense) the (inter alia) efficiency and effectiveness of the provisions of PC50 in relation to the Submitters' land and the balance of the Beach Street Block, particularly in relation to bulk, site coverage and height. - Town Centre zoning and requested amendments to that zoning for the Beach Street Block in parts and as a whole are inconsistent with Part 2, relevant provisions of superior planning instruments and the Operative and Proposed District Plans.	Accept		urban design
672.15		Watertight Investments Ltd	12.4.6.1	Other	Amend Rule 12.4.6.1 as per the wording suggested in the submission in order to be more succinct	Reject		urban design
724.2		Queenstown Gold Ltd	12.4.6.1	Not Stated	Amend the rule as follows: Buildings, including verandas, and any pedestrian link provided as part of the building/ development: * Discretion Control is limited restricted to consideration of all of the following: <u>design, appearance, signage, lighting, and impact on the streetscape</u> <ul style="list-style-type: none"> Consistency with the Queenstown Town Centre Design Guidelines (2015), where applicable; External appearance, including materials and colours; Signage platforms; Lighting; The impact of the building on the streetscape, heritage values, compatibility with adjoining buildings, the relationship to adjoining verandas; The contribution the building makes to the safety of the Town Centre through adherence to CPTED principles; The contribution the building makes to pedestrian flows and linkages; The provision of active street frontages and, where relevant, outdoor dining/patronage opportunities; and Where a site is subject to any natural hazard and the proposal results in an increase in gross floor area: an assessment by a suitably qualified person is provided that addresses the nature and degree of risk the hazard(s) pose to people and property, whether the proposal will alter the risk to any site, and the extent to which such risk can be avoided or sufficiently mitigated. 	Reject		urban design
798.38		Otago Regional Council	12.4.6.1	Oppose	Effects on Public Transport Poorly designed shop front veranda setbacks and heights can interfere with kerbside bus movement.	Accept in Part		transport (urban design)
398.8		Man Street Properties Limited	12.4.6.2	Oppose	Delete rule 12.4.6.2 as it relates to sites larger than 1800m ² .	Reject		urban design (large sites/ comprehensive development)
398.8	FS1274.9	John Thompson and MacFarlane Investments Limited	12.4.6.2	Oppose	Opposes. Believes that the relief requested is inappropriate, taking into account all relevant considerations. Seeks that the submission be disallowed.	Accept		urban design (large sites/ comprehensive development)
663.15		IHG Queenstown Ltd and Carter Queenstown Ltd	12.4.6.2	Oppose	Delete: 12.4.6.2 In the Town Centre Transition subzone and on sites larger than 1800m ² , an application for consent under this rule shall include application for approval of a structure plan in respect of the entire site and adherence with that approved plan in consequent applications under this rule. *In addition to those matters listed in rule 12.4.6.1 above, the Council's discretion is extended to also include consideration of the provision of and adherence with the structure plan, including: <ul style="list-style-type: none"> the location of buildings, services, loading, and storage areas; the provision of open and/or public spaces; and pedestrian, cycle, and vehicle linkages. 	Reject		urban design (large sites/ comprehensive development)
663.15	FS1139.16	Carl & Lorraine Holt	12.4.6.2	Oppose	Seek that the whole of submission 663 be disallowed.	Accept		urban design (large sites/ comprehensive development)

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Original Point No	Further Submission No	Submitter	Lowest Clause	Submitter Position	Submission Summary	Planner Recommendation	Transferred	Issue Reference
663.15	FS1191.15	Adam & Kirsten Zaki	12.4.6.2	Oppose	Seeks that the whole submission be disallowed. - For the general reasons stated by the Submitters in their primary submission, specifically 5.7 - 5.11. - The decisions version of PC50 (currently subject to appeal before the Environment Court) was sought in the alternative to the retention of high density residential zoning in the Submitters' primary submission. - The Council through PC50 appropriately assessed and determined (in a section 32 sense) the (inter alia) efficiency and effectiveness of the provisions of PC50 in relation to the Submitters' land and the balance of the Beach Street Block, particularly in relation to bulk, site coverage and height. - Town Centre zoning and requested amendments to that zoning for the Beach Street Block in parts and as a whole are inconsistent with Part 2, relevant provisions of superior planning instruments and the Operative and Proposed District Plans.	Accept		urban design (large sites/ comprehensive development)
621.53		Real Journeys Limited	12.4.7	Not Stated	Amend Rule 12.4.7 to permit the maintenance of wharves, jetties and associated structures, enable certain buildings (e.g. ticket offices), restrict other structures, and ensure all areas referred to in the rules are accurately identified on the planning maps as follows: Insert new permitted activity standard: 12.4.7.0 The maintenance and alteration of buildings, wharfs and Jetties within the Queenstown Town Centre Waterfront Zone is a permitted activity provided the existing scale, intensity and character of the building or structure is maintained. Amend 12.4.7.1 to refer to planning maps: 12.4.7.1 Wharfs and Jetties within the Queenstown Town Centre Waterfront Zone between the Town Pier and St Omer Park (as shown on the planning maps) are discretionary activities. Amend rule to make it restricted discretionary as follows: 12.4.7.2 Commercial Surface of Water Activities within the Queenstown Town Centre Waterfront Zone. In respect of the above activities, the Council's discretion is restricted to the following matters unlimited but it shall consider: (i) The extent to which the proposal will: • Maintain or enhance public access to the lake • Affect water quality • Affect navigation and people's safety • Affect adjoining infrastructure • Affect the operation of the "TSS Earnslaw" • Improve Create an exciting and vibrant the vibrancy of the waterfront which maximises the opportunities and attractions inherent in a visitor town situated on a lakeshore; • Maintain Provide a continuous waterfront walkway from Horne Creek right through to St Omer Park; • Maximise the ability to cater for commercial boating activities to an extent compatible with maintenance of environmental standards and the nature and scale of existing activities; and • Provide for or support the provision of one central facility in Queenstown Bay for boat refuelling, bilge pumping, sewage pumping. • Maintain or enhance amenity values including character, including The extent to which any proposed structures or buildings will:	Accept in Part		waterfront subzone
					• Enclose views across Queenstown Bay; and • Result in a loss of the generally open character of the Queenstown Bay and its interface with the land. Insert new restricted discretionary activity: 12.4.7.3 Excluding maintenance and alterations permitted by rule 12.4.7.0 above, the construction and use of a single story building for the purpose of a ticketing office is a restricted discretionary activity. Council's discretion is limited to: • Building location, design and use in terms of compatibility with the nature and scale of existing buildings and open spaces, including the ability to maintain a continuous waterfront walkway; • Accessibility in terms of servicing requirements; • Outdoor storage requirements; • Storage and disposal of waste; • Signage platforms; and • Health and safety.			
621.53	FS1115.5	Queenstown Wharves Limited	12.4.7	Support	Support for the reasons outlined in QWL's primary submission.	Accept in Part		waterfront subzone
810.34		Te Runanga o Moeraki, Kati Huirapa Runaka ki Puketeraki, Te Runanga o Otakou and Hokonui Runanga collectively Manawhenua	12.4.7	Not Stated	Add a further assessment matter to the rule: The extent to which any proposed structures or buildings will: Affect the values of wahi tupuna	Accept		Tangata whenua - also allocated to hearing stream 1A
766.9		Queenstown Wharves GP Limited	12.4.7.1	Not Stated	Change status for wharves and jetties to controlled activity. Change maintenance of wharves, jetties and associated structures, and enable the development and redevelopment of certain types of buildings (e.g. ticket offices) that support the functions of the wharves, to permitted activity.	Reject		waterfront subzone
807.83		Remarkables Park Limited	12.4.7.1	Oppose	Amend Rule 12. 4. 7. 1 to replace the discretionary activity status for wharfs and jetties within the Town Centre Waterfront Zone with controlled activity status.	Reject		waterfront subzone
766.11		Queenstown Wharves GP Limited	12.4.7.2	Oppose	Amend Rule 12.4.7.2 to replace the discretionary activity status for Commercial Surface of Water Activities within the Queenstown Town Centre Waterfront Zone with controlled activity status.	Reject		waterfront subzone
807.86		Remarkables Park Limited	12.4.7.2	Oppose	Amend Rule 12.4.7.2 to better reflect the outcomes sought by the objectives and policies, and to recognise the importance of providing for water based public transport.		Out of scope not within Stage 1 of the PDP	waterfront subzone
807.87		Remarkables Park Limited	12.4.7.2	Oppose	Amend Rule 12.4.7.2 to replace the discretionary activity status for Commercial Surface of Water Activities within the Queenstown Town Centre Waterfront Zone with controlled activity status.	Reject		transport (water)

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Original Point No	Further Submission No	Submitter	Lowest Clause	Submitter Position	Submission Summary	Planner Recommendation	Transferred	Issue Reference
621.54		Real Journeys Limited	12.4.8	Not Stated	Amend Rule 12.4.8 as follows 12.4.8.1 The construction of structures, including Wharfs and Jetties and moorings, and associated occupation of water space, within the Queenstown Town Centre Waterfront Zone between the Town Pier (as shown on the planning maps) and Queenstown Gardens. 12.4.8.2 Any buildings and structures, located on Wharfs and Jetties within the Queenstown Town Centre Waterfront Zone, which are not provided for by Rule 12.4.7.	Reject		waterfront subzone
766.13		Queenstown Wharves GP Limited	12.4.8.2	Oppose	Delete non complying activity rule for buildings on jetties and wharves. If the Rule is retained, then it should be amended to exclude provision of buildings that are for the purpose of providing water based public transport and tourism recreation facilities.	Reject		waterfront subzone
766.13	FS1341.15	Real Journeys Limited	12.4.8.2	Support	Allow relief sought to the extent that is does not undermine or prevent the relief originally sought by Real Journeys (unless otherwise agreed through the submission process)	Reject		waterfront subzone
417.1		Ellis Gould	12.5 Rules - Standards	Oppose	Mr Boyle seeks the following relief: (a) Amend the Proposed Plan to ensure that the maximum building heights enabled in the Queenstown Town Centre are no greater than those enabled in the Operative Plan; (b) In the alternative, in the event that the Council is not minded to grant to the relief sought in (a) above, amend the maximum building heights enabled in the block bounded by Man, Brecon, Shotover and Hay Streets to ensure that they are no greater than those enabled in the Operative Plan; and (c) All other related, consequential or alternative relief that is required in order to give effect to this submission, including with respect to the objectives, policies and other text and maps comprising part of the Proposed Plan.	Accept in Part		Height
417.1	FS1107.158	Man Street Properties Ltd	12.5 Rules - Standards	Oppose	The Submitter opposes this submission the Matters raised in the submission do not meet section 32 of the Act, and are not the most appropriate method for achieving the objectives of the Proposed District Plan having regard to its efficiency and effectiveness, and taking into account the costs and benefits.	Accept in Part		Height
417.1	FS1226.159	Ngai Tahu Property Limited & Ngai Tahu Justice Holdings Limited	12.5 Rules - Standards	Oppose	The submitter opposes and considers that operative provisions relating to height are not the most appropriate or effective method to promote or give effect to Part 2 of the Act. Agrees that matters raised in the submission do not meet section 32 of the Act. are not the most appropriate method for achieving the objectives of the Proposed District Plan having regard to its efficiency and effectiveness, and taking into account the costs and benefits	Accept in Part		Height
417.1	FS1234.159	Shotover Memorial Properties Limited & Horne Water Holdings Limited	12.5 Rules - Standards	Oppose	The submitter opposes and considers that operative provisions relating to height are not the most appropriate or effective method to promote or give effect to Part 2 of the Act. Assures that matters raised in the submission do not meet section 32 of the Act. are not the most appropriate method for achieving the objectives.	Accept in Part		Height
417.1	FS1239.159	Skyline Enterprises Limited & O'Connells Pavillion Limited	12.5 Rules - Standards	Oppose	The submitter opposes and considers that operative provisions relating to height are not the most appropriate or effective method. Assures that the matters raised in the submission do not meet section 32 of the Act. are not the most appropriate method for achieving the objectives.	Accept in Part		Height
417.1	FS1241.159	Skyline Enterprises Limited & Accommodation and Booking Agents	12.5 Rules - Standards	Oppose	The submitter opposes and considers that operative provisions relating to height are not the most appropriate or effective method. Assures that the matters raised in the submission do not meet section 32 of the Act. are not the most appropriate method for achieving the objectives.	Accept in Part		Height
417.1	FS1248.159	Trojan Holdings Limited & Beach Street Holdings Limited	12.5 Rules - Standards	Oppose	The submitter opposes and considers that operative provisions relating to height are not the most appropriate or effective method to promote or give effect to Part 2 of the Act. Agrees that matters raised in the submission do not meet section 32 of the Act. are not the most appropriate method for achieving the objectives of the Proposed District Plan having regard to its efficiency and effectiveness, and taking into account the costs and benefits	Accept in Part		Height
417.1	FS1249.159	Tweed Development Limited	12.5 Rules - Standards	Oppose	The submitter opposes and considers that operative provisions relating to height are not the most appropriate or effective method to promote or give effect to Part 2 of the Act. Agrees that matters raised in the submission do not meet section 32 of the Act. are not the most appropriate method for achieving the objectives of the Proposed District Plan having regard to its efficiency and effectiveness, and taking into account the costs and benefits	Accept in Part		Height
238.14		NZIA Southern and Architecture + Women Southern	12.5.1	Other	To align policy with that sought by the Wanaka team on the town centre, we seek that all development over 80 % of a site be discretionary to allow for permeability and connections to be made through sites.	Accept in Part		bulk and location (coverage)
238.14	FS1107.19	Man Street Properties Ltd	12.5.1	Oppose	The Submitter opposes this submission. Submission 238 will not promote or give effect to Part 2 of the Act. The matters raised in the submission do not meet section 32 of the Act, and are not the most appropriate method for achieving the objectives of the Proposed District Plan having regard to its efficiency and effectiveness, and taking into account the costs and benefits.	Accept in Part		bulk and location (coverage)

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Original Point No	Further Submission No	Submitter	Lowest Clause	Submitter Position	Submission Summary	Planner Recommendation	Transferred	Issue Reference
238.14	FS1226.19	Ngai Tahu Property Limited & Ngai Tahu Justice Holdings Limited	12.5.1	Oppose	The submitter opposes this submission . Alerts that the submission and matters sought in it will therefore not promote or give effect to Part 2 of the Act. States that matters raised in the submission do not meet section 32 of the Act. are not the most appropriate method for achieving the objectives of the Proposed District Plan having regard to its efficiency and effectiveness, and taking into account the costs and benefits.	Accept in Part		bulk and location (coverage)
238.14	FS1234.19	Shotover Memorial Properties Limited & Horne Water Holdings Limited	12.5.1	Oppose	States that submission 238 will not promote or give effect to Part 2 of the Act. Agrees that matters raised in the submission do not meet section 32 of the Act. are not the most appropriate method for achieving the objectives.	Accept in Part		bulk and location (coverage)
238.14	FS1239.19	Skyline Enterprises Limited & O'Connells Pavillion Limited	12.5.1	Oppose	Agrees that submission 238 will not promote or give effect to Part 2 of the Act. States that matters raised in the submission do not meet section 32 of the Act. are not the most appropriate method for achieving the objectives.	Accept in Part		bulk and location (coverage)
238.14	FS1241.19	Skyline Enterprises Limited & Accommodation and Booking Agents	12.5.1	Oppose	Agrees that submission 238 will not promote or give effect to Part 2 of the Act. States that matters raised in the submission do not meet section 32 of the Act. are not the most appropriate method for achieving the objectives.	Accept in Part		bulk and location (coverage)
238.14	FS1242.42	Antony & Ruth Stokes	12.5.1	Oppose	The submitter seeks submission be disallowed as it relates to the expansion of the Business Mixed Use Zone (submission point 238.93) with the High Density Residential Zone on the northern side of Henry Street being retained.		Transferred to Hearing Stream Business	Further submission point is not relevant to Queenstown Town Centre Zone
238.14	FS1248.19	Trojan Holdings Limited & Beach Street Holdings Limited	12.5.1	Oppose	The submitter opposes this submission . Alerts that the submission and matters sought in it will therefore not promote or give effect to Part 2 of the Act. States that matters raised in the submission do not meet section 32 of the Act. are not the most appropriate method for achieving the objectives of the Proposed District Plan having regard to its efficiency and effectiveness, and taking into account the costs and benefits.	Accept in Part		bulk and location (coverage)
238.14	FS1249.19	Tweed Development Limited	12.5.1	Oppose	The submitter opposes this submission . Alerts that the submission and matters sought in it will therefore not promote or give effect to Part 2 of the Act. States that matters raised in the submission do not meet section 32 of the Act. are not the most appropriate method for achieving the objectives of the Proposed District Plan having regard to its efficiency and effectiveness, and taking into account the costs and benefits.	Accept in Part		bulk and location (coverage)
491.1		Redson Holdings Ltd	12.5.1	Other	Supports Rule 12.5.1 which requires sites greater than 1800m2 to be comprehensively developed and for sites Town Centre Transition zone the maximum site coverage to be 75%. This support is on the basis that there will be no restrictive site coverage provisions within the wider Town Centre Zone on sites smaller than 1800m2 as proposed. Support that there be no site coverage rule for the majority of the Town Centre Zone. Requests Rule 12.5.1.1 be adopted.	Accept in Part		bulk and location (coverage)
491.1	FS1236.14	Skyline Enterprises Limited	12.5.1	Oppose	States that a building coverage provision of 75% and requirement for a structure plan on this site is unnecessary and will not be an effective or efficient use of Queenstown Town Centre Zone land. Requests this submission be disallowed.	Reject		bulk and location (coverage)
673.6		Foodstuffs South Island Limited and Foodstuffs (South Island) Properties Limited	12.5.1	Other	Support the exclusion of the site coverage maximum for both the Queenstown Town Centre Zone.	Accept		bulk and location (coverage)
663.16		IHG Queenstown Ltd and Carter Queenstown Ltd	12.5.1.1	Oppose	Amend as follows: Building Coverage in the Town Centre Transition subzone and comprehensive development of sites 1800m ² or greater 12.5.1.1 In the Town Centre Transition subzone or for any comprehensive development of sites greater than 1800m ² , the maximum building coverage shall be 75%....	Reject		bulk and location (coverage)
663.16	FS1139.17	Carl & Lorraine Holt	12.5.1.1	Oppose	Seek that the whole of submission 663 be disallowed.	Accept		bulk and location (coverage)
663.16	FS1191.16	Adam & Kirsten Zaki	12.5.1.1	Oppose	Seeks that the whole submission be disallowed. - For the general reasons stated by the Submitters in their primary submission, specifically 5.7 - 5.11. - The decisions version of PC50 (currently subject to appeal before the Environment Court) was sought in the alternative to the retention of high density residential zoning in the Submitters' primary submission. - The Council through PC50 appropriately assessed and determined (in a section 32 sense) the (inter alia) efficiency and effectiveness of the provisions of PC50 in relation to the Submitters' land and the balance of the Beach Street Block, particularly in relation to bulk, site coverage and height. - Town Centre zoning and requested amendments to that zoning for the Beach Street Block in parts and as a whole are inconsistent with Part 2, relevant provisions of superior planning instruments and the Operative and Proposed District Plans.	Accept		bulk and location (coverage)
383.31		Queenstown Lakes District Council	12.5.2.1	Other	Amend rule 12.5.2.1 such that only those buildings on the north side of Beach Street <u>and</u> located between Rees Street and Camp Street shall be set back a minimum of 0.8 m; noting that the notified wording requires buildings anywhere on Beach St (including lower Beach Street) to be setback whereas the intention is to apply it only to the Rees/ Camp Street block.	Accept in Part		bulk and location (setbacks)
606.5		Skyline Investments Limited & O'Connells Pavilion Limited	12.5.2.1	Other	Oppose in part. The Proposed District Plan is modified so: • Rule 12.5.2.1 Building Setback is deleted,	Accept		bulk and location (setbacks)
606.5	FS1063.28	Peter Fleming and Others	12.5.2.1	Oppose	Oppose all	Reject		bulk and location (setbacks)
383.32		Queenstown Lakes District Council	12.5.2.2.	Other	Amend rule 12.5.2.2 to require that only buildings on the south side of Beach Street <u>and</u> located between Rees Street and Camp Street shall be set back a minimum of 1 m, noting that the notified wording requires buildings anywhere on Beach St (including lower Beach Street) to be setback whereas the intention is to apply the setback only to the Rees/ Camp Street block.	Accept in Part		bulk and location (setbacks)

Appendix 2 to the Section 42A Report for Chapter 12 - Queenstown Town Centre

Original Point No	Further Submission No	Submitter	Lowest Clause	Submitter Position	Submission Summary	Planner Recommendation	Transferred	Issue Reference
621.55		Real Journeys Limited	12.5.4.1	Not Stated	Amend rule as follows to clarify that the temporary storage of equipment associated with transporting people and goods is permitted: 12.5.4.1 Within the Special Character Area and for all sites with frontage to the following roads all storage areas shall be situated within the building: a. Shotover Street (Stanley to Hay) b. Camp Street c. Earl Street d. Marine Parade e. Stanley Street (Beetham Street to, and including, Memorial Street) f. Beach Street g. Rees Street (beyond the Special Character Area) Except this standard does not apply to the temporary storage of goods on a wharf which are being transported via a vessel, which is permitted.	Reject		urban design
663.17		IHG Queenstown Ltd and Carter Queenstown Ltd	12.5.4.1	Oppose	Delete / Amend as follows Screening of Storage Space 12.5.4.1 Within the Special Character Area and for all sites with frontage to the following roads all storage areas shall be situated within the building: a. Shotover Street (Stanley to Hay) b. Camp Street c. Earl Street d. Marine Parade e. Stanley Street (Beetham Street to, and including, Memorial Street) f. Beach Street g. Rees Street (beyond the Special Character Area) 12.5.4.2 In all other parts of this zone s <u>Storage</u> areas shall be situated within the building or screened from view from all public places, adjoining sites and adjoining zones.	Accept		urban design
663.17	FS1139.18	Carl & Lorraine Holt	12.5.4.1	Oppose	Seek that the whole of submission 663 be disallowed.	Reject		urban design/ misc.
663.17	FS1191.17	Adam & Kirsten Zaki	12.5.4.1	Oppose	Seeks that the whole submission be disallowed. - For the general reasons stated by the Submitters in their primary submission, specifically 5.7 - 5.11. - The decisions version of PC50 (currently subject to appeal before the Environment Court) was sought in the alternative to the retention of high density residential zoning in the Submitters' primary submission. - The Council through PC50 appropriately assessed and determined (in a section 32 sense) the (inter alia) efficiency and effectiveness of the provisions of PC50 in relation to the Submitters' land and the balance of the Beach Street Block, particularly in relation to bulk, site coverage and height. - Town Centre zoning and requested amendments to that zoning for the Beach Street Block in parts and as a whole are inconsistent with Part 2, relevant provisions of superior planning instruments and the Operative and Proposed District Plans.	Reject		urban design
663.18		IHG Queenstown Ltd and Carter Queenstown Ltd	12.5.5.1	Oppose	Verandas Every new, reconstructed or altered building (excluding repainting) with frontage to the roads listed below shall include a veranda or other means of weather protection. a. Shotover Street (Stanley Street to Hay Street) b. Hay Street c. Beach Street d. Rees Street e. Camp Street (Church Street to Man Street) f. Brecon Street (Man Street to Shotover Street) g. Church Street (north west side) h. Queenstown Mall (Ballarat Street) i. Athol Street j. Stanley Street (Coronation Drive to Memorial Street)	Accept		urban design
663.18	FS1139.19	Carl & Lorraine Holt	12.5.5.1	Oppose	Seek that the whole of submission 663 be disallowed.	Reject		urban design
663.18	FS1191.18	Adam & Kirsten Zaki	12.5.5.1	Oppose	Seeks that the whole submission be disallowed. - For the general reasons stated by the Submitters in their primary submission, specifically 5.7 - 5.11. - The decisions version of PC50 (currently subject to appeal before the Environment Court) was sought in the alternative to the retention of high density residential zoning in the Submitters' primary submission. - The Council through PC50 appropriately assessed and determined (in a section 32 sense) the (inter alia) efficiency and effectiveness of the provisions of PC50 in relation to the Submitters' land and the balance of the Beach Street Block, particularly in relation to bulk, site coverage and height. - Town Centre zoning and requested amendments to that zoning for the Beach Street Block in parts and as a whole are inconsistent with Part 2, relevant provisions of superior planning instruments and the Operative and Proposed District Plans.	Reject		urban design
798.39		Otago Regional Council	12.5.5.2	Oppose	Effects on Public Transport Poorly designed shop front veranda setbacks and heights can interfere with kerbside bus movement.	Accept in Part		transport
238.81		NZIA Southern and Architecture + Women Southern	12.5.8	Other	Amend Rule 12.5.8 as follows to recognise the importance of pedestrian links that are open to the sky. <i>"Note: Nothing in rules 12.5.8.1 and 12.5.8.2 shall prevent a building or part of a building being constructed at first floor level over a pedestrian link. Pedestrian links should be open to the sky."</i>	Accept in Part		urban design

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Original Point No	Further Submission No	Submitter	Lowest Clause	Submitter Position	Submission Summary	Planner Recommendation	Transferred	Issue Reference
238.81	FS1107.86	Man Street Properties Ltd	12.5.8	Oppose	The Submitter opposes this submission. Submission 238 will not promote or give effect to Part 2 of the Act. The matters raised in the submission do not meet section 32 of the Act, and are not the most appropriate method for achieving the objectives of the Proposed District Plan having regard to its efficiency and effectiveness, and taking into account the costs and benefits.	Accept in Part		urban design
238.81	FS1226.86	Ngai Tahu Property Limited & Ngai Tahu Justice Holdings Limited	12.5.8	Oppose	The submitter opposes this submission . Alerts that the submission and matters sought in it will therefore not promote or give effect to Part 2 of the Act. States that matters raised in the submission do not meet section 32 of the Act. are not the most appropriate method for achieving the objectives of the Proposed District Plan having regard to its efficiency and effectiveness, and taking into account the costs and benefits.	Accept in Part		urban design
238.81	FS1234.86	Shotover Memorial Properties Limited & Horne Water Holdings Limited	12.5.8	Oppose	States that submission 238 will not promote or give effect to Part 2 of the Act. Agrees that matters raised in the submission do not meet section 32 of the Act. are not the most appropriate method for achieving the objectives.	Accept in Part		urban design
238.81	FS1239.86	Skyline Enterprises Limited & O'Connells Pavillion Limited	12.5.8	Oppose	Agrees that submission 238 will not promote or give effect to Part 2 of the Act. States that matters raised in the submission do not meet section 32 of the Act. are not the most appropriate method for achieving the objectives.	Accept in Part		urban design
238.81	FS1241.86	Skyline Enterprises Limited & Accommodation and Booking Agents	12.5.8	Oppose	Agrees that submission 238 will not promote or give effect to Part 2 of the Act. States that matters raised in the submission do not meet section 32 of the Act. are not the most appropriate method for achieving the objectives.	Accept in Part		urban design
238.81	FS1248.86	Trojan Holdings Limited & Beach Street Holdings Limited	12.5.8	Oppose	The submitter opposes this submission . Alerts that the submission and matters sought in it will therefore not promote or give effect to Part 2 of the Act. States that matters raised in the submission do not meet section 32 of the Act. are not the most appropriate method for achieving the objectives of the Proposed District Plan having regard to its efficiency and effectiveness, and taking into account the costs and benefits.	Accept in Part		urban design
238.81	FS1249.86	Tweed Development Limited	12.5.8	Oppose	The submitter opposes this submission . Alerts that the submission and matters sought in it will therefore not promote or give effect to Part 2 of the Act. States that matters raised in the submission do not meet section 32 of the Act. are not the most appropriate method for achieving the objectives of the Proposed District Plan having regard to its efficiency and effectiveness, and taking into account the costs and benefits.	Accept in Part		urban design
238.81	FS1242.109	Antony & Ruth Stokes	12.5.8	Oppose	The submitter seeks submission be disallowed as it relates to the expansion of the Business Mixed Use Zone (submission point 238.93) with the High Density Residential Zone on the northern side of Henry Street being retained.		Transferred to Hearing Stream Business	Further submission point is not relevant to Queenstown Town Centre Zone
238.82		NZIA Southern and Architecture + Women Southern	12.5.8	Other	The pedestrian link map is an insufficient size and the format is not supported and it should be renamed a "permeability" map. The map should be amended (as further detailed in the map attached to the submission) to: <ul style="list-style-type: none"> •Show desired locations/ future pedestrian linkages rather than just existing ones, and fails to show important links that have been introduced since the last map - i.e. Ngai Tahu courthouse area and opening up of Horne creek. Horne creek should be included. •Encompass Gorge Road retail and expanded town centre and show all existing and desired links. •Show what will be required, not just in this zone but in all town centre, mixed use zones The map is is too restrictive- shows erosion of former links into covered in ,ghastly malls which we don't want. There could be incentives - i.e. height etc for linkages offered in desired areas.	Accept in Part		urban design
238.82	FS1107.87	Man Street Properties Ltd	12.5.8	Oppose	The Submitter opposes this submission. Submission 238 will not promote or give effect to Part 2 of the Act. The matters raised in the submission do not meet section 32 of the Act, and are not the most appropriate method for achieving the objectives of the Proposed District Plan having regard to its efficiency and effectiveness, and taking into account the costs and benefits.	Accept in Part		urban design
238.82	FS1226.87	Ngai Tahu Property Limited & Ngai Tahu Justice Holdings Limited	12.5.8	Oppose	The submitter opposes this submission . Alerts that the submission and matters sought in it will therefore not promote or give effect to Part 2 of the Act. States that matters raised in the submission do not meet section 32 of the Act. are not the most appropriate method for achieving the objectives of the Proposed District Plan having regard to its efficiency and effectiveness, and taking into account the costs and benefits.	Accept in Part		urban design
238.82	FS1234.87	Shotover Memorial Properties Limited & Horne Water Holdings Limited	12.5.8	Oppose	States that submission 238 will not promote or give effect to Part 2 of the Act. Agrees that matters raised in the submission do not meet section 32 of the Act. are not the most appropriate method for achieving the objectives.	Accept in Part		urban design
238.82	FS1239.87	Skyline Enterprises Limited & O'Connells Pavillion Limited	12.5.8	Oppose	Agrees that submission 238 will not promote or give effect to Part 2 of the Act. States that matters raised in the submission do not meet section 32 of the Act. are not the most appropriate method for achieving the objectives.	Accept in Part		urban design
238.82	FS1241.87	Skyline Enterprises Limited & Accommodation and Booking Agents	12.5.8	Oppose	Agrees that submission 238 will not promote or give effect to Part 2 of the Act. States that matters raised in the submission do not meet section 32 of the Act. are not the most appropriate method for achieving the objectives.	Accept in Part		urban design
238.82	FS1248.87	Trojan Holdings Limited & Beach Street Holdings Limited	12.5.8	Oppose	The submitter opposes this submission . Alerts that the submission and matters sought in it will therefore not promote or give effect to Part 2 of the Act. States that matters raised in the submission do not meet section 32 of the Act. are not the most appropriate method for achieving the objectives of the Proposed District Plan having regard to its efficiency and effectiveness, and taking into account the costs and benefits.	Accept in Part		urban design

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Original Point No	Further Submission No	Submitter	Lowest Clause	Submitter Position	Submission Summary	Planner Recommendation	Transferred	Issue Reference
238.82	FS1249.87	Tweed Development Limited	12.5.8	Oppose	The submitter opposes this submission . Alerts that the submission and matters sought in it will therefore not promote or give effect to Part 2 of the Act. States that matters raised in the submission do not meet section 32 of the Act. are not the most appropriate method for achieving the objectives of the Proposed District Plan having regard to its efficiency and effectiveness, and taking into account the costs and benefits.	Accept in Part		urban design
238.82	FS1242.110	Antony & Ruth Stokes	12.5.8	Oppose	The submitter seeks submission be disallowed as it relates to the expansion of the Business Mixed Use Zone (submission point 238.93) with the High Density Residential Zone on the northern side of Henry Street being retained.		Transferred to Hearing Stream Business	Further submission point is not relevant to Queenstown Town Centre Zone
599.10		Peter Fleming	12.5.8	Oppose	Oppose the pedestrian link map. The map is incorrect - as may be legal description.	Accept in Part		urban design
617.4		Tweed Development Limited	12.5.8	Oppose	The Proposed District Plan is modified so Rule 12.5.8 Figure 1 and the associated descriptions provides for the change discussed in this submission.	Reject		urban design
20.3		Aaron Cowie	12.5.9	Other	All areas should have significantly higher property height, especially towards the centre of Queenstown and far greater density with houses of 4-5 stories as the norm, with hotels even higher	Accept in Part		height
20.3	FS1059.4	Erna Spijkerbosch	12.5.9	Oppose	We oppose this submission to increase building heights in the center of town.	Accept in Part		height
20.3	FS1368.1	Man Street Properties Limited	12.5.9	Support	The submitter supports this submission as it relates to increasing heights and the benefits of this as identified in the submission. The submission and matters sought in it will promote and give effect to Part 2 of the Act and meet section 32 of the Act. Increasing height will also assist in achieving the objectives of the Proposed District Plan having regard to their efficiency and effectiveness, and taking into account the costs and benefits	Accept in Part		
59.3		Lynda Baker	12.5.9	Oppose	Retain/ change the maximum height limit in Precinct 1 to 8.5 m, as increasing height will adversely affect views, sunlight, and the quality of public spaces and contradicts policies 12-2-2-2 (regarding maintaining the existing human scale of the CBD and contributing to the quality of public spaces and footpaths and positively responding to the Town Centre's character) and 12-2-2-3 (regarding retaining and providing important view shafts of surrounding landscapes and maintaining sunlight access to public spaces and footpaths). Increased height and mass of buildings will increase the number of workers and visitors to the Town Centre and this will increase traffic congestion, pollution and parking issues.	Reject		height
59.3	FS1125.8	New Zealand Fire Service	12.5.9	Oppose	Disallow. The Commission supports this provision as it was notified. While a fire station can be designed to meet an 8.5m height limit, to best meet operational requirements greater height is desirable as is proposed in the Plan for the Queenstown Town Centre.	Accept		height
59.3	FS1236.2	Skyline Enterprises Limited	12.5.9	Oppose	Opposes to impose a maximum height limit of 8.5m. Assures that this is an inefficient use of land resource close to the existing Queenstown Town Centre and height limits should be increased. Requests that these submissions be disallowed.	Accept		height
59.3	FS1059.43	Erna Spijkerbosch	12.5.9	Support	Support	Reject		height
59.3	FS1063.44	Peter Fleming and Others	12.5.9	Support	All be allowed	Reject		height
159.1		Karen Boulay	12.5.9	Oppose	Increasing building height allowances in the Town Centre is not productive for Queenstown as a tourist mecca and is opposed	Accept in Part		height
159.1	FS1236.7	Skyline Enterprises Limited	12.5.9	Oppose	Opposes to impose a maximum height limit of 8.5m. Assures that this is an inefficient use of land resource close to the existing Queenstown Town Centre and height limits should be increased. Requests that these submissions be disallowed.	Reject		height
187.5		Nicholas Kiddle	12.5.9	Other	Retain the building height limits under review as, in general, raising building height limits is supported	Accept in Part		height
206.11		Lindsay Jackson	12.5.9	Oppose	Opposes the maximum height limit of 15m in Precinct 1. Change the proposed maximum height limit in Height Precinct 1 to 8.5 m as opposed to the 15 m proposed.	Reject		height
206.11	FS1063.56	Peter Fleming and Others	12.5.9	Support	All be allowed	Reject		height
206.11	FS1274.36	John Thompson and MacFarlane Investments Limited	12.5.9	Oppose	Opposes. Believes that the relief requested is inappropriate, taking into account all relevant considerations. Seeks that the submission be disallowed.	Accept		height
238.78		NZIA Southern and Architecture + Women Southern	12.5.9	Other	Support increased height and recession rules and support 4 stories if done well and provided all buildings in the town centre zone are reviewed by the urban design panel.	Accept in Part		Height
238.78	FS1368.4	Man Street Properties Limited	12.5.9	Support	Support in Part - The submitter supports this submission where it relates to promoting and encouraging additional height within the Town Centre zone. Increasing heights will promote and give effect to Part 2 of the Act and will promote the objectives of the Proposed District Plan having regard to its efficiency and effectiveness, and taking into account the costs and benefits.	Accept in Part		Height

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Original Point No	Further Submission No	Submitter	Lowest Clause	Submitter Position	Submission Summary	Planner Recommendation	Transferred	Issue Reference
238.78	FS1107.83	Man Street Properties Ltd	12.5.9	Oppose	The Submitter opposes this submission. Submission 238 will not promote or give effect to Part 2 of the Act. The matters raised in the submission do not meet section 32 of the Act, and are not the most appropriate method for achieving the objectives of the Proposed District Plan having regard to its efficiency and effectiveness, and taking into account the costs and benefits.	Accept in Part		Height
238.78	FS1226.83	Ngai Tahu Property Limited & Ngai Tahu Justice Holdings Limited	12.5.9	Oppose	The submitter opposes this submission . Alerts that the submission and matters sought in it will therefore not promote or give effect to Part 2 of the Act. States that matters raised in the submission do not meet section 32 of the Act. are not the most appropriate method for achieving the objectives of the Proposed District Plan having regard to its efficiency and effectiveness, and taking into account the costs and benefits.	Accept in Part		Height
238.78	FS1234.83	Shotover Memorial Properties Limited & Horne Water Holdings Limited	12.5.9	Oppose	States that submission 238 will not promote or give effect to Part 2 of the Act. Agrees that matters raised in the submission do not meet section 32 of the Act. are not the most appropriate method for achieving the objectives.	Accept in Part		Height
238.78	FS1239.83	Skyline Enterprises Limited & O'Connells Pavillion Limited	12.5.9	Oppose	Agrees that submission 238 will not promote or give effect to Part 2 of the Act. States that matters raised in the submission do not meet section 32 of the Act. are not the most appropriate method for achieving the objectives.	Accept in Part		Height
238.78	FS1241.83	Skyline Enterprises Limited & Accommodation and Booking Agents	12.5.9	Oppose	Agrees that submission 238 will not promote or give effect to Part 2 of the Act. States that matters raised in the submission do not meet section 32 of the Act. are not the most appropriate method for achieving the objectives.	Accept in Part		Height
238.78	FS1248.83	Trojan Holdings Limited & Beach Street Holdings Limited	12.5.9	Oppose	The submitter opposes this submission . Alerts that the submission and matters sought in it will therefore not promote or give effect to Part 2 of the Act. States that matters raised in the submission do not meet section 32 of the Act. are not the most appropriate method for achieving the objectives of the Proposed District Plan having regard to its efficiency and effectiveness, and taking into account the costs and benefits.	Accept in Part		Height
238.78	FS1249.83	Tweed Development Limited	12.5.9	Oppose	The submitter opposes this submission . Alerts that the submission and matters sought in it will therefore not promote or give effect to Part 2 of the Act. States that matters raised in the submission do not meet section 32 of the Act. are not the most appropriate method for achieving the objectives of the Proposed District Plan having regard to its efficiency and effectiveness, and taking into account the costs and benefits.	Accept in Part		Height
238.78	FS1242.106	Antony & Ruth Stokes	12.5.9	Oppose	The submitter seeks submission be disallowed as it relates to the expansion of the Business Mixed Use Zone (submission point 238.93) with the High Density Residential Zone on the northern side of Henry Street being retained.		Transferred to Hearing Stream Business	Further submission point is not relevant to Queenstown Town Centre Zone
383.33		Queenstown Lakes District Council	12.5.9	Other	Amend Rule 12.5.9 as per the wording suggested in the submission such that any building exceeding 12 m in Precinct 1A (Brecon St East) is a restricted discretionary activity	Accept		Height
383.33	FS1236.12	Skyline Enterprises Limited	12.5.9	Oppose	Opposes submitter 383's amendments to the height for the Queenstown Town Centre. Submits that an absolute height of 17.5m should be imposed over Section 1 SO 22971 in order to accommodate future upgrades to the Gondola bottom terminal. Requests that these submissions be disallowed.	Reject		Height
398.14		Man Street Properties Limited	12.5.9	Other	Oppose the PDP approach to the management of height within the block bound by Hay, Man, Brecon and Shotover Streets as it relates to land identified within Height Precinct 1 and, in particular, the maximum height control on Lot 1 DP 25433 should better reflect the maximum height controls proposed within this submission and other height controls on Man Street.	Accept in Part		Height
398.14	FS1274.15	John Thompson and MacFarlane Investments Limited	12.5.9	Oppose	Opposes. Believes that the relief requested is inappropriate, taking into account all relevant considerations. Seeks that the submission be disallowed.	Accept in Part		Height
438.26		New Zealand Fire Service	12.5.9	Support	Retain Standard 12.5.9 as notified	Accept in Part		Height
599.8		Peter Fleming	12.5.9	Oppose	Oppose Precinct 1 as it effects the village square proposal and the waterfront	Reject		Height
606.2		Skyline Investments Limited & O'Connells Pavilion Limited	12.5.9.1	Other	Support in part. The Proposed District Plan as notified is confirmed as it relates to: • The location of AVA Backpackers within Precinct 1 and Rules 12.5.9.1 & 12.5.10.1 enabling a height limit of 15m.	Accept		Height
606.2	FS1063.25	Peter Fleming and Others	12.5.9.1	Oppose	Oppose all	Reject		Height
609.2		Skyline Properties Limited & Accommodation and Booking Agents Queenstown Limited	12.5.9.1	Other	Support in part. The Proposed District Plan as notified is confirmed as it relates to: • The location of the Chester Building within Precinct 1 and Rules 12.5.9.1 & 12.5.10.1 enabling a height limit of 14m.	Accept		Height
609.2	FS1063.32	Peter Fleming and Others	12.5.9.1	Oppose	Oppose all	Reject		Height
614.2		Shotover Memorial Properties Limited & Horne Water Holdings Limited	12.5.9.1	Other	Support in part. The Proposed District Plan as notified is confirmed as it relates to: •The location of the Submitter's site within Precinct 1 and Rules 12.5.9.1 & 12.5.10.1 enabling a height limit of 14m,	Accept		Height
614.2	FS1200.2	Stanley Street Investments Limited and Stanley Street Limited and Kelso Investments Limited	12.5.9.1	Support	all relief sought be allowed	Accept		Height

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Original Point No	Further Submission No	Submitter	Lowest Clause	Submitter Position	Submission Summary	Planner Recommendation	Transferred	Issue Reference
663.13		IHG Queenstown Ltd and Carter Queenstown Ltd	12.5.9.2.	Oppose	Amend as follows: In that part of the precinct on the eastern side of Brecon Street annotated as <u>Precinct P1(A) as shown</u> on the Height Precinct Map; where the maximum height shall be 15.5m above ground level and shall be limited to no more than 4 storeys in height (excluding basements), provided no part of any building shall protrude through a recession line inclined towards the site at an angle of 45 degrees commencing from a line 10m above the street boundary.	Accept		Height
663.13	FS1139.14	Carl & Lorraine Holt	12.5.9.2.	Oppose	Seek that the whole of submission 663 be disallowed.	Reject		Height
663.13	FS1191.13	Adam & Kirsten Zaki	12.5.9.2.	Oppose	Seeks that the whole submission be disallowed. - For the general reasons stated by the Submitters in their primary submission, specifically 5.7 - 5.11. - The decisions version of PC50 (currently subject to appeal before the Environment Court) was sought in the alternative to the retention of high density residential zoning in the Submitters' primary submission. - The Council through PC50 appropriately assessed and determined (in a section 32 sense) the (inter alia) efficiency and effectiveness of the provisions of PC50 in relation to the Submitters' land and the balance of the Beach Street Block, particularly in relation to bulk, site coverage and height. - Town Centre zoning and requested amendments to that zoning for the Beach Street Block in parts and as a whole are inconsistent with Part 2, relevant provisions of superior planning instruments and the Operative and Proposed District Plans.	Reject		Height
667.3		Cedric Hockey	12.5.9.2.	Oppose	Amend as follows: In that part of the precinct on the eastern side of Brecon Street annotated as <u>Precinct P1 (A) as shown</u> on the Height Precinct Map; where the maximum height shall be 15.5m above ground level and shall be limited to no more than 4 storeys in height (excluding basements), provided no part of any building shall protrude through a recession line inclined towards the site at an angle of 45 degrees commencing from a line 10m above the street boundary.	Accept		Height
667.3	FS1236.13	Skyline Enterprises Limited	12.5.9.2.	Oppose	Opposes submitter 667's proposed maximum height limit of 15.5m. Submits that an absolute height of 17.5m should be imposed over Section 1 SO 22971 in order to accommodate future upgrades to the Gondola bottom terminal. Requests that these submissions be disallowed.	Reject		Height
672.14		Watertight Investments Ltd	12.5.9.2.	Oppose	Amend Rule as follows, as a consequential amendment to including this block within Precinct 1(A) and to simplify the wording of the rule : <i>"In that part of the precinct on the eastern side of Brecon Street annotated as Precinct P1(A) as shown on the Height Precinct Map; the maximum height shall be 15.5m above ground level and shall be limited to no more than 4 storeys in height..."</i>	Accept in Part		Height
20.6		Aaron Cowie	12.5.10	Other	All areas should have significantly higher property height, especially towards the centre of Queenstown and far greater density with houses of 4-5 stories as the norm, with hotels even higher	Accept in Part		Height
20.6	FS1059.7	Erna Spijkerbosch	12.5.10	Oppose	We oppose this submission to increase building heights in the center of town	Reject		Height
20.6	FS1368.2	Man Street Properties Limited	12.5.10	Support	The submitter supports this submission as it relates to increasing heights and the benefits of this as identified in the submission. The submission and matters sought in it will promote and give effect to Part 2 of the Act and meet section 32 of the Act. Increasing height will also assist in achieving the objectives of the Proposed District Plan having regard to their efficiency and effectiveness, and taking into account the costs and benefits	Accept in Part		Height
59.2		Lynda Baker	12.5.10	Oppose	Retain/ change the maximum height limit in Precinct 1 to 8.5 m as the proposed 15 m height has adverse effects and contradicts policies 12-2-2-2 and 12-2-2-3.	Reject		height
59.2	FS1059.6	Erna Spijkerbosch	12.5.10	Support	We support this submission to restrict downtown heights,	Reject		height
59.2	FS1236.1	Skyline Enterprises Limited	12.5.10	Oppose	Opposes to impose a maximum height limit of 8.5m. Assures that this is an inefficient use of land resource close to the existing Queenstown Town Centre and height limits should be increased. Requests that these submissions be disallowed.	Accept		height
59.2	FS1063.43	Peter Fleming and Others	12.5.10	Support	All be allowed	Reject		height
159.2		Karen Boulay	12.5.10	Oppose	Increasing building height allowances in the Town Centre is not productive for Queenstown as a tourist mecca and is opposed.	Accept in Part		height
159.2	FS1076.1	Oxford Holdings Limited	12.5.10	Oppose	That part of the submission relating to managing the height in the Town Centre Zone	Accept in Part		height
159.2	FS1236.8	Skyline Enterprises Limited	12.5.10	Oppose	Opposes to impose a maximum height limit of 8.5m. Assures that this is an inefficient use of land resource close to the existing Queenstown Town Centre and height limits should be increased. Requests that these submissions be disallowed.	Accept		height
187.14		Nicholas Kiddle	12.5.10	Other	Retain the building height limits under review as, in general, raising building height limits is supported	Accept in Part		height
187.14	FS1260.9	Dato Tan Chin Nam	12.5.10	Support	Amend the height rules in the HDR Zone to provide for a permitted height of 14m, and RDIS up to 20m. Increased height limits on sloping sites (14m and 20m as permitted and RDIS respectively) will provide for innovative and flexible design outcomes and promote the objectives and policies of the HDR Zone, and allow for the most efficient and effective use of the resource.		Transferred to Hearing Stream Residential	Further submission point is not relevant to Queenstown Town Centre Zone
206.6		Lindsay Jackson	12.5.10	Oppose	Opposes maximum height limit of 15m in precinct 1, and opposes provision for developers to exceed height limits in the town centre. Change the proposed maximum height limit in Height Precinct 1 to 8.5 m as opposed to the 15 m proposed.	Reject		height

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Original Point No	Further Submission No	Submitter	Lowest Clause	Submitter Position	Submission Summary	Planner Recommendation	Transferred	Issue Reference
206.6	FS1060.1	Oxford Holdings Limited	12.5.10	Oppose	That part of the submission relating to managing the height in the Town Centre Zone	Accept		height
206.6	FS1236.9	Skyline Enterprises Limited	12.5.10	Oppose	Opposes to impose a maximum height limit of 8.5m. Assures that this is an inefficient use of land resource close to the existing Queenstown Town Centre and height limits should be increased. Requests that these submissions be disallowed.	Accept		height
206.6	FS1063.51	Peter Fleming and Others	12.5.10	Support	All be allowed	Reject		height
206.6	FS1274.31	John Thompson and MacFarlane Investments Limited	12.5.10	Oppose	Opposes. Believes that the relief requested is inappropriate, taking into account all relevant considerations. Seeks that the submission be disallowed.	Accept		height
238.79		NZIA Southern and Architecture + Women Southern	12.5.10	Other	Support increased height and recession rules and support 4 stories if done well and provided all buildings in the town centre zone are reviewed by the urban design panel.	Accept in Part		height
238.79	FS1368.3	Man Street Properties Limited	12.5.10	Support	Support in Part - The submitter supports this submission where it relates to promoting and encouraging additional height within the Town Centre zone. Increasing heights will promote and give effect to Part 2 of the Act and will promote the objectives of the Proposed District Plan having regard to its efficiency and effectiveness, and taking into account the costs and benefits.	Accept in Part		height
238.79	FS1107.84	Man Street Properties Ltd	12.5.10	Oppose	The Submitter opposes this submission. Submission 238 will not promote or give effect to Part 2 of the Act. The matters raised in the submission do not meet section 32 of the Act, and are not the most appropriate method for achieving the objectives of the Proposed District Plan having regard to its efficiency and effectiveness, and taking into account the costs and benefits.	Accept in Part		height
238.79	FS1226.84	Ngai Tahu Property Limited & Ngai Tahu Justice Holdings Limited	12.5.10	Oppose	The submitter opposes this submission . Alerts that the submission and matters sought in it will therefore not promote or give effect to Part 2 of the Act. States that matters raised in the submission do not meet section 32 of the Act. are not the most appropriate method for achieving the objectives of the Proposed District Plan having regard to its efficiency and effectiveness, and taking into account the costs and benefits.	Accept in Part		height
238.79	FS1234.84	Shotover Memorial Properties Limited & Horne Water Holdings Limited	12.5.10	Oppose	States that submission 238 will not promote or give effect to Part 2 of the Act. Agrees that matters raised in the submission do not meet section 32 of the Act. are not the most appropriate method for achieving the objectives.	Accept in Part		height
238.79	FS1239.84	Skyline Enterprises Limited & O'Connells Pavillion Limited	12.5.10	Oppose	Agrees that submission 238 will not promote or give effect to Part 2 of the Act. States that matters raised in the submission do not meet section 32 of the Act. are not the most appropriate method for achieving the objectives.	Accept in Part		height
238.79	FS1241.84	Skyline Enterprises Limited & Accommodation and Booking Agents	12.5.10	Oppose	Agrees that submission 238 will not promote or give effect to Part 2 of the Act. States that matters raised in the submission do not meet section 32 of the Act. are not the most appropriate method for achieving the objectives.	Accept in Part		height
238.79	FS1248.84	Trojan Holdings Limited & Beach Street Holdings Limited	12.5.10	Oppose	The submitter opposes this submission . Alerts that the submission and matters sought in it will therefore not promote or give effect to Part 2 of the Act. States that matters raised in the submission do not meet section 32 of the Act. are not the most appropriate method for achieving the objectives of the Proposed District Plan having regard to its efficiency and effectiveness, and taking into account the costs and benefits.	Accept in Part		height
238.79	FS1249.84	Tweed Development Limited	12.5.10	Oppose	The submitter opposes this submission . Alerts that the submission and matters sought in it will therefore not promote or give effect to Part 2 of the Act. States that matters raised in the submission do not meet section 32 of the Act. are not the most appropriate method for achieving the objectives of the Proposed District Plan having regard to its efficiency and effectiveness, and taking into account the costs and benefits.	Accept in Part		height
238.79	FS1242.107	Antony & Ruth Stokes	12.5.10	Oppose	The submitter seeks submission be disallowed as it relates to the expansion of the Business Mixed Use Zone (submission point 238.93) with the High Density Residential Zone on the northern side of Henry Street being retained.		Transferred to Hearing Stream Business	Further submission point is not relevant to Queenstown Town Centre Zone
383.34		Queenstown Lakes District Council	12.5.10	Other	Amend the Height Precinct Map (Figure 2; Chapter 12) such that Precinct 3 includes all the area within the red line shown in the map included with the submission. I.e. including those areas to the north, which are currently either included in P5 or not included within any precinct (i.e. the rear parts of the marine Parade Site at the corner of Marine Parade and Church Street have no precinct assigned to them).	Accept		height
383.212		Queenstown Lakes District Council	12.5.10	Other	Amend Rule 12.5.10.1 as per the wording suggested in the submission such that any building exceeding a 15.5 m in Precinct 1A (Brecon St East) is a non-complying activity.	Accept		height
398.4		Man Street Properties Limited	12.5.10	Support	Confirm the Submitter's site as being within Height Precinct 7 and the associated height limit of 11m.	Accept in Part		height
398.4	FS1274.5	John Thompson and MacFarlane Investments Limited	12.5.10	Oppose	Opposes. Believes that the relief requested is inappropriate, taking into account all relevant considerations. Seeks that the submission be disallowed.	Accept in Part		height

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Original Point No	Further Submission No	Submitter	Lowest Clause	Submitter Position	Submission Summary	Planner Recommendation	Transferred	Issue Reference
398.13		Man Street Properties Limited	12.5.10	Oppose	Oppose the PDP approach to the management of height within the block bound by Hay, Man, Brecon and Shotover Streets as it relates to land identified within Height Precinct 1 and, in particular, the maximum height control on Lot 1 DP 25433, which should better reflect the maximum height controls proposed within this submission and other height controls on Man Street.	Accept in Part		height (Man sty)
398.13	FS1274.14	John Thompson and MacFarlane Investments Limited	12.5.10	Oppose	Opposes. Believes that the relief requested is inappropriate, taking into account all relevant considerations. Seeks that the submission be disallowed.	Accept in Part		height
438.27		New Zealand Fire Service	12.5.10	Support	Retain Standard 12.5.10 as notified	Accept in Part		height
548.4		Maximum Mojo Holdings Limited	12.5.10	Not Stated	That the building height limit for 10 Man Street is the same as the height limit for Height Precinct 7 (Man Street).	Reject		Height (man sty block)
548.4	FS1117.215	Remarkables Park Limited	12.5.10	Not Stated	Support/Oppose. Support the integration of Plan Change 50 into the District Plan. Oppose the overall extent and location of the Queenstown Town Centre when both Plan Change 50 and the District Plan Review are considered.	Accept in Part		Height (man sty block)
599.9		Peter Fleming	12.5.10	Oppose	Oppose Precinct 1 as it effects the village square proposal and the waterfront.	Reject		height
82.3		Toni Okkerse	12.5.10.1	Other	Change the proposed maximum height limit in Precinct 1 to 8.5 m as opposed to the 15 m proposed.	Reject		height
82.3	FS1107.3	Man Street Properties Ltd	12.5.10.1	Oppose	The Submitter opposes this submission and considers that the requirements for parking within the CBD are inappropriate and inefficient. Amendments to height as detailed in the submission are inappropriate and inefficient. The submission and matters sought in it will therefore not promote or give effect to Part 2 of the Act. The matters raised in the submission do not meet section 32 of the Act, and are not the most appropriate method for achieving the objectives of the Proposed District Plan having regard to its efficiency and effectiveness, and taking into account the costs and benefits	Accept		height
82.3	FS1125.9	New Zealand Fire Service	12.5.10.1	Oppose	Disallow. The Commission supports this provision as it was notified. While a fire station can be designed to meet an 8.5m height limit, to best meet operational requirements greater height is desirable as is proposed in the Plan for the Queenstown Town Centre	Accept		height
82.3	FS1226.3	Ngai Tahu Property Limited & Ngai Tahu Justice Holdings Limited	12.5.10.1	Oppose	The submitter opposes this submission and considers requirements for parking within the CBD is inappropriate and inefficient. Believes that amendments to height are inappropriate and inefficient. Alerts that the submission and matters sought in it will therefore not promote or give effect to Part 2 of the Act. States that matters raised in the submission do not meet section 32 of the Act. are not the most appropriate method for achieving the objectives of the Proposed District Plan having regard to its efficiency and effectiveness, and taking into account the costs and benefits.	Accept		height
82.3	FS1234.3	Shotover Memorial Properties Limited & Horne Water Holdings Limited	12.5.10.1	Oppose	The submitter opposes and considers requirements for parking within the CBD is inappropriate and inefficient. Assures that amendments to height as detailed in the submission are inappropriate and inefficient. Alerts that the submission and matters sought in it will therefore not promote or give effect to Part 2 of the Act. Assures that matters raised in the submission do not meet section 32 of the Act. are not the most appropriate method for achieving the objectives.	Accept		height
82.3	FS1236.4	Skyline Enterprises Limited	12.5.10.1	Oppose	Opposes to impose a maximum height limit of 8.5m. Assures that this is an inefficient use of land resource close to the existing Queenstown Town Centre and height limits should be increased. Requests that these submissions be disallowed.	Accept		height
82.3	FS1239.3	Skyline Enterprises Limited & O'Connells Pavillion Limited	12.5.10.1	Oppose	The submitter opposes and considers requirements for parking within the CBD is inappropriate and inefficient. Believes that amendments to height are inappropriate and inefficient. Agrees that the submission and matters sought in it will therefore not promote or give effect to Part 2 of the Act. States that matters raised in the submission do not meet section 32 of the Act. are not the most appropriate method for achieving the objectives.	Accept		height
82.3	FS1241.3	Skyline Enterprises Limited & Accommodation and Booking Agents	12.5.10.1	Oppose	The submitter opposes and considers requirements for parking within the CBD is inappropriate and inefficient. Believes that amendments to height are inappropriate and inefficient. Agrees that the submission and matters sought in it will therefore not promote or give effect to Part 2 of the Act. States that matters raised in the submission do not meet section 32 of the Act. are not the most appropriate method for achieving the objectives.	Accept		height
82.3	FS1248.3	Trojan Holdings Limited & Beach Street Holdings Limited	12.5.10.1	Oppose	The submitter opposes this submission and considers requirements for parking within the CBD is inappropriate and inefficient. Believes that amendments to height are inappropriate and inefficient. Alerts that the submission and matters sought in it will therefore not promote or give effect to Part 2 of the Act. States that matters raised in the submission do not meet section 32 of the Act. are not the most appropriate method for achieving the objectives of the Proposed District Plan having regard to its efficiency and effectiveness, and taking into account the costs and benefits.	Accept		height

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Original Point No	Further Submission No	Submitter	Lowest Clause	Submitter Position	Submission Summary	Planner Recommendation	Transferred	Issue Reference
82.3	FS1249.3	Tweed Development Limited	12.5.10.1	Oppose	The submitter opposes this submission and considers requirements for parking within the CBD is inappropriate and inefficient. Believes that amendments to height are inappropriate and inefficient. Alerts that the submission and matters sought in it will therefore not promote or give effect to Part 2 of the Act. States that matters raised in the submission do not meet section 32 of the Act. are not the most appropriate method for achieving the objectives of the Proposed District Plan having regard to its efficiency and effectiveness, and taking into account the costs and benefits.	Accept		height
82.3	FS1063.39	Peter Fleming and Others	12.5.10.1	Support	All be allowed	Reject		height
82.3	FS1274.23	John Thompson and MacFarlane Investments Limited	12.5.10.1	Oppose	Opposes. Believes that the relief requested is inappropriate, taking into account all relevant considerations. Seeks that the submission be disallowed.	Accept		height
383.213		Queenstown Lakes District Council	12.5.10.1	Other	Amend Rule 12.5.10.1 as per the wording suggested in the submission such that it is clear that Height Precinct P2 is subject to standard 12.5.10.1 and that, as such, buildings can extend to 14 m in P2. This reflects the rationale outlined in the S 32 report that the greater height is enabled in order to offset the relatively low heights enabled on the Beach Street side of that block.	Accept		height
606.3		Skyline Investments Limited & O'Connells Pavilion Limited	12.5.10.1	Other	Support in part. The Proposed District Plan as notified is confirmed as it relates to: • The location of AVA Backpackers within Precinct 1 and Rules 12.5.9.1 & 12.5.10.1 enabling a height limit of 15m.	Accept		height
606.3	FS1063.26	Peter Fleming and Others	12.5.10.1	Oppose	Oppose all	Reject		height
609.3		Skyline Properties Limited & Accommodation and Booking Agents Queenstown Limited	12.5.10.1	Other	Support in part. The Proposed District Plan as notified is confirmed as it relates to: • The location of the Chester Building within Precinct 1 and Rules 12.5.9.1 & 12.5.10.1 enabling a height limit of 14m.	Accept		height
609.3	FS1063.33	Peter Fleming and Others	12.5.10.1	Oppose	Oppose all	Reject		height
614.3		Shotover Memorial Properties Limited & Horne Water Holdings Limited	12.5.10.1	Other	Support in part. The Proposed District Plan as notified is confirmed as it relates to: •The location of the Submitter's site within Precinct 1 and Rules 12.5.9.1 & 12.5.10.1 enabling a height limit of 14m,	Accept		height
614.3	FS1200.3	Stanley Street Investments Limited and Stanley Street Limited and Kelso Investments Limited	12.5.10.1	Support	all relief sought be allowed	Accept		height
383.214		Queenstown Lakes District Council	12.5.10.4	Other	Correct the Typographical error in Rule 12.5.10.4 as follows: 'In Height Precinct 7 (Man Street), the maximum height shall be 11m above 327.1 masl, except that within the viewshafts identified on the Height Precinct map, the maximum height shall be 4m above 321.7 <u>327.1</u> masl'.	Accept		Height (man sty block)
383.214	FS1274.37	John Thompson and MacFarlane Investments Limited	12.5.10.4	Oppose	Opposes in part. Believes that the relief requested is inappropriate, taking into account all relevant considerations. Seeks that the submission be disallowed.	Reject		Height (man sty block)
398.11		Man Street Properties Limited	12.5.10.4	Other	Amend the maximum height control for the following sites as follows: •Section 6 Block IX Town of Queenstown - Maximum height 338 masl •Section 5 Block IX Town of Queenstown -Maximum height of 331 masl •Section 1-4, 29 & 30 Block IX Town of Queenstown -Maximum height of 328 masl •Lot 1 DP 350318 - Maximum height of 337 masl •Sec 26 Block IX Town of Queenstown - Maximum height of 330.1 masl •Sec 21,23-25 Block IX Town of Queenstown and Part Lot 2 and Lot 4 DP 7789 and Lot 2 DP 25433 - Maximum height of 328 masl	Accept in Part		Height (man sty block)
398.11	FS1274.12	John Thompson and MacFarlane Investments Limited	12.5.10.4	Oppose	Opposes. Believes that the relief requested is inappropriate, taking into account all relevant considerations. Seeks that the submission be disallowed.	Reject		Height (man sty block)
53.1		Shipleys AV	12.5.11	Support	Support the creation of an entertainment precinct in the CBD, however the boundaries will need to be reviewed every six months. Council needs to understand more as to how waves (frequencies) work, their effect when interacting with other surfaces and substances, and how sound travels through the air and ground, and the different ways of handling noise pollution - absorption, reflection and diffusion.	Reject		TCEP/ noise

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Original Point No	Further Submission No	Submitter	Lowest Clause	Submitter Position	Submission Summary	Planner Recommendation	Transferred	Issue Reference
151.5		Imperium Group	12.5.11	Oppose	Delete '(excluding sound from the sources specified in Rules 12.5.11.3 and 12.5.11.4)' from Rule 12.5.11.1; replace '75' with '70' in Rule 12.5.11.1 (c); delete '(excluding sound from the sources specified in Rules 12.5.11.3 and 12.5.11.4)' from Rule 12.5.11.2; delete Rules 12.5.11.3, 12.5.11.4, and 12.5.11.5; and delete the second bullet point from the 'Exemptions'. There is no justifiable resource management reason for providing separate and increased noise limits for that part of Queenstown Town Centre shown marked 'Town Centre Entertainment Precinct' in the District Plan Review and making provisions for higher noise limits with the zone will result in significant adverse effects on properties both within the Precinct and in the vicinity of the Precinct, particularly for existing residential and visitor accommodation uses. There is no justification for Rules 12.5.11.2, 12.5.11.3, 12.5.11.4 which effectively allow excessive noise to 'spill over' into areas outside the Precinct in a manner that would depart from the standard noise provisions in the Plan which require that noise received from another zone (or sub-zone) comply with the noise limits for the zone within which the noise is received. There has been no or insufficient consideration been given to alternative options such as smaller increases in noise in areas within the proposed Precinct being assessed on a case by case basis by classifying those increases as discretionary or restricted discretionary activities with either full or limited notification.	Reject		Noise
474.3		Evan Jenkins	12.5.11	Other	Generally a good chapter but request some detail to show how compliance will be achieved regarding music, especially live and loud.	Accept in Part		Noise
474.5		Evan Jenkins	12.5.11	Other	Amend the busking rules to forbid amplification of music.		Out of scope outside TLA/DP function	Noise/ out of scope
474.6		Evan Jenkins	12.5.11	Other	An 'entertainment precinct' has the potential to alleviate some noise issues however existing examples of such precincts but are not very 'pretty' places late at night so lets not develop a mini version of The Cross(Sydney NSW) 'Queens Cross', Queenstown.	Accept in Part		TCEP
503.4		DJ and EJ Cassells, The Bulling Family, The Bennett Family, M Lynch	12.5.11	Oppose	Remove the proposed Queenstown Town Centre noise standards and replace with the Operative standards, as raising limits will increase adverse effects on residents and visitors in the area, users of the Gardens, and amenity values generally.	Accept in Part		Noise
503.4	FS1063.7	Peter Fleming and Others	12.5.11	Support	All allowed	Accept in Part		Noise
503.4	FS1318.43	Imperium Group	12.5.11	Support	Supports. Requests that the relief sought by the original submitter be granted and, consistent with the relief sought in my own submission, the Town Centre Entertainment Precinct be deleted.	Accept in Part		Noise
506.5		Friends of the Wakatiou Gardens and Reserves Incorporated	12.5.11	Not Stated	Remove the proposed Queenstown Town Centre noise standards and replace with the Operative standards, as raising limits will increase adverse effects on residents and visitors in the area, users of the Gardens, and amenity values generally.	Accept in Part		Noise
506.5	FS1063.14	Peter Fleming and Others	12.5.11	Support	We support all of their submission. QLDC have provided little or no relevant section 32 reports that is it is lacking in section 32 reports that are of any use. It is unacceptable that submissions on A4 paper all stacked on top of one another would be over 1 metre height and that they can be cross referenced by us mere mortals in 3 weeks. They are closed off less than a week before Christmas New Year which is stupid. We wish to comment further on this at Hearings. We wish to object to all submissions that in fact amount to private plan changes. They are undemocratic and most likely illegal. The maps are unreadable.	Accept in Part		Noise
506.5	FS1318.44	Imperium Group	12.5.11	Support	Supports. Requests that the relief sought by the original submitter be granted and, consistent with the relief sought in my own submission, the Town Centre Entertainment Precinct be deleted.	Accept in Part		Noise
544.5		Good Group Limited	12.5.11	Not Stated	Apply Rules 12.5.11.3(a) and 12.5.11.4(a) throughout the QTCZ, except for within the Town Centre Transition Sub-Zone and support in part the objectives and policies that inform Rules 12.5.11.3(a) and 12.5.11.4(a), subject to these noise rules applying throughout the QTCZ, except for within the Town Centre Transition Sub-Zone.	Accept in Part		TCEP/ noise
599.2		Peter Fleming	12.5.11	Not Stated	Oppose Rule 12.5.11 as unworkable. Retain the existing Town Centre noise boundaries and standards and oppose the entertainment precinct.	Reject		TCEP/ noise
599.2	FS1134.1	Robbie McGillivray	12.5.11	Oppose	That the proposed retention of existing boundaries be declined.	Reject		TCEP/ noise
599.2	FS1318.45	Imperium Group	12.5.11	Support	Supports. Requests that the relief sought by the original submitter be granted and, consistent with the relief sought in my own submission, the Town Centre Entertainment Precinct be deleted.	Reject		TCEP/ noise
621.56		Real Journeys Limited	12.5.11	Not Stated	Amend standards to exclude noise from vessels carrying out navigational procedures: Except these noise standards do not apply to vessels making noise for the purposes of navigational safety, which are permitted.	Accept in Part		Noise
714.12		Kopuwai Investments Limited	12.5.11	Other	Provide for increased noise levels within the Steamer Wharf Entertainment Precinct and also to exclude the measurement for compliance being other sites within the precinct, amend Rule 12.5.11 by adding a further exemption at the end of 12.5.11.5 as follows: "• Noise from within the Steamer Wharf Entertainment Precinct that is measured at sites within the precinct."	Reject		TCEP

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Original Point No	Further Submission No	Submitter	Lowest Clause	Submitter Position	Submission Summary	Planner Recommendation	Transferred	Issue Reference
217.13		Jay Berriman	12.5.11.1	Oppose	Oppose the increase of 5 db in the night time (2200 to 0800) noise level to 75 db (12.5.11.1(c) as, being a commercial building owner 9b Earl St, I do not wish to see any noise increase in the entertainment or any other zones - the noise limit at night in the entertainment district and all other zones should not exceed 60 db.	Reject		Noise
217.13	FS1318.41	Imperium Group	12.5.11.1	Support	Supports. Requests that the relief sought by the original submitter be granted and, consistent with the relief sought in my own submission, the Town Centre Entertainment Precinct be deleted.	Reject		Noise
302.2		Grand Lakes Management Limited	12.5.11.1	Support	Support the retention of the Town Centre Zone day time and night time noise levels	Accept in Part		Noise
302.1		Grand Lakes Management Limited	12.5.11.3	Oppose	Oppose the increase in night time noise from music from 50 to 55dB LAeq (Rule 12.5.11.3) as this will have a significant adverse effect on the GLML operation (Sofitel Hotel and Spa) and noise insulation requirements will not address the issues facing existing buildings and are inequitable.	Reject		Noise
302.1	FS1318.42	Imperium Group	12.5.11.3	Support	Supports. Requests that the relief sought by the original submitter be granted and, consistent with the relief sought in my own submission, the Town Centre Entertainment Precinct be deleted.	Reject		Noise
302.3		Grand Lakes Management Limited	12.5.11.3	Support	Support the 5 minute measuring of noise from music (Rule 12.5.11.3 (a) and (b)).	Accept		Noise
774.2		Queenstown Chamber of Commerce	12.5.11.3	Support	Support the use of an Entertainment Precinct to group similar activities but request that it is extended to include the following established bars and restaurants: 1876, Speight's Ale House, The Pig & Whistle and Brazz. Consider other areas in Queenstown Central Business District that may benefit from inclusion within the Entertainment Precinct such as the Steamer Warf Precinct. Confirm that the proposed noise levels are consistent with other resort towns. Provide for extended outdoor trading to allow patrons to enjoy the evenings until 11pm.	Accept in Part		TCEP/ outdoor trading
474.2		Evan Jenkins	12.5.11.5	Other	Regarding 12.5.11.5 ban all outside loudspeakers as they cannot be contained, infect public space, and disturb customers of other establishments.	Reject		Noise
217.14		Jay Berriman	12.5.12	Support	Satisfy good acoustic insulating practices in all new buildings.	Accept		Noise
774.6		Queenstown Chamber of Commerce	12.5.12	Support	Support the provisions of residential and visitor accommodation in the Queenstown Central Business District provided that insulation and mechanical ventilation is included to prevent reverse sensitivity effects. Support the new provisions for insulation and mechanical ventilation.	Accept		Noise
151.6		Imperium Group	12.5.13	Oppose	Delete Rule 12.5.13	Reject		Noise
217.26		Jay Berriman	12.5.13	Support	Satisfy good acoustic insulating practices in all new buildings.	Accept		Noise
714.13		Kopuwai Investments Limited	12.5.13	Other	Update the rule to include the Steamer Wharf Entertainment Precinct, by making the reference to 'Entertainment Precinct' plural.	Reject		TCEP
774.3		Queenstown Chamber of Commerce	12.5.13	Oppose	Support the use of an Entertainment Precinct to group similar activities but request that it is extended to include the following established bars and restaurants: 1876, Speight's Ale House, The Pig & Whistle and Brazz. Consider other areas in Queenstown Central Business District that may benefit from inclusion within the Entertainment Precinct such as the Steamer Warf Precinct. Confirm that the proposed noise levels are consistent with other resort towns. Provide for extended outdoor trading to allow patrons to enjoy the evenings until 11pm.	Accept in Part		TCEP/ outdoor trading
774.7		Queenstown Chamber of Commerce	12.5.13	Support	Support the provisions of residential and visitor accommodation in the Queenstown Central Business District provided that insulation and mechanical ventilation is included to prevent reverse sensitivity effects. Support the new provisions for insulation and mechanical ventilation.	Accept		Residential and visitor accommodation
217.27		Jay Berriman	12.5.14	Support	Satisfy good acoustic insulating practices in all new buildings.	Accept		Noise
398.19		Man Street Properties Limited	12.5.14	Other	Oppose in part the objectives, policies and Queenstown Town Centre Design Guidelines 2015 that inform and support Rule 12.5.14 regarding glare.	Reject		urban design (guidelines, glare)
398.19	FS1274.20	John Thompson and MacFarlane Investments Limited	12.5.14	Oppose	Opposes. Believes that the relief requested is inappropriate, taking into account all relevant considerations. Seeks that the submission be disallowed.	Accept		urban design (guidelines, glare)
621.57		Real Journeys Limited	12.5.14	Not Stated	Amend standards to include standard requiring glare from the Queenstown Bay foreshore to avoid interference with the navigational safety of vessels. Suggested wording is insertion of the following clause: Light from any activity shall not be directed out over the water in Queenstown Bay in such a way that interferes with the safe operation and navigation of the "TSS Earnslaw".	Reject		Waterfront subzone, glare
614.5		Shotover Memorial Properties Limited & Horne Water Holdings Limited	12.5.14.1	Other	Oppose in part. The Proposed District Plan is modified so: • Rule 12.5.14.4 is deleted.	Accept		urban design (glare/ materials)

Appendix 2 to the Section 42A Report for Chapter 12 - Queenstown Town Centre

Original Point No	Further Submission No	Submitter	Lowest Clause	Submitter Position	Submission Summary	Planner Recommendation	Transferred	Issue Reference
614.5	FS1200.5	Stanley Street Investments Limited and Stanley Street Limited and Kelso Investments Limited	12.5.14.1	Support	all relief sought be allowed	Accept		urban design (glare/ materials)
398.15		Man Street Properties Limited	12.5.14.4	Oppose	Delete Rule 12.5.14.4	Accept		urban design (glare/ materials)
398.15	FS1274.16	John Thompson and MacFarlane Investments Limited	12.5.14.4	Oppose	Opposes. Believes that the relief requested is inappropriate, taking into account all relevant considerations. Seeks that the submission be disallowed.	Reject		urban design (glare/ materials)
606.6		Skyline Investments Limited & O'Connells Pavilion Limited	12.5.14.4	Other	Oppose in part. The Proposed District Plan is modified so: • Rule 12.5.14.4 External Building Materials is deleted.	Accept		urban design (glare/ materials)
606.6	FS1063.29	Peter Fleming and Others	12.5.14.4	Oppose	Oppose all	Reject		urban design (glare/ materials)
609.5		Skyline Properties Limited & Accommodation and Booking Agents Queenstown Limited	12.5.14.4	Oppose	The Proposed District Plan is modified so: • Rule 12.5.14.4 External Building Materials is deleted.	Accept		urban design (glare/ materials)
609.5	FS1063.35	Peter Fleming and Others	12.5.14.4	Oppose	Oppose all	Reject		urban design (glare/ materials)
617.5		Tweed Development Limited	12.5.14.4	Oppose	The Proposed District Plan is modified so Rule 12.5.14.4 is deleted.	Accept		urban design (glare/ materials)
243.6		Christine Byrch	12.6 Non-Notification of Applications	Oppose	Amend Clause 12.6.2.2 such that a breach of the building coverage rule in relation to large developments in the Town Centre Transition subzone and comprehensive development of sites 1800m ² or greater <u>should</u> be notified.	Reject		misc. (notification)
243.6	FS1224.6	Matakauri Lodge Limited	12.6 Non-Notification of Applications	Oppose	The submitter opposes this submission and considers that the Proposed District Plan and Visitor Accommodation Sub-zone is an appropriate method to recognise and enable visitor accommodation on Lot 2 DP 27037. Seeks it to be disallowed.	Accept		misc. (notification)
714.14		Kopuwait Investments Limited	12.6 Non-Notification of Applications	Other	Amend rule 12.6.2 as follows: "The following Restricted Discretionary activities shall not require the written consent of other persons and shall not be notified or limited notified: ... 12.6.2.4 Licenced premises, and the sale and supply of alcohol within the Steamer Wharf Entertainment Precinct."	Accept in Part		misc. (notification)
719.85		NZ Transport Agency	12.6.1	Oppose	Amend Rule 12.6.1 to read as follows: Applications for Controlled activities shall not require the written consent of other persons and shall not be notified or limited-notified. ~ <u>except for 12.6.1.1 visitor accommodation adjacent to the State highway where the road controlling authority shall be deemed an affected party.</u>	Accept in Part		misc. (notification)
650.6		Foodstuffs South Island Ltd and Foodstuffs South Island Properties Ltd	12.6.2	Support	Removing the need for affected party approvals and notification for new buildings in the Town Centre Zones will streamline decision making process, minimise consenting risk and reduce processing costs/delays.	Accept		misc. (notification)
673.1		Foodstuffs South Island Limited and Foodstuffs (South Island) Properties Limited	12.6.2	Support	Retain, in its notified form, Rule 12.6.2, in respect of no written consent and non-notification. See uploaded submission	Accept		misc. (notification)
398.5		Man Street Properties Limited	Figure 2	Support	Confirm the Submitter's site as being within Height Precinct 7 and the associated height limit of 11m.	Accept in Part		Height (Man St block)
398.5	FS1274.6	John Thompson and MacFarlane Investments Limited	Figure 2	Oppose	Opposes. Believes that the relief requested is inappropriate, taking into account all relevant considerations. Seeks that the submission be disallowed.	Accept in Part		Height (Man St block)
398.10		Man Street Properties Limited	Figure 2	Other	Confirm or move the position of the viewshafts on the Submitter's site so the western-most view shaft is positioned to correspond with Section 26 Block IX Town of Queenstown. It is unclear in Figure 2: Height Precinct Map where the view shafts identified on the Submitter's sites are positioned in relation to sites on Shotover Street.	Accept		Height (Man St block)
398.10	FS1274.11	John Thompson and MacFarlane Investments Limited	Figure 2	Oppose	Opposes. Believes that the relief requested is inappropriate, taking into account all relevant considerations. Seeks that the submission be disallowed.	Reject		Height (Man St block)
548.5		Maximum Mojo Holdings Limited	Figure 2	Not Stated	That the building height limit for 10 Man Street is the same as the height limit for Height Precinct 7 (Man Street).	Reject		Height (Man St block)
548.5	FS1117.216	Remarkables Park Limited	Figure 2	Not Stated	Support/Oppose. Support the integration of Plan Change 50 into the District Plan. Oppose the overall extent and location of the Queenstown Town Centre when both Plan Change 50 and the District Plan Review are considered.	Accept in Part		Height (Man St block)
606.7		Skyline Investments Limited & O'Connells Pavilion Limited	Figure 2	Other	Oppose in part. The Proposed District Plan is modified so: • The portion of the Marine Parade Site that is currently not shown within a Height Precinct is identified within Height Precinct 4 and the Height Precinct Map is amended accordingly.	Reject		Height
606.7	FS1063.30	Peter Fleming and Others	Figure 2	Oppose	Oppose all	Accept		Height

Plan Change 50 - Withdrawn Provisions - Submissions

Original Point No	Further Submission No	Submitter	Lowest Clause	Submitter Position	Submission Summary	Planner Recommendation	Transferred	Issue Reference
516.4		MacFarlane Investments		Oppose	Amend the proposed plan and Map 36 as follows: 1. Withdraw the High Density Residential zoning for the Isle Street Block (identified as hatched on the map attached to this submission at Appendix 1; So that it is not part of the District Plan Review, enabling PC 50 to run its course. OR 2. Insert the PC 50 provisions, or provisions that have the same effect as the PC 50 provisions, in a manner that applies to all activities in the Isle Street Block. AND 3. Remove any provisions in the Town Centre, High Density Residential, Historic Heritage and Subdivision chapters which are in conflict with PC 50 or have a different effect to PC 50, and replace them with provisions the same effect as PC 50, for the Isle Street Block.		Out of scope not within Stage 1 of the PDP	Plan Change 50 land
517.4		John Thompson		Oppose	Amend the proposed plan and Map 36 as follows: 1. Withdraw the High Density Residential zoning for the Isle Street Block (identified as hatched on the map attached to this submission at Appendix 1; So that it is not part of the District Plan Review, enabling PC 50 to run its course. OR 2. Insert the PC 50 provisions, or provisions that have the same effect as the PC 50 provisions, in a manner that applies to all activities in the Isle Street Block. AND 3. Remove any provisions in the Town Centre, High Density Residential, Historic Heritage and Subdivision chapters which are in conflict with PC 50 or have a different effect to PC 50, and replace them with provisions the same effect as PC 50, for the Isle Street Block.		Out of scope not within Stage 1 of the PDP	Plan Change 50 land
548.1		Maximum Mojo Holdings Limited		Not Stated	Incorporate Plan Change 50 into the Proposed District Plan. Also see submission points 548.8 to the HDR zone and 548.3 and 548.4 to the maps		Out of scope not within Stage 1 of the PDP	Plan Change 50 land
548.1	FS1097.516	Queenstown Park Limited		Not Stated	Support and oppose. Support the integration of Plan Change 50 into the District Plan. Oppose the overall extent and location of the Queenstown Town Centre when both Plan Change 50 and the District Plan Review are considered		Out of scope not within Stage 1 of the PDP	Plan Change 50 land
548.1	FS1117.212	Remarkables Park Limited		Not Stated	Support/Oppose. Support the integration of Plan Change 50 into the District Plan. Oppose the overall extent and location of the Queenstown Town Centre when both Plan Change 50 and the District Plan Review are considered.		Out of scope not within Stage 1 of the PDP	Plan Change 50 land
663.2		IHG Queenstown Ltd and Carter Queenstown Ltd		Oppose	Include the block bound by Lake Esplanade (Beach St), Lake Street, Man Street and Hay Street within the Queenstown Town Centre Zone and amend the Planning maps to reflect this.		Out of scope not within Stage 1 of the PDP	Plan Change 50 land
663.2	FS1139.3	Carl & Lorraine Holt		Oppose	Seek that the whole of submission 663 be disallowed.		Out of scope not within Stage 1 of the PDP	Plan Change 50 land
663.2	FS1191.2	Adam & Kirsten Zaki		Oppose	Seeks that the whole submission be disallowed. - For the general reasons stated by the Submitters in their primary submission, specifically 5.7 - 5.11. - The decisions version of PC50 (currently subject to appeal before the Environment Court) was sought in the alternative to the retention of high density residential zoning in the Submitters' primary submission. - The Council through PC50 appropriately assessed and determined (in a section 32 sense) the (inter alia) efficiency and effectiveness of the provisions of PC50 in relation to the Submitters' land and the balance of the Beach Street Block, particularly in relation to bulk, site coverage and height. - Town Centre zoning and requested amendments to that zoning for the Beach Street Block in parts and as a whole are inconsistent with Part 2, relevant provisions of superior planning instruments and the Operative and Proposed District Plans.		Out of scope not within Stage 1 of the PDP	Plan Change 50 land
663.19		IHG Queenstown Ltd and Carter Queenstown Ltd		Oppose	Amend Figure 2 to include the lower parts of the block bound by Lake Esplanade (Beach St), Lake Street, Man Street and Hay Street, being 93 Beach Street and 11 Lake Street as outlined in blue in Figure 1 of this submission; within Precinct 1A. and Amend Figure 2 to include the upper portions of of the block bound by Lake Esplanade (Beach St), Lake Street, Man Street and Hay Street, being 15 Lake Street, 18 Hay Street and 32-40 Man Street as outlined in red in Figure 1 of this submission; within Precinct 1.		Out of scope not within Stage 1 of the PDP	Plan Change 50 land
663.19	FS1139.20	Carl & Lorraine Holt		Oppose	Seek that the whole of submission 663 be disallowed.		Out of scope not within Stage 1 of the PDP	Plan Change 50 land

Plan Change 50 - Withdrawn Provisions - Submissions

Original Point No	Further Submission No	Submitter	Lowest Clause	Submitter Position	Submission Summary	Planner Recommendation	Transferred	Issue Reference
663.19	FS1191.19	Adam & Kirsten Zaki		Oppose	Seeks that the whole submission be disallowed. - For the general reasons stated by the Submitters in their primary submission, specifically 5.7 - 5.11. - The decisions version of PC50 (currently subject to appeal before the Environment Court) was sought in the alternative to the retention of high density residential zoning in the Submitters' primary submission. - The Council through PC50 appropriately assessed and determined (in a section 32 sense) the (inter alia) efficiency and effectiveness of the provisions of PC50 in relation to the Submitters' land and the balance of the Beach Street Block, particularly in relation to bulk, site coverage and height. - Town Centre zoning and requested amendments to that zoning for the Beach Street Block in parts and as a whole are inconsistent with Part 2, relevant provisions of superior planning instruments and the Operative and Proposed District Plans.		Out of scope not within Stage 1 of the PDP	Plan Change 50 land
807.77		Remarkables Park Limited		Support	Retain the High Density Residential Zoning of land to the north of Man Street.		Out of scope not within Stage 1 of the PDP	Plan Change 50 land
667.4		Cedric Hockey	Figure 2	Oppose	Amend Figure 2 to make the block bound by Isle, Man, Brecon and Camp Streets fall within Precinct 1A.		Out of scope not within Stage 1 of the PDP	Plan Change 50 land
672.17		Watertight Investments Ltd	Figure 2	Other	Amend Figure 2 to include the block bound by Isle, Man, Brecon and Camp Streets within Precinct 1A, as 15.5 m is an appropriate height limit in the context.		Out of scope not within Stage 1 of the PDP	Plan Change 50 land

Chapter 36 - Noise Provisions - Submissions

Original Point No	Further Submission No	Submitter	Lowest Clause	Submitter Position	Submission Summary
433.110		Queenstown Airport Corporation	36.1 Purpose	Support	Retain the Purpose statement as notified.
433.110	FS1211.6	New Zealand Defence Force	36.1 Purpose	Support	Agrees that the third paragraph particularly notes that the onus to manage noise should not always fall on the noise generator, and in some instances the obligation should fall on the noise receiver. Recognises the potential for reverse sensitivity effects. Seeks this provision to be allowed.
433.110	FS1097.396	Queenstown Park Limited	36.1 Purpose	Oppose	Oppose all amendments to definitions that are inconsistent with Plan Change 35. Oppose all amendments to any provisions that seek to impose controls in addition to those proposed under Plan Change 35. Oppose all amendments that seek to place additional restrictions on existing urban zones such as the Remarkables Park Zone. Oppose all amendments that seek to undermine or circumvent the Plan Change 35 and Lot 6 NoR proceedings that are currently before the Environment Court. Oppose all amendments that seek to enable urban activities on airport land where such activities are constrained on land adjoining or near the airport (Frankton and Remarkables Park). Oppose all amendments that seek to reduce open space or buffer areas between the airport and adjoining urban zones. Oppose all amendments that seek to constrain any existing development opportunity within the Remarkables Park Zone. Any amendments or provisions supported/opposed by QAC that seek to achieve any of the outcomes set out above be rejected.
433.110	FS1117.156	Remarkables Park Limited	36.1 Purpose	Oppose	Oppose all amendments to definitions that are inconsistent with Plan Change 35. Oppose all amendments to any provisions that seek to impose controls in addition to those proposed under Plan Change 35. Oppose all amendments that seek to place additional restrictions on existing urban zones such as the Remarkables Park Zone. Oppose all amendments that seek to undermine or circumvent the Plan Change 35 and Lot 6 NoR proceedings that are currently before the Environment Court. Oppose all amendments that seek to enable urban activities on airport land where such activities are constrained on land adjoining or near the airport (Frankton and Remarkables Park). Oppose all amendments that seek to reduce open space or buffer areas between the airport and adjoining urban zones. Oppose all amendments that seek to constrain any existing development opportunity within the Remarkables Park Zone. Any amendments or provisions supported/opposed by QAC that seek to achieve any of the outcomes set out above be rejected.
714.15		Kopuwai Investments Limited	36.1 Purpose	Other	Amend the zone purpose as follows: <i>"...Noise in relation to town centres is not addressed in this chapter, but rather in the Town Centres chapters. This is due to the town centre-specific complexities on noise in those zones, and its fundamental nature as an issue that interrelates with all other issues in those zones. Therefore, the objectives, policies and rules in this chapter do not require consideration in relation to activities undertaken within the Town Centre."</i>
1365.12		New Zealand Defence Force	36.3.2 Clarification	Support	Retain clarification of rules and noise standards to ensure consistent approach

Appendix 3. Section 32 Report



Section 32 Evaluation Report Queenstown Town Centre

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Section 32 Evaluation Report: Queenstown Town Centre

1. Introduction

This report is an evaluation of the proposed provisions relating to the management of effects of development in the Queenstown Town Centre Zone and has been carried under section 32 of the RMA.

2. Strategic Context

Section 32(1)(a) of the Resource Management Act 1991 requires that a Section 32 evaluation report must examine the extent to which the proposed objectives are the most appropriate way to achieve the purpose of the Act.

The purpose of the Act requires an integrated planning approach and direction:

5 Purpose

(1) The purpose of this Act is to promote the sustainable management of natural and physical resources.

(2) In this Act, sustainable management means managing the use, development, and protection of natural and physical resources in a way, or at a rate, which enables people and communities to provide for their social, economic, and cultural well-being and for their health and safety while—

(a) sustaining the potential of natural and physical resources (excluding minerals) to meet the reasonably foreseeable needs of future generations; and

(b) safeguarding the life-supporting capacity of air, water, soil, and ecosystems; and

(c) avoiding, remedying, or mitigating any adverse effects of activities on the environment.

The remaining provisions in Part 2 of the Act, particularly S.6, provide a framework upon which objectives to achieve the purpose of the Act and provisions to achieve the objectives can be built.

3. Regional Planning Documents

The District Plan must *give effect to* the operative RPS and must *have regard to* any proposed RPS. The operative RPS contains a number objectives and policies that are relevant to the Town Centre section of the District Plan. These are as follows:

Objectives:

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

(a) Meet the present and reasonably foreseeable needs of Otago's people and communities; and

(b) Provide for amenity values, and

(c) Conserve and enhance environmental and landscape quality; and

(d) Recognise and protect heritage values.

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

Policies:

9.5.1 To recognise and provide for the relationship Kai Tahu have with the built environment of Otago through considering activities involving papatipu whenua that contribute to the community and cultural development of Kai Tahu.

9.5.2 To promote and encourage efficiency in the development and use of Otago's infrastructure through:

(a) Encouraging development that maximises the use of existing infrastructure while recognising the need for more appropriate technology; and

(b) Promoting co-ordination amongst network utility operators in the provision and maintenance of infrastructure; and

- (c) Encouraging a reduction in the use of non-renewable resources while promoting the use of renewable resources in the construction, development and use of infrastructure; and
- (d) Avoiding or mitigating the adverse effects of subdivision, use and development of land on the safety and efficiency of regional infrastructure.

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

- (a) Promoting the use of fuel efficient modes of transport; and...
- (c) Promoting a safer transport system; and...

9.5.4 To minimise the adverse effects of urban development and settlement, including structures, on Otago's environment through avoiding, remedying or mitigating:

...

- (b) The creation of noise, vibration and dust; and
- (c) Visual intrusion and a reduction in landscape qualities; and
- (d) Significant irreversible effects on:
 - (i) Otago community values; or
 - (ii) Kai Tahu cultural and spiritual values; or...
 - (v) Heritage values; or
 - (vi) Amenity values; or...

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

- (a) Promoting the identification and provision of a level of amenity which is acceptable to the community; and
- (b) Avoiding, remedying or mitigating the adverse effects on community health and safety resulting from the use, development and protection of Otago's natural and physical resources; and
- (c) Avoiding, remedying or mitigating the adverse effects of subdivision, landuse and development on landscape values.

The proposed Town Centre Zone provisions are consistent with and give effect to the relevant operative RPS provisions.

The Otago Regional Council ["ORC"] is currently in the process of reviewing the RPS 1998. In May 2014 the ORC published and consulted on the RPS 'Otago's future: Issues and Options Document, 2014' (www.orc.govt.nz). The proposed RPS was released for formal public notification on the 23 May 2015 and also contains a number of objectives and policies that are relevant, namely objectives 3.6 to 3.8 (incl.) & 4.3, and policies 3.6.6, 3.7.1 to 3.7.4 (incl.), 3.8.1, 4.3.3 & 4.3.4. The proposed provisions have regard to the relevant parts of the proposed RPS.

4. Strategic Directions

The following goals and objectives from the Strategic Directions chapter of the Proposed District Plan are relevant to this assessment:

Goal 1: To develop a prosperous, resilient and sustainable economy

Objective 1: To recognise, develop and sustain the Queenstown and Wanaka central business areas as the hubs of New Zealand's premier alpine resorts and the District's economy.

Goal 2: Strategic and integrated management of urban growth

Objective 1: To ensure urban development occurs in a logical manner: to promote a compact and integrated urban form; [...]

Goal 3: A quality built environment taking into account the character of individual communities

Objective 1: To achieve a built environment that ensures our urban areas are desirable places to live, work and play

Goal 6: To enable a safe and healthy community that is strong, diverse and inclusive for all people.

Objective 2: To ensure a mix of housing opportunities.

These goals and objectives are met by encouraging quality development and enhancement; avoiding commercial zoning that could undermine the role of the Town Centre; promoting growth in visitor activity and investment in the Town Centres; and enabling a diverse range of housing options.

Determining the most appropriate methods to resolve the issues highlighted for the Queenstown Town Centre, will enable the Plan to give effect to relevant parts of the Strategic Directions chapter, and ultimately achieve the purpose of the Act.

As required by s32(1)(b) RMA, the following section considers various broad options considered to address each issue, and makes recommendations as to the most appropriate approach in each case.

5. Background documents, projects and consultation

The following Council documents and projects have been undertaken in recent years and have influenced this S 32 evaluation, grouped by issue (see Section 12 of this report for the full set of references and associated weblinks):

Strategic documents, relevant across the issues:

- Queenstown Town Centre Strategy (2009)
- Queenstown Town Centre Monitoring Report (2012)
- The Town Centre Transitional Zone Plan Change (Plan Change 50)
- The Town Centre Zone review work (commenced 2012)
- Inner Links Queenstown (2014)

Capacity within the Town Centre:

- Review of District Plan Business Zones Capacity and Development of Zoning Hierarchy (November 2013) hereafter referred to as 'the McDermott Miller report'
- Peer Review of the McDermott Miller report (January 2014)
- Growth projections (2014)

Expansions to the Town Centre:

- Queenstown Height Study - Landscape & Urban Design Assessment 2009. Section 32 Town Centre Fringe Report 2013.
- The Town Centre Transitional Zone Plan Change (plan change 50).

Bulk and location of buildings and quality urban design and built form

- The Inner Links Queenstown Urban Design Context Report (2014)
- The Queenstown Town Centre Character Guidelines (2007) and Queenstown Town Centre Design Guidelines (2015)
- Council shading model (2014)

Flood risk in the Queenstown Town Centre

- The Joint Flood Mitigation Strategy 'Learning to live with flooding' (2006).

The management of the Town Centre Waterfront (sub) Zone

- The Sunshine Bay, Queenstown Bay, Frankton, Kelvin Heights Foreshore Management Plan (1991)
- The Queenstown Bay Waterfront Development Plan (1994)
- The Jetties and Moorings Policy (June 2007)

Noise:

- The Queenstown Town Centre Noise Rules Review (April 2009)
- The Acoustics Report (for) Proposed Plan Change 42- Queenstown Town Centre (July 2011)
- Town Centre Noise discussion document (2010)

There have also been various legislative changes enacted since the District Plan became operative which are relevant and require amendments to the District Plan.

Consultation processes

Considerable consultation has been undertaken in recent years as part of the processes/ documents outlined above. Furthermore, as part of this S 32 evaluation, the following further targeted consultation has been undertaken:

- Consultation with landowners and developers within the Town Centre Zone
- Consultation with the Council's Resource Management Focus Group
- Workshops with elected members

The following further background investigations/ reports were also prepared as an integral part of preparing this S 32 report:

- Queenstown Town Centre Character Guidelines (2007 and Queenstown Town Centre Design Guidelines (2015)
- Queenstown Town Centre Shading model (2014)

6. Resource Management Issues

The Operative District Plan anticipates that the Queenstown Town Centre Zone will continue to function as one of the key commercial, retail, and entertainment areas of the district and will continue to be used by both residents and visitors alike. The proposed amendments to the operative provisions considered herein address a number of key issues (detailed below), as well as strengthening the existing policy framework by providing more directive objectives and policies.

The following issues are discussed in turn in this section of the evaluation:

1. Capacity for further development within the Town Centre Zone
2. The form and location of any expansions to the existing Town Centre Zone
3. Intensification and the appropriate height, bulk, and location of buildings
4. Quality urban design and built form
5. Flood Risk in the Queenstown Town Centre
6. Management of the interface between the Town Centre and lakefront
7. Noise issues and acoustic insulation
8. The need for integrated landuse and transport planning

Issue 1 - Capacity for further development within the Town Centre Zone

Work has been commissioned recently by the Council to better understand the supply and demand for employment land and the projected growth in residents, visitors, and dwellings (as outlined in Section 5 above). Relevantly, this work provides an up-to-date picture of:

- Existing and projected growth in residential, visitor accommodation, dwelling and employment numbers;
- The ability for the existing Town Centre Zone to realistically meet this demand; and
- The transportation upgrades necessary to cope with predicted growth in and around the Town Centre.

The McDermott Miller report concludes that the supply of vacant Queenstown Town Centre land is effectively exhausted and recommends that the Queenstown Town Centre Zone must either expand or be intensified in order to discourage activities to locate elsewhere. It states that if this were to happen it would be a serious constraint to achieving tourism-driven growth if it is not addressed.

The report goes on to say that such growth requires intensification of the tourism industry and its concentration in an (expanded) Queenstown Town Centre. It states that expansion of the Queenstown Town Centre Zone will relieve pressure on land values in the Queenstown Town Centre and ensure that high value commercial activities can remain in the Town Centre rather than locate elsewhere.

In terms of the employment structure, the 'accommodation and food, services, arts, and recreation', and 'education and training' sectors grew the most over the four years to February 2012 while construction fell, and most office-based jobs either grew modestly or contracted. This indicates that there will be continued demand for tourism-related retail and other tourism-related industry; both of which will for a long time to come need to be located in the Town Centre in order to succeed. It also indicates that it would be appropriate for the District Plan to enable education and training facilities in and around the Town Centre in

order to meet continued demand in that sector but that providing for extensive growth in office space may be unnecessary. However, that is not to say that there is any downside to enabling such office uses but simply that there may not be a demand for it in the forthcoming future.

These conclusions are essentially endorsed by the peer review of that report, albeit that the peer review questions how realistic the higher growth scenarios are and considers that development in Frankton poses less of a risk to the Town Centre than the McDermott Miller report suggests. It is also noted that consultation with the development community as part of this S 32 evaluation confirms that it is the ground floor retail space within the Town Centre that is the scarce resource but that there is still available above ground floor space and ample capacity for additional levels to be added, if this proves feasible.

Issue 2 - The form and location of any expansions to the existing Town Centre Zone

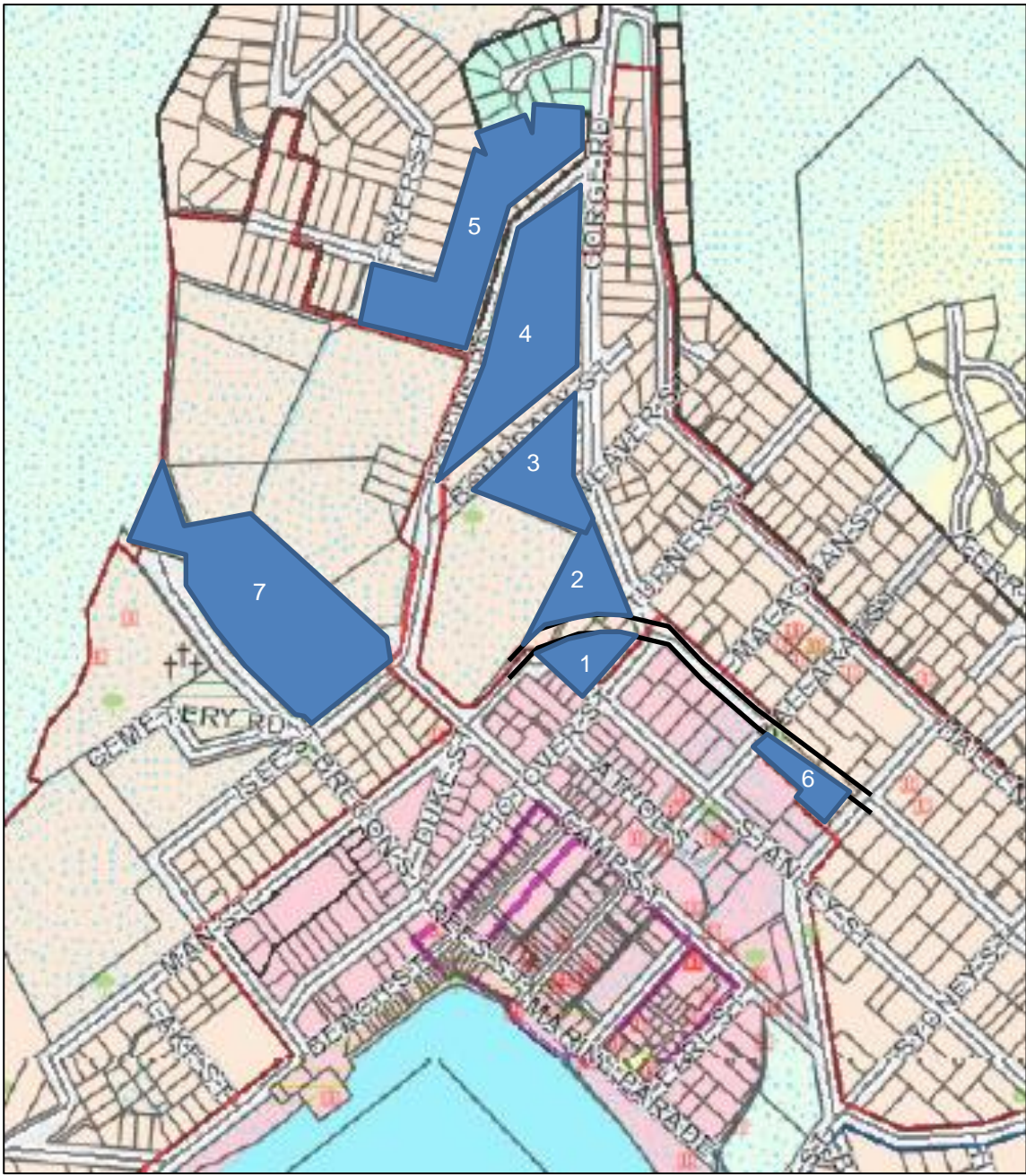
Work has been undertaken in recent years by the Council to better understand the issues and options around potential rezoning of land on the fringe of the Town Centre, what form it should take, and where it could be located (refer section 9.0 of this report). This option has been further considered in this S 32 evaluation.

Specific issues and opportunities related to the matter of expansion include:

- There is ongoing demand to locate non-residential activities within the High Density Residential Zone around the Town Centre and as a result, the character of certain peripheral areas (mainly the Man/Isle St area) is changing through incremental and potentially inconsistent resource consent decisions.
- The potential incompatibility between noise generated in the Town Centre and the desire to maintain reasonable amenity levels in the High Density Residential Zone, suggesting a transitional commercial zone may provide a good buffer between the two.
- The fact that landuse needs to provide an appropriate interface with the Inner Link Road
- The effect on walkability of the Town Centre, as a whole, if it were to expand outwards.
- Commercial and community uses such as community facilities, (private sector) education, and affordable office space are moving out to Frankton and other areas due to a lack of competitively priced, comparable leases in and around the Town Centre, which threatens the ability of the Town Centre to remain relevant to the local population.

Relevantly, Plan Change 50 provides important context to this issue. This proposes that an area of land extending from the existing Town Centre to (and including) the Lakeview site, the cemetery and to Lake Street be rezoned as a subzone of the Town Centre. This Section 32 evaluation does not provide any analysis of that proposed expansion other than to comment that this expansion effectively addresses the concerns of supply raised in the McDermott Miller report. Rather, given the context of plan change 50, this report evaluates the appropriateness of re-zoning *other* parts of the High Density Residential Zone to some form of Town Centre or transitional Town Centre Zone.

In this respect, there are three decisions that need to be made; whether more Town Centre zoned land is appropriate; if so, where this zoning should be located; and what zone provisions should be applied. The evaluation of these three decisions is included in Section 9.0 of this report and the following plans are provided to illustrate the various expansion options discussed in that section.



The following map illustrates the various options discussed in regards to determining a boundary for the rezoning of the block at the Gorge/ Henry/ Shotover Street intersection:



Issue 3 - The appropriate bulk and location of buildings in the Town Centre

This evaluation has been informed in part by the Queenstown Strategy 2009, Queenstown Town Centre Character Guidelines (2007), the Inner Links urban design context report (2014), the District Plan monitoring report (2012), consultation with the Council’s Urban Design Panel (in 2012) and the development community, and by the Council’s shading model and updated Design Guidelines (2015); both, produced as part of this s 32 evaluation.

The building coverage and height rules (including the recession plane requirements) are the most frequently breached performance standards yet are routinely approved on a non-notified basis. This raises the question whether these rules are overly onerous and inefficient and could be simplified and relaxed in order to enable more efficient landuse and better design while ensuring key amenity values and character attributes are preserved. Similarly, it needs to be investigated whether the various setback rules are appropriate.

Ironically many of those buildings that were granted consent to breach the rules actually achieve the District Plan objectives around quality design and many of those that meet the rules (or *almost* meet the rules) have done so to the detriment of design (e.g. unarticulated rooflines and roofscapes, plant protruding through the height plane, low ceiling to floor heights, and rooflines following the recession plane). This raises the question whether these rules could be amended to encourage better design. When considering height, it is noted that the Council’s decision on proposed Plan Change 50 proposes a maximum height of 12 m plus a 2 m roof bonus in the Isle Street subzones (provided a recession plane of 45° commencing at 10m on the street boundary is adhered to), along with an allowance for buildings to go up to 15.5 m on sites over 2,000m² in the Isle Street (East) subzones, which front both Man and Isle Street². Detailed background material and the decision to that plan change are available at <http://www.gldc.govt.nz/assets/Uploads/Council-Documents/2015-Full-Council-Agendas/30-June-2015/Item-3/3a-PC-50-Report-and-recommendations-of-Commissioners.pdf?>

Issue 4 - Quality urban design and built form

The quality of overall urban design in the Queenstown Town Centre is a significant issue in terms of the centre retaining its appeal to residents and visitors alike and continue to prosper economically as an integral part of the community and a ‘must see’ destination. More specifically, the issues relate to:

- Whether the existing controlled activity status is sufficient to ensure quality built form
- Whether pedestrian links are appropriately encouraged and protected
- Whether key character attributes are appropriately protected
- Whether the edge of the proposed Inner Link will be of an appropriate character and of high urban design quality.

Issue 5 - Flood Risk in the Queenstown Town Centre

The Council's Flood Mitigation Strategy (2006) determined that, rather than construct physical works to control flooding the council would help the community manage the flood risk. Relevantly, it determined that the Council would:

- Enforce the minimum building floor levels specified in the Proposed District Plan;
- Encourage¹ developers to adopt higher levels (i.e. 312.8 masl) where the effect on amenity and mobility and streetscape is not adverse;
- Encourage flood proof building design and construction².

While much of the Queenstown Town Centre is flood prone, raising floor levels will often result in significant adverse effects on the streetscape due to height differences between the road level, the footpath and floor levels and issues of disabled access, etc. As such, the decision needs to be made whether the District Plan should attempt to avoid the flooding of premises or mitigate flooding in order to meet the purpose of the Act.

Issue 6 - Management of the interface between the Town Centre and lakefront

The Queenstown Bay is an important part of the Town Centre and it is important to ensure that the level of development and activity allowed in that area will contribute to achieving the objectives of the Town Centre. The key issue for consideration is whether the suite of rules strikes an appropriate balance between enabling commercial activity and vibrancy in the waterfront area while preserving its character and the views and sense of place that contributes to the Town Centre as a whole.

Issue 7 - Noise issues and the need to achieve vibrancy and a mix of activities within and around the Town Centre

In summary, the specific issues are that:

- The District Plan sends 'mixed messages' that the Town Centre should be a mixed use area and late night trading enables bars to stay open until 4 am in the Queenstown Town Centre yet the rules essentially don't enable outdoor dining or drinking after 10 pm.
- Such outdoor activity is an integral part of the Queenstown atmosphere and its vibrancy
- Conflict and complaints from noise are ongoing potentially in part because there is no obligation for sensitive uses (such as visitor accommodation and residential units) to be acoustically insulated and that the current rules create an unrealistically low expectation of noise levels will be in the Town Centre.

In recent years and as part of this District Plan review, the Council has commissioned specialist advice and undertaken extensive community consultation (as outlined in section 5.0 above) on the issue and options. As well as the advice contained in the reports from URS undertaken in 2009 and 2012, further advice was obtained from Dr Stephen Chiles of Chiles Limited as part of this S 32 process (see Section 12 of this report for a weblink to this document).

Issue 8 - Landuse and transportation planning

This is acknowledged as a fundamental component of the District Plan review. There are numerous issues related to transportation in and around the Town Centre, including parking; the future roading hierarchy within the Town Centre; and the relative priorities of pedestrians and vehicles in the Town Centre. While some transport-related matters are considered in this report in the context of the key issues outlined above, it is noted that many will, instead, be considered in the Section 32 report for Section 29 (Transport) of the proposed District Plan.

¹ Through Section 71 of the Building Act and 106 of the RMA

² Learning to Live with Flooding: A Flood Risk Management Strategy for the communities of Lakes Wakatipu and Wanaka, Pg7

7. Scale and Significance Evaluation

The level of detail of this evaluation is relative to the scale and significance of the implementation of the proposed provisions in the Town Centres chapter. In making this assessment, regard has been had to whether the objectives and provisions:

- Result in a significant variance from the existing baseline.
- Have effects on matters of national importance.
- Adversely affect those with specific interests, e.g. Tangata Whenua.
- Involve effects that have been considered implicitly or explicitly by higher order documents.
- Impose increased costs or restrictions on individuals, communities or businesses.

In summary, the provisions are considered significant from an environmental, economic, and social perspective.

8. Evaluation of proposed Objectives S32 (1)(a)

The purpose of the Act is to promote the sustainable management of natural and physical resources³. Section 32(1)(a) requires an evaluation of the extent to which the proposed objectives are the most appropriate way of achieving the purpose of the Act.

The proposed objectives are as follows:

Objective 1 - A Town Centre that remains relevant to residents and visitors alike and continues to be the District's principal mixed use centre of retail, commercial, administrative, entertainment, cultural, and tourism activity.

Objective 2 – Development that achieves high quality urban design outcomes and contributes to the town's character, heritage values, and sense of place.

Objective 3 – An increasingly vibrant town centre that continues to prosper while maintaining a reasonable level of residential amenity within and beyond the Town Centre Zone.

Objective 4 - A compact Town Centre that is safe and easily accessible for both visitors and residents.

Objective 5 - Integrated management of the Queenstown Bay land-water interface, the activities at this interface and the establishment of a dynamic and attractive environment for the benefit of both residents and visitors.

Together the suite of proposed Town Centre Zone objectives is considered appropriate. In particular:

- Retaining the Town Centre as a key hub of commercial uses and employment and enabling efficient use of the land will ensure efficient use of existing infrastructure and enable people to provide for their economic wellbeing
- Retaining the town's mixed use character (i.e. including a diverse range of commercial uses) will ensure its resilience and flexibility into the future and, hence enable economic wellbeing and the efficient use of resources.
- Remaining relevant to residents as well as visitors means the Town Centre will contribute to the enjoyment and social wellbeing of both these important sectors of the community.

³ Sustainable management means managing the use, development, and protection of natural and physical resources in a way, or at a rate, which enables people and communities to provide for their social, economic, and cultural well-being and for their health and safety while—

(a) sustaining the potential of natural and physical resources (excluding minerals) to meet the reasonably foreseeable needs of future generations; and

(b) safeguarding the life-supporting capacity of air, water, soil, and ecosystems; and

(c) avoiding, remedying, or mitigating any adverse effects of activities on the environment.

- The emphasis on high quality urban design within the Town Centre (including maintaining its human scale, access to sunlight, quality public spaces, and unique character) will ensure it will remain a desirable destination and competitive with other commercial centres in the district and beyond.
- Maintaining a reasonable level of residential amenity will ensure the benefits of mixed use and walkability are retained.
- Retaining the compact nature of the Town Centre will encourage efficient use of land within the Town Centre and only limited outward growth will provide for the future generations to enjoy the high amenity, pedestrian focused character of the Town Centre and will retain the non-commercial character of surrounding residential neighbourhoods.
- The objectives acknowledges that limits must be placed on town centre activities to enable a mix of uses to occur without any one use being inappropriately compromised by the effects of another.
- Acknowledges the important role that public streets and spaces play in creating an attractive and easily navigable town centre. The town centre is relatively flat and very accessible on foot, however currently most people visiting the centre will arrive in a vehicle. A balance must be struck between providing convenience for vehicles, and levels of safety expected by pedestrians.
- The objectives are consistent with Goals 1, 2, and 3 of the draft Strategic Directions chapter.
- The objectives give effect to the RPS (objectives 9.4.1. 9.4.2 and 9.4.3 and policies 9.5.1, 9.5.2, 9.5.3, 9.5.4, 9.5.5) and have regard to the relevant proposed RPS objectives and policies

In summary, enabling the Queenstown Town Centre to continue to develop as a vibrant hub that offers a range of activities is crucial to its economic viability, and significantly contributes to the overall resilience of the community. Equally, applying appropriate limits on town centre activities enables appropriate levels of amenity to be enjoyed both within the town centre and in nearby residential zones.

9. Evaluation of the proposed provisions pursuant to S 32(1)(b)

The below table considers whether the proposed provisions are the most appropriate way to achieve the relevant objectives. In doing so, it considers the costs and benefits of the proposed provisions and whether they are effective and efficient. The proposed provisions are grouped by issue for the purposes of this evaluation.

Evaluation relating to issue 1 - Town Centre capacity and the feasibility of developing it as a truly mixed use centre

Relevant Objectives

Objective 1: A Town Centre that remains relevant to residents and visitors alike and continues to be the district's principal mixed use centre of retail, commercial, administrative, entertainment, cultural, and tourism activity.

Objective 4 - A compact town centre that is safe and easily accessible for both visitors and residents

Most appropriate provision(s) to achieve the objectives	Effectiveness and Efficiency
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Policies:
 (12.2.1.1 - 12.2.1.4)
 (12.2.4.1, 12.2.4.2, 12.2.4.3, 12.2.4.6)

These relate to:

- Enabling increases in height provided amenity is not adversely affected and/ or is enhanced;
- Providing affordable development opportunities on the edge;
- Remaining compact, walkable, and safe
- Becoming increasingly focused on pedestrians, cyclists, and public transport users.

Rules: (12.5.1, 12.5.2, 12.5.8, 12.5.9, 12.5.10)
 (12.6)
 (Planning maps 35 and 36).

The rules and new zone boundaries enable a modest increase in capacity through:

- Expansion within the proposed stage 1 of the Inner Link Road and within that area bounded by

Effectiveness:
 The proposed provisions will be effective at achieving the objectives in that enabling more development within a slightly expanded Town Centre will increase land supply/ development capacity (albeit slightly) and hence contribute to improving the feasibility for a range for commercial activity to feasibly remain/ choose to locate within the Town Centre Zone. At the same time, the modest, logical, and defensible extent of the expansions will ensure the Town Centre remains compact and accessible.

Benefits

Environmental

- The modest expansion and intensification proposed will retain its compact, walkable character and help to ensure this into the future.
- The increased height will have no more than a minor effect on shading and will a scale of built form that is appropriate to the width of the various streets and surrounding building heights and height limits.
- The fact that the proposed new boundaries are (or, in the future, will be) contained by designated community uses or roads will discourage the ad hoc spread of commercial uses beyond the zone and the rezoning of land to enable commercial uses beyond these legible boundaries.
- These expansion areas are able to absorb the greater heights enabled by the proposed provisions.
- There are some urban design benefits from enabling consistent landuses, built form and scale on both sides of the Inner Link Road at the Gorge Rd/ Stanley Street intersection, particularly as the Town Centre zone can be effectively and logically contained given the designations and Horne Creek provide strong topographical and regulatory boundaries. Furthermore, this is the lowest risk option given the uncertainty around the exact location of the road in this vicinity.

Economic

- While the economics of building upper floors may currently be challenging (relative to similar offerings in Frankton, for example), the provisions enable higher buildings in the future within environmental constraints. This modest increase in capacity, together with the zone expansions, should improve the feasibility of redevelopment and provide more affordable options for businesses wishing to remain/ locate in the Town Centre. Supplying more capacity in the Town Centre will support the continued growth of a tourism-led economy; recognising that the Town Centre is the hub for this sector.

<p>Horne Creek, the recreation reserve and Gorge Rd carpark (designations 210 and 232)</p> <ul style="list-style-type: none"> • Expansion within the boundaries established by the Ministry of Education designation (QPS) and the Ben Lomond (gondola) reserve (designations 14, 214, 248, and 273) • Intensification of the existing Town Centre though increasing height, coverage, and relaxing recession planes in certain areas. 	<p><i>Social</i></p> <ul style="list-style-type: none"> • Enabling more business, retail, office space, and community/ tourist facilities in the Town Centre will help to retain the local, mixed use character and vibrancy that brings to the Town Centre, guarding against it becoming simply a tourist-town of little relevance to the local community. <p>Costs</p> <p><i>Environmental costs</i></p> <ul style="list-style-type: none"> • The provisions enable a higher built form, which some could consider will affect the human scale of the Town Centre, even within the environmental constraints/ criteria of the provisions. <p><i>Economic costs</i></p> <ul style="list-style-type: none"> • There are costs associated with developing beyond 2 storeys, which may make such development uncompetitive with Frankton in the current climate. Therefore, the additional capacity enabled by increasing building heights in some areas may only eventuate in isolated cases and therefore cannot be relied on to, in fact, increase capacity. • Whilst the provision of more commercial land on Brecon Street could be seen as potentially diluting the vibrancy of the Town Centre and its ability to intensify, the sort of commercial activity that will develop in that area is unlikely to be comparable with what would establish in the core of the Town Centre and is likely to include activities such as secondary retail and office space and commercial recreational focused commercial activity. Furthermore, those sites on the east side of this block are largely community uses or utilities and, as such, the zoning is unlikely to result in a change in landuse. As such, the geographic area of this expansion is likely to over-state the actual realistic redevelopment that will occur there. <p><i>Social costs</i></p> <p>Those residential areas adjacent to the new transitional areas/ expanded Town Centre areas will be subject to a change in character (e.g. those living on the uphill side of the Melbourne St extension will be opposite mixed use, rather than residential development).</p> <p>Efficiency (immediately and/or over time). Refer to the more detailed evaluations in relation to expansion and intensification.</p>
<p>Options less appropriate to achieve the objectives and policies:</p>	
<p>Option 1 - Status quo - To not provide additional capacity within and around the Queenstown Town Centre</p>	<p>Appropriateness: Assuming plan change 50 becomes operative generally in the form determined by the Council's decision, from purely a capacity perspective, it is not essential that further intensification or expansion is enabled. However, in terms of helping the feasibility of redevelopment within the Town Centre, enabling intensification of the existing built area and minor expansion of the zone is appropriate. To not increase capacity would be ineffective at promoting a vibrant and economically prosperous Town Centre. While the scale of any additional capacity needs to be carefully considered (in terms of transportation capacity and amenity values) it is considered inappropriate to retain the current boundaries and bulk and location rules.</p>

<p>Option 2 - To provide extensive additional capacity through both intensification and expansion, unconstrained by concerns regarding amenity etc.</p>	<p>Appropriateness: This would be inappropriate as, if less regard were had for shading, character and amenity effects, then the very character attributes and amenity values that make the Town Centre unique, attractive and give it its competitive advantage (over other centres) would be compromised.</p>
<p>Evaluation relating to Issue 2 - Expansion Options</p>	
<p>Relevant objectives</p>	
<p><i>Objective 1 - A Town Centre that remains relevant to residents and visitors alike and continues to be the district's principal mixed use centre of retail, commercial, administrative, entertainment, cultural, and tourism activity.</i></p> <p><i>Objective 2 – Development that achieves high quality urban design outcomes and contributes to the town's character, heritage values, and sense of place</i></p> <p><i>Objective 4 - A compact town centre that is safe and easily accessible for both visitors and residents</i></p>	
<p>Most appropriate provision(s) to achieve the objectives</p>	<p>Effectiveness and Efficiency</p>
<p>Policies: (12.2.1.2, 12.2.2.9) (12.2.4.1, 12.2.4.2, 12.2.4.4 12.2.4.5, 12.2.4.6)</p> <p>These relate to:</p> <ul style="list-style-type: none"> • Providing affordable development opportunities on the edge of the Town Centre; • The Town Centre remaining compact and walkable by avoiding expansion beyond the zone (also refer Residential Chapter S 32 evaluation) • Becoming increasingly focused on the pedestrian and cyclist and public transport users including restricting carparks predominantly to the periphery of the Town Centre. • Requiring the Town Centre Transition Subzone to be 	<p>Effectiveness:</p> <p>The expansions will be effective at achieving the objectives in that enabling more development within a slightly expanded Town Centre will help to encourage more commercial activity to remain/ locate within the Town Centre Zone. That said, given that plan change 50 proposes to add significant areas of additional land to the Town Centre Zone the expansions proposed in this review are not required as such and will have little effect on overall supply and the feasibility of developing and leasing Town Centre land. Rather, it is the urban design benefits and creation of a legible and defensible town centre boundary that are most effectively achieved through the proposed expansions.</p> <p>These relatively minor expansions will not adversely affect the walkability of the Town Centre or the supply of High Density Residential and visitor accommodation capacity close proximity of the Town Centre, It is noted that even the most remote expansion area on Brecon Street is generally within 300-500 m of the centre of town, is (physically and visually) well- linked for pedestrians, and is well positioned relative to existing and potential future carparking.</p> <p>Benefits <i>Environmental benefits</i></p> <ul style="list-style-type: none"> • The re-zoning will help to mitigate the effects of Town Centre noise on adjacent residential areas as they will provide an additional buffer area between the two. • Re-zoning all that land within stage 1 of the Inner Link road and areas that are generally contained respectively and by a) the memorial centre, Horne Creek and recreation ground, and b) by the Ben Lomond reserve and the Queenstown Primary school will create a clear and defensible commercial edge to the town which will, in the future, reaffirm the Inner Link road one of the key boundaries.

<p>comprehensively planned and of high quality.</p> <p>Rules: (12.4.4, 12.4.5) (12.5.1, 12.5.8, 12.5.9, , 12.5.10, 12.5.11, 12.5.12, 12.5.13) (Planning Maps 35 and 36).</p> <p>These rules have the effect of:</p> <ul style="list-style-type: none"> • Applying a newly created Town Centre Transition Subzone over the following areas (planning maps 35 and 36): • The 5 lots north of Designation 215 (Ballarat St carpark) and extending to the centre line of the proposed Inner Link road (approximately 2,600m² of developable area). • The area between (and including) most of the east-west part of Memorial Street and the Gorge Road carpark and the Memorial Centre, Horne Creek and the recreation ground (designations (approximately 7,225 m² of developable area). • Applying the Town Centre Zone over the area on the eastern side of upper Brecon Street, bounded by Isle St, the gondola/ recreation reserve, and the Ministry of Education (QPS) designations. Applying the standard proposed Town Centre rules to the Town Centre Transition Subzone except that the subzone will be subject to specific rules relating to a) sale of liquor; b) noise, and c) coverage/ masterplanning in 	<ul style="list-style-type: none"> • The re-zoning will encourage more 'urban'/ commercial built form along the future Inner Link road, which is less likely to be sensitive to traffic and adjacent bar noise than residential and visitor accommodation and more likely to provide an attractive, active front to the street. • A specific height rule for the Ballarat Street carpark block will ensure that residential views are not blocked. • The rezoning will enable a greater diversity of commercial uses on Brecon Street than is allowed by the commercial precinct and existing use rights, which is likely to encourage redevelopment and improve amenity in this area, particularly along the Brecon Street edge. • Including these areas in the Town Centre Zone means that, pursuant to the proposed rules, visitor accommodation and residential uses that occur within these areas will need to be insulated for noise, thus providing a higher level of amenity and reducing reverse sensitivity issues. • Including the eastern side of upper Brecon Street within the Town Centre is recommended in the context that the Council decision on plan change 50 has approved the inclusion of the Isle Street East block and the western side of Brecon Street as Town Centre subzones. In this context, it is appropriate to also include the eastern side of Upper Brecon Street. Aligning the Town Centre boundary generally with Horne Creek, the Memorial Centre, and the designated reserves enables Town Centre type activity on either side of the Inner links road in this key area, provides legible and defensible containment of the zone, and provides flexibility in terms of the exact alignment of the Inner Links Road. <p><i>Economic benefits</i></p> <ul style="list-style-type: none"> • Rezoning the small area of land adjacent to the Ballarat Street carpark will enable more economical redevelopment of the site, as a whole (rather than a split zone). Maximising the value of the small (2,000m²) area on the south-west corner of the Gorge/ Henry intersection will improve the viability of a quality building on this all-important gateway corner site. Re-zoning the Brecon Street block will provide an economic benefit to the landowners and the wider community. <p><i>Social benefits</i></p> <ul style="list-style-type: none"> • Enabling more commercial space in the Town Centre, including currently scarce ground floor retail space, will help to retain a mix of retail types, which will continue to be relevant to the local community. <p>Costs</p> <p><i>Environmental costs</i></p> <ul style="list-style-type: none"> • Re-zoning High Density Residential Zoned land to Town Centre may reduce the capacity for new visitor accommodation and residential units within walking distance of the Town Centre and the school(s); an element that is fundamental to achieving a pedestrian-orientated centre and walkable community. While the minor extent of the re-zoning (i.e. less than 0.5 ha) means this will be insignificant, this displacement could be a significant adverse effect if the expansion were of a greater scale. • Re-zoning to Town Centre zoning means onsite carparking will not be required, which may put additional pressure on on-street parking in the event that residential or visitor accommodation occurs on those sites. <p><i>Social costs</i></p> <ul style="list-style-type: none"> • Those residential areas on the uphill side of the Melbourne St extension will be opposite mixed use, rather than residential development. However, any effect on those properties' residential character is likely to be
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<p>order to better maintain amenity and better achieve quality comprehensive developments. Refer the other evaluations for a specific assessment of these rules.</p> <p>Refer to Appendix 1 of this report for a plan of the proposed extension areas.</p>	<p>minor in that the Inner Link road will, itself, result in a change in character; the fact those properties are elevated well above the site proposed to be re-zoned; and the fact the provisions will not allow noisy night time activities given its close proximity to residential land.</p> <p>Efficiency (immediately and/or over time).</p> <ul style="list-style-type: none"> • Re-zoning the land to enable higher value, higher density, and more flexible land uses will enable more efficient use of the land. • Rezoning these three areas will avoid resource consent applications for non-complying (commercial) activities on those sites, which would otherwise be likely to occur. This represents a cost saving for the applicant. Whilst this is less pronounced for the Brecon St site, which has a commercial precinct overlay in the operative plan, this will still be the case in many instances as the commercial precinct is limited in scope. • Including the Brecon Street block in the Town Centre Zone means that it is likely to be possible to dispense with the High Density Residential (Commercial Precinct) overlay, thereby simplifying the provisions within the residential section of the District Plan and very likely resulting in more efficient resource consent processing
<p>Options less appropriate to achieve the objectives and policies:</p>	
<p>Option 1 - Status quo - Rely solely on the new zoning proposed through plan change 50 and not provide additional capacity within and around the Queenstown Town Centre.</p>	<p>Appropriateness: This option would be appropriate in terms of providing sufficient Town Centre land and improving the feasibility of development and a wider range of commercial uses. However, it would not produce a clear Town Centre edge on the eastern side of the Town Centre in a manner that will avoid further commercial expansion beyond either the Inner Link road or the strong physical boundaries created by Horne creek and designated land beyond. Neither would it encourage quality development at the all-important Gorge Road/ Henry Street intersection.</p>
<p>Option 2 - More extensive expansion to include the following areas (refer Map in Section 6 of this report):</p> <ul style="list-style-type: none"> • The Gorge Rd area bound by the Recreation ground and Boundary Street (Ref 3); and/ or • The Gorge Rd area bound by the Recreation ground and Robins Rd (Ref 4); and/ or • The Gorge Rd area as outlined above plus the Robins Rd triangle (Ref 5). 	<p>Appropriateness: This option would be inappropriate as:</p> <ul style="list-style-type: none"> • This would significantly expand the Town Centre, which would affect its walkability and compactness and may serve as a disincentive for redevelopment (including upward intensification) of the core of the Town Centre. • The scale of such extensions would reduce the supply of High Density Residential land significantly. • While there are some discrete 'out of zone' uses within these areas (e.g. education and office space on Robins Road) these areas are largely developed in accordance with the High Density Residential zoning (i.e. for visitor accommodation or units) or the designation (e.g. the Council building and carpark). The Robins Road triangle is not suited to retail or office use in that it is not well connected; is not adjacent to the existing Town Centre; and provides an important supply of highly accessible and relatively affordable High Density Residential land.
<p>Option 3 - Different boundary options</p>	<p>Appropriateness:</p>

<p>at the proposed new Henry/ Gorge/ Stanley Street intersection (refer Map in Section 6 of this report):</p> <ul style="list-style-type: none"> • Option 1 - Align the Town Centre boundary with the proposed Inner Link road edge • Option 2 - Align the Town Centre boundary with the proposed centreline of the Inner Link road • Option 3 - Include all those sites required for the proposed Inner Link road within the Town Centre Zone 	<p>The alternative options/ alignments would be inappropriate as:</p> <ul style="list-style-type: none"> • Even if the road does eventuate in the proposed location, the exact road alignment will move once designed in detail and, as such, Option 1 may result in some of the land on the town side of the road not being within the Town Centre Zone would provide little or no flexibility if the road edge moves when it is, which will almost certainly will happen. • Although less risky, there is a chance that the same issue outlined above would occur with Option 2 • In both Options 1 and 2, the landuses and scale of building would be different due to the different landuses on either side of the road, however there would not be a stark contrast given the amended High Density Residential zone rules in the proposed District Plan. While Option 2 also has the benefit of avoiding the creep of commercial uses across the Inner link road and associated pedestrian access issues with this, the negatives of this option are considered to outweigh the benefits. • Option 3 does is unlikely to provide adequate Town Centre zoned land on the northern side of the Inner Link Road to enable Town Centre type development.
<p>Option 4 - Include only that part of the proposed Brecon Street block, which currently includes the commercial precinct overlay.</p>	<p>Appropriateness: This option would be inappropriate as:</p> <ul style="list-style-type: none"> • It would leave a small (approximately 0.9ha) block of High Density Residential zoned land between the Town Centre and the designated school site • It could result in reverse sensitivity issues relating to noise in that residential and visitor accommodation developments within the High Density Residential Zone need not be insulated for noise. • Note: For many sites within this 'wedge', the underlying zoning maybe somewhat academic in that most of the land is currently occupied by the Fire Service, Aurora, the kindergarten, and council carparking.
<p>In terms of the zoning to be applied to these Town Centre extensions, the alternative zoning options are:</p> <ol style="list-style-type: none"> 1. Create a new Town Centre Transitional Zone which applies only to the 2 sites, which adjoin the proposed Inner Link Road and/ or Residential Zone beyond (i.e. and nowhere else). 2. Apply the existing Town Centre Transitional Zone (currently on Man Street) or a variation thereof. 3. Apply the existing commercial precinct overlay with an underlying zoning of High Density Residential. 	<p>Appropriateness: None of these options are considered appropriate for the following reasons:</p> <ul style="list-style-type: none"> • The expansion areas are small and do not warrant a specific zone • The existing Town Centre Transition Zone is very site specific and not particularly applicable. • The commercial precinct overlay rules do not address the key issues or achieve the proposed objectives and would enable only a limited range of commercial and community uses. It would need substantial amendments to be appropriate. • Specific to the proposed Brecon Street area and assuming plan change 50 becomes operative in a form similar to the version attached to the Council's decision, then: <ul style="list-style-type: none"> ○ It is not necessary to apply the Town Centre Transition Subzone to this area, (which would restrict late night activity and impose strict noise limits) as, this area will not adjoin any residential land, ○ It is not appropriate to apply the Isle Street subzone as doing so would bring those provisions into the Town Centre Zone (District Plan) review, enabling them to be challenged and potentially amended, through the process (solely in relation to the Brecon Street area) such that they may well end up inconsistent with the Isle Street sub-zone despite all good intentions. This would add further complexity to the District Plan structure and add further to regulatory costs.

<p>4. Specific to the proposed Brecon Street area,</p> <ul style="list-style-type: none"> • Apply the same Town Centre Transitional Zone as is applied to other areas on the edge of the Town Centre, or • Apply the Isle Street subzone, or • Apply the Town Centre Zone without any sub-zoning but apply height rules that are generally consistent with those of plan change 50, 	
<p>Evaluation relating to Issue 3 - Intensification and the bulk and location of buildings</p>	
<p>Relevant Objectives</p>	
<p><i>Objective 1: A Town Centre that remains relevant to residents and visitors alike and continues to be the district's principal mixed use centre of retail, commercial, administrative, entertainment, cultural, and tourism activity.</i></p> <p><i>Objective 2 – Development that achieves high quality urban design outcomes and contributes to the town's character, heritage values, and sense of place</i></p>	
<p>Most appropriate provision(s) to achieve the objectives</p>	<p>Effectiveness and Efficiency</p>
<p>Policies: (12.2.1.1, 12.2.2.1, 12.2.2.2, 12.2.2.3, 12.2.2.4, 12.2.2.5)</p> <p>These relate to:</p> <ul style="list-style-type: none"> • Enabling intensification through coverage height rules • Requiring development in the Special Character Area (SCA) to be consistent with the Design Guidelines • Preserving amenity • Enabling additional height where 	<p>Effectiveness:</p> <p>The amended height rules will be effective at:</p> <ul style="list-style-type: none"> • Enabling more adaptive buildings to be erected (as more spacious floor-floor heights are enabled in many areas), therefore enabling a greater mix of uses into the future, and • Improving design through more flexible height limits. • Encouraging more 4 storey buildings in Height Precincts 1 and 2 may enable more efficient landuse. • Recognising that 48-50 Beach Street is a key development site, which has existing use rights by generally aligning the provisions with those rights in order to encourage redevelopment and a higher quality outcome than currently exists. <p>The amended coverage rules will be effective at:</p> <ul style="list-style-type: none"> • Enabling more efficient landuse, thereby a) improving the financial viability of development/ leases, and maximising ground floor development within the Town Centre and thus deferring/ discouraging the outward

<p>appropriate; where there is a net benefit to be gained.</p> <ul style="list-style-type: none"> The protection and enhancement of the SCA <p>Rules: (12.5.1, 12.5.2, 12.5.3, 12.5.8, 12.5.9, 12.5.10) (12.6) Building height precinct map - Figure 2, chapter 12)</p> <p>These rules have the effect of:</p> <ul style="list-style-type: none"> Imposing a range of heights (from 8 m - 14 m and recession planes ranging from no requirement to a 30° plane commencing at 6.5 m on Beach Street). The heights are based on retaining character and on retaining sunlight into public spaces and footpaths on the southern side of roads (the emphasis being on the lunchtime period in the winter months, with particular regard had to the most pedestrian oriented streets in the Town Centre). Imposing site-specific height rules for areas on elevated areas on the edge of the Town Centre in order to ensure that views from residential zones are not affected by additional height. Imposing a specific height rule for 48-50 Beach Street to acknowledge the existing use rights. Removing the nil setback rule within precinct 1 and retain the minimum 0.8 and 1.0 m setback requirements on Beach Street 	<p>spread of the Town Centre.</p> <ul style="list-style-type: none"> Encouraging developments to be built up to the street, thereby creating a strong edge to the street, which has urban design and crime prevention benefits. <p>Retaining the setback rules on Beach Street will be effective at retaining and enhancing the width of the road corridor, which will result in improved urban design outcomes.</p> <p>Benefits</p> <p><i>Environmental benefits</i></p> <ul style="list-style-type: none"> The height rules will encourage improved designs and more variety in rooflines, roofscapes, and facades - particularly in Precincts 1 and 2, while still retaining reasonable levels of sunlight into streets and public spaces; preserving the key character attributes throughout the Town Centre and particularly in the SCA; and requiring public benefits and design excellence in lieu of additional height granted. Removing the coverage rules will result in: <ul style="list-style-type: none"> More compact development, thereby improving the walkability of the Town Centre Less unused 'lost space' which can degrade the quality of a town Less entrapment areas from not having buildings setback and forth along the street edge. Reliance on requirements for outdoor storage, the protection of existing pedestrian links, and for setbacks on Beach St as a more focused and effective way of achieving the necessary open space in the locations it is needed. Requiring structure planning and imposing a maximum coverage rule on new comprehensive developments will encourage the incorporation of open spaces and/ or links which positively contribute to the overall quality of the Town Centre. The building setbacks required on Beach Street will enable the footpaths to be further widened and/ or encourage onsite outdoor dining and will retain/ enhance sunlight access to the south side of the street. This is the narrowest street in Queenstown, is a pedestrian-oriented street, already has a character typified by staggered frontages, and currently struggles to receive good sunlight in winter. As such, the potential improvements to the pedestrian environment are will outweigh any adverse effects from imposing a setback. No longer requiring a nil setback within the SCA (precinct 1) enables situations where a setback maybe appropriate to occur where appropriate (such as to provide outdoor dining/ seating/ entertainment or where the front portion is proposed to become part of the public footpath via an access easement in gross) . The design guidelines can provide adequate and effective assistance to planners/ decision-makers to determine whether a proposed setback on a particular site is appropriate though the discretionary design control resource consent process. Enabling the site at 48-50 Beach Street to be redeveloped generally to its existing height will encourage a new building that better relates to the adjacent park and waterfront and the quality of which will be determined via the discretionary design control provisions. This is likely to result in a higher quality development than one which is enabled under S 10 of the Act. <p><i>Economic benefits</i></p> <ul style="list-style-type: none"> The height rules will result in more efficient use of the land (through increased GFA/ volume) and, in most
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- Relying on the design guidelines to determine, in certain instances, whether any proposed setback is appropriate.
- Imposing a maximum coverage of 75% within the new Town Centre Transition Subzone and for any application for the development of a site(s) greater than 1,800m² and remove all other coverage rules (noting that a waste storage rule will be imposed to ensure this is addressed).

Refer to Appendix 2 of this report for a plan of the various height precincts.

cases, will avoid the costs and uncertainty of a non-complying consent process.

- Because approximately 1/3 of ownerships within the central Shotover Block (height precinct 2) run through from Shotover Street to upper Beach Street, by enabling a 14 m building height on Shotover Street, this will help to offset the low development potential on the adjoining Beach Street properties, while resulting in only de minimus additional shading (on Rees street).
- With regard to the site at 48-50 Beach Street, the ability to redevelop the site without the restrictions imposed by S 10 of the Act (regarding character, intensity, and scale) is likely to enable the site to be developed more efficiently to meet today's market.
- The coverage rules will:
 - Result in more efficient land use, which should make developments more viable and leases more affordable and more competitive with other commercial areas. This will facilitate a wider range of commercial uses being able to establish/ remain in the Town Centre which has economic benefits in terms of efficient use of infrastructure, etc.
 - Enable dining on the public realm (as opposed to onsite) means buildings are more flexible to changes in use (from dining to retail for example) in that they do not have unusable open space on site.
 - Retain open space and providing pedestrian links, etc. on large comprehensive sites, meaning that more retail frontage is created which has a higher value/ yield.
- Having no specific setback rule other than in Beach Street (where it is considered justified) enables efficient use of private land for built form.

Social benefits

- Together, the bulk and location rules will provide flexibility to achieve good design; retain access to sunlight; and encourage a viable and economic use of the footpath for dining which, in turn, improves the overall affordability of leases to the entertainment sector. All of these have social benefits.

Costs

Environmental costs

- A slight increase in shading of the footpath at lunchtime during the winter months will result on Stanley, Shotover, and Beach Streets (and very slightly on Rees Street) when compared with the current rules/ built environment (whichever is the worst).
- The setback rules on Beach Street may result in entrapment areas while redevelopment occurs as buildings will be staggered back and forth along the street edge until they have all been setback in accordance with the rules. NB: On the north side (at least) almost all buildings already seem to be set back.
- There is a small possibility that, without requiring a nil setback in precinct 1, some buildings may be set back which may jeopardise the active edge being sought in this area. However, drivers to make efficient use of the land suggest that voluntary provision of a setback would be very rare.
- With regard to the site at 48-50 Beach street, the proposed provisions will enable the continuation of a high building on the waterfront, which will be inconsistent with others along the waters' edge but, assuming existing use rights can be claimed, then this is likely to be the case in any event, even without more liberal rules for the site.

Economic costs

	<ul style="list-style-type: none"> • Other than on the southern side of the central block of Shotover Street, the proposed height does not enable 5 storeys, as of right and so; increases in capacity/ GFA are limited. • The cost of building upper floors is high (and the return relatively low), thus limiting increases in development returns from building additional floors. However this issue may change over time. • Imposing a maximum coverage rule on larger development sites may be considered inefficient. However, unless these sites are developed in a quality manner then they are unlikely to be commercially successful. • The setback rules for Beach Street do not enable the sites to be fully developed with built form, which is an inefficient use of land. <p><i>Social costs</i> Together, the height, setback, and coverage rules will result in some minor intensification and increase in scale of the Town Centre, which some may consider to be a change in character and reduction in appeal. However, the reality is that the amended rules essentially reflect or enable the same or similar GFA and scale that has been approved for recent developments but without the need for a non complying resource consent process.</p> <p>Efficiency (immediately and/or over time). The biggest effect of the proposed bulk and location rules relates to their efficiency and the avoidance of non-complying resource consents for developments that breach coverage (when there is almost always no reason not to cover almost the entire site) for buildings which exceed the height or breach the recession plane (when very often it is only in order to improve building design).</p>
Options less appropriate to achieve the objectives and policies	
Option 1 - Status quo.	<p>Appropriateness: This option is not considered appropriate for the following reasons:</p> <ul style="list-style-type: none"> • It is not considered appropriate to retain the 12 m maximum/ recession plane commencing at 10m height rule in Precincts 1 and 2 as it is not warranted in this location for shading or character reasons and encourages (with no ability to decline) flat roofed built form with little or no articulation of either the façade or the roofscape. It also necessitates either an angled roof form from the 10 m point or the 4th floor stepped back and/ or foregoing a 4th floor. While the recessed 4th floor could arguably have merit in terms of human scale and is not necessarily a poor design outcome, too many buildings responding to the rules in this manner would result, overall, in a poor urban design outcome. This rule also forces low floor to ceiling heights in order to achieve 4 storeys, resulting in poor internal retail, office, and living spaces and limited re-use. • The coverage rules result in 'lost spaces', potential entrapment areas, inefficient landuse, or, if breached, inefficient resource consent processes and uncertainty for developers resulting from inconsistent decision-making in terms of the reasons cited for allowing breaches. It is considered that on large sites, these negatives are largely non-existent due to the comprehensive nature of the development and the benefits to be gained by requiring that not all the site is covered in built form (as outlined above) justify the reduction in GFA. • Retaining building heights in those parts of the SCA which have already been built in excess of those rules would not acknowledge consents granted.

	<ul style="list-style-type: none"> • Retaining the 6m recession plane on north Beach Street may stifle well designed 2 storey built form and encourage single storey buildings out of scale with those on the opposite side of the road. • For the reasons outlined above it is appropriate to retain the setback on Beach Street. • With regard to the site at 48-50 Beach Street, retaining the 8 m height restriction means the landowner will rely on Part 10 of the Act to redevelop and this may restrict the internal use, design, bulk and location decisions and result in a sub-standard outcome.
<p>Option 2 - Identify the specific sites where a minimum coverage rule is appropriate. For example; corner sites where it may be appropriate to set the building back from the corner; the sunny side of streets where outdoor dining is most likely to occur; or where pedestrian links may be desirable.</p>	<p>Appropriateness: This option is not considered appropriate for the following reasons:</p> <ul style="list-style-type: none"> • On most corners there is no obvious issue or need to set buildings back in order to enable better visibility for vehicles or pedestrians or any clear need to enable better pedestrian circulation at these points. In fact, the opening up of corners could well have an adverse effect in terms of traffic and pedestrian safety as cars would no longer be encouraged to slow down to obtain views. The potential exception to this is the Alpine Supermarket site, which certainly could benefit from being set back further. • While retaining the coverage rule specifically on sites on the south side of the street would provide an incentive for bars and restaurants to provide some outdoor space onsite, such built form is inflexible to other uses into the future and therefore may be inefficient either in terms of building adaptability or in terms of having to obtain resource consent for buildings which are not bars or restaurants. Even if this were considered desirable a setback would be a more appropriate method than a coverage rule. • The issue of pedestrian links is better dealt with by identifying the links themselves (as per the operative District Plan) and through policies encouraging them to be provided where they are beneficial to the overall network, rather than through a coverage rule.
<p>Option 3 - Adding setback requirements on other streets within the Town Centre</p>	<p>Appropriateness: This option is not considered appropriate because, other than Beach Street the other roads within the Town Centre are generally considered wide enough to enable good sunlight access into them and to enable good pedestrian flow and reasonable vehicle access. Given the objectives and policies regarding pedestrian priority within the town, there is no directive to facilitate or encourage any greater vehicle access into the Town Centre. As such there is considered no need to either widen footpaths or streets in the Town Centre. Refer also to the discussion above in relation to coverage.</p>
<p>Option 4 - Retain the current building coverage rules but clarify, through policies and assessment matters, the purpose of the rule and provide guidance as to when it is appropriate to approve a breach.</p>	<p>Appropriateness: This option is not considered appropriate as it still requires a case by case assessment of whether a lesser coverage is appropriate and this is considered unnecessary and inefficient.</p>
<p>Option 5 - More significantly increase heights on the north side of Beach St (beyond the additional 0.5m recommended) and/ or steepen the</p>	<p>Appropriateness: This option was considered in an attempt to help achieve various objectives by providing for further intensification, encouraging redevelopment, and enabling a variation of 2 storey built form along the street. It is not considered appropriate however as modelling reveals that the additional shading during the lunchtime peak</p>

recession plane angle.	<p>in the winter months of May, June, and July from any of the following options would be unacceptable:</p> <ul style="list-style-type: none"> • Increasing the recession plane to commence 7m above ground &/ or • Increasing the angle of the recession plane to 45° or • Reducing the angle of the recession plane to 20° (generally consistent with the winter sun angle) and combining this with a higher façade height.
Evaluation relating to Issue 4 - Quality urban design and built form	
Relevant objectives:	
<p><i>Objective 2 – Development that achieves high quality urban design outcomes and contributes to the town’s character, heritage values, and sense of place</i></p> <p><i>Objective 4 - A compact town centre that is safe and easily accessible for both visitors and residents</i></p> <p><i>Objective 6 - Integrated management of the Queenstown Bay land-water interface, the activities at this interface and the establishment of a dynamic and attractive environment for the benefit of both residents and visitors.</i></p>	
Most appropriate provision(s) to achieve the objectives	Effectiveness and Efficiency
<p>Policies: (12.2.2.1, 12.2.2.2, 12.2.2.3, 12.2.2.4, 12.2.2.5, 12.2.2.6, 12.2.2.7, 12.2.2.9 (12.2.4.1, 12.2.4.2, 12.2.4.3, 12.2.4.4) (12.2.5.1 - 12.2.5.6)</p> <p>These relate to maintaining/ enhancing/ requiring/ preserving:</p> <ul style="list-style-type: none"> • Adherence with the Town Centre Character Guidelines 2015 within the SCA • Human scale, character and heritage, The quality of streets and other public spaces • View shafts and sunlight access • The special character area • Tangata whenua values • High quality structure-planned developments on large sites and in the Town Centre Transition 	<p>Effectiveness: The proposed provisions will be effective at helping to achieve the above objectives in that they:</p> <ul style="list-style-type: none"> • Will give council the ability to ensure that the key character elements are recognised and reflected in designs; that opportunities for private developments to enhance the public realm are taken; and poor design declined • Will require the existing pedestrian links to be retained in recognition of the significant contribution they make to the town’s walkability and character. NB: Many of the links that physically exist are protected through methods outside the District Plan (such as public access easements or via resource consent conditions). This is deemed to provide effective protection and, as such, it is considered unnecessary to duplicate this within the District Plan itself by mapping them. Furthermore, the Town Centre Strategy identifies various methods the Council will use to secure these links, including negotiation, purchase, and designation; all of which can appropriately occur outside of the District Plan process; • Will encourage an active commercial edge to the Town Centre side (and in the case of the Gorge/ Stanley Street intersection, both sides) of the planned Inner Link road while also enabling well designed residential and visitor accommodation development along that edge (acknowledging it is a transition subzone); • Will require consistency with the Design Guidelines within the SCA, which enables the existing assessment matters to be removed. <p>Benefits <i>Environmental benefits</i></p>

<p>Subzone.</p> <ul style="list-style-type: none"> • A safe, walkable, pedestrian/ cycle focused environment. <p>Rules: (12.4.3, 12.4.6, 12.4.7, 12.4.8) (12.5.1, 12.5.2, 12.5.4, 12.5.5, 12.5.6, 12.5.8, 12.5.14) (12.6) (Planning maps 35 and 36).</p> <p>The rules have the effect of:</p> <ul style="list-style-type: none"> • Making all buildings throughout the Town Centre subject to a non-notified restricted discretionary activity consent, in respect of design. • Retaining the pedestrian links currently required by the operative District Plan and introducing policies to encourage the creation of new links where appropriate. • Extending the Special Character Area (SCA) to include the 'Novotel site' adjacent to the Queenstown Gardens, removing the existing (3) precincts within the Special Character Area, and providing statutory guidance for development within the Special Character Area through amended Design Guidelines. • Providing design guidance by incorporating updated guidelines into the District Plan by reference within the rules and policies. • Requiring verandas and preventing residential uses at ground level on particular streets • Ensuring adequate screened waste storage areas are provided. 	<ul style="list-style-type: none"> • The provisions will result in quality urban and architectural design and enables poor design to be declined. • The provisions provide added policy direction regarding retaining the special character of the SCA <p><i>Economic benefits</i></p> <ul style="list-style-type: none"> • A high quality Town Centre will maintain and enhance its attractiveness as a destination and its competitive advantage over other centres such as those that Frankton Flats and Gorge Rd. • Even if a non-notified restricted discretionary activity consent is more costly to obtain than a controlled consent (which is arguable), in conjunction with removing/ relaxing the bulk and location controls, overall the proposed provisions will result in economic benefits to applicants and a reduction in the overall development costs. • The inclusion of the Design Guidelines within the District Plan (via reference), while not prescriptive, will provide greater certainty and more common understanding of what is expected in terms of design within the SCA. • The removal of the 3 precincts within the SCA simplifies the District Plan and should simplify the resource consent process. <p><i>Social benefits</i></p> <ul style="list-style-type: none"> • Together, these rules will improve the quality of the Town Centre. This will encourage both locals and visitors into the Town Centre and reinforce its viability as a centre of community, civic, commercial, and entertainment activities. Its compact size and high quality will enhance pride, social wellbeing, and sense of community, as is synonymous with small, walkable towns where chance encounters are common. <p>Costs</p> <p><i>Environmental costs</i> Nil</p> <p><i>Economic costs</i></p> <ul style="list-style-type: none"> • The requirement to maintain the existing pedestrian links will be an economic cost to the owners of those sites. However, in most instances these links already exist; for those outside SCA (Precinct 1), the provision of a link is a lesser requirement than the operative maximum coverage rules; and where a link is provided, policy directs that consideration should be given to enabling more height on the site. <p><i>Social costs</i> Nil</p> <p>Efficiency (immediately and/or over time). Improving the overall quality of the Town Centre should result in higher land values, which should, in turn, encourage more development and redevelopment, and more efficient landuse (i.e. land being used for its highest value use). .</p> <p>In terms of District Plan drafting, it is more efficient to have a single rule controlling design rather than different</p>
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	<p>activity statuses for design control within and beyond the SCA. In support of this, there is no rationale as to why quality design is any more important in the special character than in the balance of the Town Centre.</p> <p>On the negative side, as there is no guarantee that a restricted discretionary activity will be granted, this could be deemed less efficient from an administrative/ investment perspective.</p>
<p>Options less appropriate to achieve the Objectives and policies:</p>	
<p>Option 1 - Status quo</p> <p>Retain the controlled activity design control outside the SCA and discretionary within it; rely on the fact that a high proportion of applications breach these standards to achieve good design; and retain the pedestrian links shown in the operative plan</p>	<p>Appropriateness:</p> <ul style="list-style-type: none"> • As almost all applications in recent years have been non-complying this option has enabled a good level of negotiation and improvements in design, however: <ul style="list-style-type: none"> ○ It is inefficient and uncertain for developers to have to obtain a non complying consent ○ There is little useful direction as to when it may be appropriate to breach the standards ○ Design guidance exists in the District Plan but this is not as clear as the Character/ Design Guidelines ○ For buildings that do meet the standards (which, in themselves often enable/ encourage poor design outcomes) there is no ability to decline the consent and it is difficult if not impossible to impose conditions to achieve good design • In regard to maintaining the Status quo regarding pedestrian links the comments contained in the 'most appropriate' option above apply. • Controlled activity status is not considered appropriate. While most recent developments in the Town Centre are of a high design quality, rather than necessarily reflecting that the rules are working effectively, this has resulted primarily from a) developers not wanting to under-capitalise on their site and a knowledge that a well-designed building will command top rental rates; and b) the fact that many have been subject to a non-complying resource consent due to breaches in height and/ or coverage pressure which has given the Council (and the Urban Design Panel) leverage to insist on good design.
<p>Option 2 - Add a rule requiring the provision of additional pedestrian links.</p>	<p>Appropriateness: This is unlikely to be appropriate, given that:</p> <ul style="list-style-type: none"> • Where the additional links are not already protected through some other method, then the requirement to provide additional existing pedestrian links will impose an economic cost on the landowners due to reduced ground floor GFA being able to be realised. • Submissions in opposition to these new links are likely and the Council will need to justify why the subject site provides a more appropriate link than any other site in the same block. • In most instances these links already exist in some form • In many instances these links are already protected through methods outside the District Plan (such as public access easements or via resource consent conditions)so adding them to the District Plan adds very little and risks duplication of process and inefficient consent processing
<p>Option 3 - Add a rule incentivising the provision of additional pedestrian links by providing transferable development</p>	<p>Appropriateness: This is unlikely to be appropriate, given that:</p> <ul style="list-style-type: none"> • Many sites outside the SCA will have a discretionary height allowance/ bonus applied to them regardless

rights (e.g. height) in return for the links.	<p>and so the opportunities for 'as of right' transferable development rights over and above what any other site gets is limited</p> <ul style="list-style-type: none"> • On those sites with a 14 m absolute maximum height, the effects of allowing heights over this 'as of right' could be significant and need to be considered case-by-case in case it is not warranted by the benefits from securing the link • On those sites with recession plane rules and stricter height rules, especially those within the SCA, the sensitivity of those sites in relation to allowing extra height in terms of shading, character, and view shafts could be significant and need to be considered case-by-case.
Option 4 - Apply controlled activity status over design throughout the Town Centre	<p>Appropriateness: For reasons outlined above under the proposed provisions, controlled activity status is not considered appropriate given the intention is that most applications will no longer be non-complying.</p>
Option 5 - Provide design guidance through detailed assessment matters within the District Plan rather than through policies and reference to the Design Guidelines.	<p>Appropriateness: Assessment matters of the level of detail that are considered effective and appropriate clutter the body of the plan, require the insertion of images and illustrations, and make the District Plan considerably longer. While this approach could be as effective as the preferred provisions, there are questions over whether such assessment matters have the status of rules in law and also over their ease to understand in that they tend to be text-based rather than image-based.</p>
Options analysis relating to Issue 5 - Flood Risk in the Queenstown Town Centre	
Relevant objectives:	
<p><i>Objective 2 - Development that achieves high quality urban design outcomes and contributes to a character, which, that is distinct from other places and fosters a sense of belonging or relationship to Queenstown.</i></p> <p><i>Objective 4 - A compact Town Centre that is safe and easily accessible for both visitors and residents</i></p>	
Most appropriate provision(s) to achieve the objectives	Effectiveness and Efficiency
<p>Policies: (12.2.2.8)</p> <p>This relates to acknowledging that parts of the Queenstown Town Centre are susceptible to flood risk and that the effects need to be mitigated through District Plan and other method</p>	<p>Effectiveness: The proposed provisions will be effective at helping to achieve the above objectives in that they will mitigate the costs of flooding in the Town Centre without requiring floor heights to be increased to the point that changes in level between footpaths and buildings will result in adverse urban design effects and accessibility.</p> <p>Benefits <i>Environmental benefits</i></p> <ul style="list-style-type: none"> • The floor level provisions and other methods outside the District Plan will mitigate the environmental costs of flooding (such as pollution of lake waters) by avoiding many premises from flooding and minimising

<p>Rules: (12.5.7) This rule has the effect of retaining the existing minimum floor levels and encourage heights above this where this will not result in adverse urban design effects.</p>	<p>effects for those that do still flood.</p> <p><i>Economic benefits</i></p> <ul style="list-style-type: none"> The floor level provisions and other methods will mitigate the economic costs of flooding (such as lost revenue generated in the Town Centre, lost productivity and income from temporary or permanent closures, and minimising stock losses and refurbishment costs) by avoiding flooding of many premises and minimising effects for those that do still flood. <p><i>Social benefits</i></p> <ul style="list-style-type: none"> Mitigating flood damage and minimising the recovery period will promote social wellbeing as expediently as possible following a flooding event. <p>Costs</p> <p><i>Environmental costs</i></p> <ul style="list-style-type: none"> The minimum floor levels will still result in some adverse urban design outcomes (e.g. the sloped footpath on Rees Street) Even if built to the minimum floor level many premises will still flood in a significant event. <p><i>Economic costs</i></p> <ul style="list-style-type: none"> Even if built to the minimum floor level many premises will still flood in a significant event, which results in economic costs for owners, tenants, and wider economy. <p><i>Social costs</i></p> <ul style="list-style-type: none"> A flood event in which premises are affected and the Town Centre is largely closed for business will have inevitable social costs. <p>Efficiency (immediately and/or over time). The proposed flood mitigation measures and provisions are considered to be efficient and the associated costs justified by the benefits that are to be gained by minimising the extent of flood damage.</p>
<p>Options less appropriate to achieve the Objectives and Policies:</p>	
<p>Option 1 - Amend the provisions to require floor levels to be raised to the level of the 1999 flood, for example.</p>	<p>Appropriateness: While this would largely avoid internal damage to premises, the economic costs of this option, which essentially requires a large proportion of the town to be raised over time (including the roads, footpaths, underground services, and the buildings themselves) are significant, as are the environmental costs, both during the decades of transition and once the change in level is complete (including changes in levels, loss of views out of the town etc.).</p>
<p>Evaluation relating to Issue 5 - Management of the interface between the Town Centre and lakefront</p>	
<p>Relevant Objectives</p>	

Objective 2 – Development that achieves high quality urban design outcomes and contributes to the town’s character, heritage values, and sense of place

Objective 6 - Integrated management of the Queenstown Bay land-water interface, the activities at this interface and the establishment of a dynamic and attractive environment for the benefit of both residents and visitors

Most appropriate provision(s) to achieve the objectives	Effectiveness and Efficiency
<p>Policies: (12.2.2.1 - 12.2.2.5) (12.2.5.1 - 12.2.5.6)</p> <p>These relate to:</p> <ul style="list-style-type: none"> • Encouraging an exciting and vibrant waterfront; • Comprehensive planning; • Pedestrian accessibility and retaining and enhancing public open space areas; • Conserving and enhancing natural qualities and amenity values; • Providing for structures within Queenstown Bay waterfront area subject strict location and appearance criteria • Requiring development to contribute to the quality of public spaces and retain view shafts. • Intensification provided key amenity values are preserved. <p>Rules: (12.4.3, 12.4.6, 12.4.7, 12.4.8) (12.5.10) (Planning maps 35 and 36)</p> <p>These rules:</p> <ul style="list-style-type: none"> • Make commercial uses within this zone controlled; 	<p>Effectiveness: With minor amendment, the operative provisions will be effective at achieving the relevant Town Centre objectives, which, relevantly, seek integrated management of the waterfront and quality urban design outcomes. The existing rules strike an appropriate balance between enabling commercial use of the waterfront and ensuring it adds to the vibrancy and relevance of the Town Centre, while ensuring that the special character and sense of place that is derived from the relationship with the lake and views of it and the mountains beyond are maintained.</p> <p>Benefits</p> <p><i>Environmental benefits</i> The rules:</p> <ul style="list-style-type: none"> • Protect views from the Town Centre, which contribute significantly to the Town Centre’s character and sense of place. • Protect against the proliferation of overnight accommodation on the water. • Control effects of commercial boating operations in the Bay (including safety, amenity, and cumulative effects). • Discourage development that would attract too much traffic or loading/ servicing requirements in recognition of the pedestrian character of the area and the fact it is well removed from arterials. <p><i>Economic benefits</i></p> <ul style="list-style-type: none"> • Focusing activity in the Earnslaw Park/ Steamer Wharf/ St Omers Park area while preserving the Marine parade beach area from structural developments will enable some intensification of the area while preserving the special character and quality of the remaining area. • Clarifying the extent of the subzone, the location of the pier, and the fact it is a subzone of the Town Centre Zone (and hence the Town Centre objectives and provisions apply) should improve certainty and the efficiency of resource consent processing. <p><i>Social benefits</i></p> <ul style="list-style-type: none"> • The provisions will maintain and enhance the busy, more commercialised component while maintaining the relaxed non-commercial component to the waterfront. Together, these contribute to the social wellbeing of the community and visitors.

<ul style="list-style-type: none"> • Make jetties and wharfs between the town pier and St Omers Park discretionary; • Make Commercial Surface of Water Activities within the Waterfront Zone discretionary (NB: This is the same as in other parts of the lake). • Make jetties and wharfs between the town pier and the gardens non-complying; • Make buildings on wharves or jetties non-complying and impose a max height of 4 m above 312.8. • Make buildings or boating craft within the Waterfront Zone used for visitor, residential or overnight accommodation non-complying. • Rename the area a <u>subzone</u> of the Town Centre. • Clarify the extent of the waterfront subzone and the location of the 'Town Pier' in planning maps 35 and 36. • Avoid or mitigate clutter from outdoor storage of equipment and temporary structures. 	<p>Costs</p> <p><i>Environmental costs</i> There are no environmental costs of the status quo</p> <p><i>Economic costs</i> By not liberalising the rules, development of the waterfront area for berthing, etc. will restrict the amount of commercial activity in the Queenstown Bay, which will limit income generation and tourism opportunities.</p> <p><i>Social costs</i> Restricting development may limit tourism offerings in Queenstown Bay and on the water, which may reduce some people's enjoyment of the resource. That said, there is considerable opportunity for growth at the Ngai Tahu wharf and on other parts of the lake.</p> <p>Efficiency (immediately and/or over time). The rules (particularly once slightly amended) provide clear direction as to the anticipated scale and location of development in this location and it is considered that the benefits outweigh the costs.</p>
<p>Options less appropriate to achieve the Objectives and policies:</p>	
<p>Option 1 - Status Quo</p>	<p>Appropriateness: This is not considered appropriate as there are ambiguities with the current mapping/ provisions, which should be fixed in order to improve certainty and efficiency.</p>
<p>Option 2 - Amend the provisions to enable more development of the waterfront subzone</p>	<p>Appropriateness: This is not considered appropriate as the character and sense of place of the waterfront and the Town Centre as a whole would be adversely affected if commercial activity and built form was not as strictly controlled. That said, much of the area where such activity is non-complying is designated as reserve and so protected under other statutes and, as such, liberalising the District Plan provisions would likely result in only limited further development, in any case. That said, it is still considered inappropriate.</p>
<p>Evaluation relating to Issue 6 - Noise Issues and achieving vibrancy and an appropriate mix of activities within and around the Town Centre</p>	

Relevant Objectives:	
<p><i>Objective 1 - A Town Centre that remains relevant to residents and visitors alike and continues to be the district's principal mixed use centre of retail, commercial, administrative, entertainment, cultural, and tourism activity.</i></p> <p><i>Objective 3 – An increasingly vibrant town centre that continues to prosper while maintaining a reasonable level of residential amenity within and beyond the Town Centre Zone.</i></p>	
Most appropriate provision(s) to achieve the objectives	Effectiveness and Efficiency
<p>Policies: (12.2.1.3, 12.2.1.4) (12.2.3.1, 12.2.3.2, 12.2.3.3, 12.2.3.4, 12.2.3.5)</p> <p>These relate to:</p> <ul style="list-style-type: none"> • Recognising the important contribution that night time activity makes • Enabling residential activities and visitor accommodation outside the Entertainment Precinct but accepting a lower level of residential amenity and requiring acoustic insulation • Discouraging new residential and visitor accommodation uses within the Entertainment Precinct • Providing for noisier night time activity within the Entertainment Precinct and avoiding high levels of night time noise on the periphery of the Town Centre. <p>Rules: (12.4.4, 12.4.5, 12.4.10 - 12.4.16) (12.5.11, 12.5.12, 12.5.13) (Planning maps 35 and 36)</p> <p>These rules have the effect of:</p> <ul style="list-style-type: none"> • Increasing noise limits throughout 	<p>Effectiveness: The provisions will be effective at achieving the objectives in that they will enable both visitor accommodation/ residential and bars/ restaurants within the Town Centre while managing conflicts between the two. Prohibiting completely inappropriate activities (i.e. factory farming, mining, forestry, and airports) ensures such activities will not be applied for in any of the Town Centres.</p> <p>Benefits</p> <p><i>Environmental benefits</i></p> <ul style="list-style-type: none"> • Will maintain and enhance the vibrant night-time atmosphere of the Town Centre. • Will ensure that new residential and visitor accommodation in the Town Centre are appropriately insulated against noise and are ventilated so they can enjoy an acceptable level of residential amenity (within the context of a Town Centre area). • While less visitor accommodation and residential use may occur in the Town Centre Zone itself, increased capacity in the adjacent High Density Residential Zone (anticipated via the District Plan review) will ensure the Town Centre continues to function as a mixed use, pedestrian-dominated centre that is highly accessible by foot for a large number of residents and visitors. • The creation of a Transition subzone at the Town Centre edge will continue to limit noise levels received within the High Density Residential Zone by preventing high noise levels at the edge and hence making it realistic to achieve residential limits at the zone boundary. <p><i>Economic benefits</i></p> <ul style="list-style-type: none"> • Overall, it is expected that the provisions will increase opportunities for economic growth and employment within the Town Centre through creating a more certain and cost-effective consenting process for bars and restaurants. <p><i>Social benefits</i></p> <ul style="list-style-type: none"> • Vibrant night-time activity adds to the social enjoyment and festivities held in the Queenstown Town Centre. <p>Costs</p> <p><i>Environmental costs</i></p>

<p>all but the Town Centre Transition Subzone and targeting different types of noise within the rules</p> <ul style="list-style-type: none"> • Creating a Transition subzone with lower noise limits, which is more compatible with the adjacent residential at the edge of town • Continuing to allow new residential and visitor accommodation throughout the Town Centre (including in the Entertainment Precinct) but requiring these to meet noise insulation requirements and install mechanical ventilation • Establishing an Entertainment Precinct within the Town Centre. • Retaining (slightly amended) rules relating to licensed premises and visitor accommodation, which provide discretion over noise and other matters at the time of resource consent. • Prohibiting inappropriate activities, including factory farming, mining, forestry, and airports. 	<ul style="list-style-type: none"> • The provisions enable a higher level of noise to be generated within the Town Centre, which will mean that levels experienced in any outdoor spaces of residential units and visitor accommodation within the Town Centre Zone may increase above existing levels⁴. • While the provisions may discourage visitor accommodation and residential development in the Town Centre these uses are well provided for in the adjacent High Density Residential zone within easy walking distance of the Town Centre. <p><i>Economic costs</i></p> <ul style="list-style-type: none"> • Insulation and mechanical ventilation requirements will impose additional cost including all buildings requiring secondary glazing, which will potentially at least double the glazing costs. This may discourage visitor accommodation and residential uses in the Town Centre. This may affect its financial viability in the Town Centre and therefore the viability of 3rd and 4th (and 5th) levels of Town Centre buildings. • Sites within the Transition subzone continue to be limited in the amount of noise they can generate and therefore there will be no 'uplift' in value for those subzone sites that are already within the Town Centre Zone. • Sites within the Entertainment Precinct receive the most increase in noise/ development rights, which may raise equity issues amongst Town Centre landowners • High Density Residential sites at the edge of the Town Centre will continue to be sought after and potentially values may increase if less residential and visitor accommodation is developed in the Town Centre itself. <p><i>Social costs</i></p> <ul style="list-style-type: none"> • While encouraging night-time activities through the proposed provisions may worsen existing social issues associated with late night drinking, any effect is likely to be minimal in that the bars already operate and make noise late at night via resource consent. • Increasing the cost of new residential and visitor accommodation in the Town Centre could have adverse effects on safety in that the passive surveillance and 24 hour occupancy of such premises can help to prevent crime. <p>Efficiency (immediately and/or over time)</p> <ul style="list-style-type: none"> • The provisions are more efficient (for Council, the public, and applicants) in terms of resource consenting, in that many/ most will not require a non-complying resource consent for noise and there will be less enforcement proceedings (in that there should be considerably less non-compliance). • Prohibiting completely inappropriate activities (i.e. factory farming, mining, forestry, and airports) ensures such activities will not be applied for, which provides a high degree of certainty and efficiency. As no application is able to be made for a prohibited activity, it is unnecessary to include objectives and policies specifically in relation to this, which itself, contributes to efficiency in terms of plan drafting. • Exempting public events from the noise rules will avoid them having to obtain a non complying resource consent, which may be a cost saving, depending on other consenting requirements.
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⁴ In recognition of the inner city environment, there is proposed to longer be a requirement to provide outdoor living space in the Town Centre.

Options less appropriate to achieve the Objectives and policies:	
<p>Option 1 - Status quo. I.e. leave the policies and night time noise levels as they are (50 dB)</p>	<p>Appropriateness: This option is not considered appropriate and will not result in a vibrant and pleasant Town Centre as:</p> <ul style="list-style-type: none"> • The policies don't specifically acknowledge bars and restaurants as an anticipated key activity in the Town Centre even though achieving this is key to achieving a vibrant Town Centre and reflects the direction the Council is heading. • The operative rules are inconsistent with the policies to achieve a diversity of uses in that, in realistic terms, the rules do not enable any outdoor entertainment, dining, or public events after 10 pm. Queenstown's noise limits are more stringent than 10 of the 12 cities it was compared with in the URS report. • There is extensive non-compliance (as the noise levels are practically impossible to meet) and significant costs incurred in terms of resource consent processes and enforcement proceedings; and the establishment of premises is ad hoc with little or no direction; • Noise from music (specifically bass) is not dealt with by the rules. • There is no requirement for visitor accommodation or residential units to insulate for noise or install mechanical ventilation therefore resulting in reverse sensitivity and an inability to meet Objective 3. • Residents both within and (anecdotally) beyond but near to the Town Centre are potentially affected by noise. • There are significant administrative inefficiencies with this option.
<p>Option 2 - Increase noise limits to 60dB over the whole Town Centre, along with the other amendments to the provisions outlined under the recommended option.</p>	<p>Appropriateness: This option has the benefit of not affecting existing visitor accommodation and residential use within the Town Centre Zone to the same extent as would occur under the precinct option (i.e. those near to the precinct). However, it is not considered appropriate because:</p> <ul style="list-style-type: none"> • It may not achieve the Objectives in that, without offering a precinct within which the noisiest activities can locate, it is likely that operators throughout the Town Centre will exceed the 60dB. • Without geographical direction as to where the noisiest operators should locate, they will locate in an ad hoc way and in areas which may significantly affect the residential zone. • It will continue to require some operators to seek consent (resulting in administrative inefficiencies) and may result in similar or worse effects on residential amenity than the status quo option.
<p>Option 3 - Increase noise limits to 65dB over the whole Town Centre, along with the other amendments to the provisions outlined under the recommended option.</p>	<p>Appropriateness: While this option may still achieve the objectives it will likely struggle to achieve objective 3 in terms of protecting reasonable levels of residential amenity. It is efficient from a resource consent (as very few if any operators will need to apply for a noise consent) and, as such, enforcement proceedings will be minimal. It is also more equitable for all landowners in the Town Centre. However, it is not considered appropriate on balance due to the considerable disadvantages of:</p> <ul style="list-style-type: none"> • Enabling the ad hoc sprawl of the more noisy operators thereby offering no certainty as to where residential and visitor accommodation may cost-effectively be able to achieve a reasonable internal noise

	<p>level;</p> <ul style="list-style-type: none"> Resulting in higher noise levels over a significantly greater area of High Density Residential Zoned land (in all directions).
<p>Option 4 - Prevent new residential and visitor accommodation from locating anywhere in the CBD, in conjunction with increasing the noise limit to either 60 or 65dB.</p>	<p>Appropriateness: While this option may still achieve the objective and would have efficiency benefits in terms of avoiding reverse sensitivity issues in the future, it is considered to be overly restrictive and unnecessary given that visitor accommodation and residential uses can be feasibly insulated to provide an acceptable level of internal amenity and, provided the policy and rules are clear, then the expectations of developers and future inhabitants should be realistic.</p>
<p>Option 5 - Prevent (i.e. prohibit) visitor accommodation and residential uses within the Entertainment Precinct</p>	<p>Appropriateness: While it will be costly for any proposed new residential or visitor accommodation to meet the insulation requirements if they are located within the Precinct if they can then meet that requirement, then they should be able to locate there. It is considered appropriate therefore to make it non complying if adequate insulation is not being proposed as, without it, the objectives will not be met, residential amenity is likely to be poor, and issues and costs relating to ongoing complaints are more likely.</p>
<p>Option 6 - Not specify noise limits in the District Plan but, rather, rely on:</p> <ul style="list-style-type: none"> Serving Excessive Noise Directions on premises under the RMA, in the event that excessive noise is being generated/ experienced. Requiring a resource consent for licensed premises (and the conditions imposed via that). The conditions of the Liquor License itself which, pursuant to the Supply and Sale of Alcohol Act 2012, enables Council to consider a wider range of amenity-related effects than it did previously 	<p>Appropriateness: This option is not considered appropriate without the additional restrictions on absolute noise levels, which provide all parties with a clear and common understanding of what is and is not acceptable. Such clarity is important to provide certainty and some efficiency in the process.</p>
<p>Evaluation relating to miscellaneous provisions</p>	
<p>Relevant Objectives</p>	
<p><i>Objective 1: A Town Centre that remains relevant to residents and visitors alike and continues to be the district's principal mixed use centre of retail, commercial, administrative, entertainment, cultural, and tourism activity.</i></p>	

Objective 2 – Development that achieves high quality urban design outcomes and contributes to the town’s character, heritage values, and sense of place

Objective 3 – An increasingly vibrant town centre that continues to prosper while maintaining a reasonable level of residential amenity within and beyond the Town Centre Zone

Objective 4 - A compact town centre that is safe and easily accessible for both visitors and residents

Most appropriate provision(s) to achieve the objectives	Effectiveness and Efficiency
<p>Policies: (12.2.1.4) (12.2.2.2) (12.2.3.3, 12.2.3.4, 12.2.3.6) (12.2.4.2, 12.2.4.6)</p> <p>Rules: (12.4.1, 12.4.2, 12.4.4, 12.4.5, 12.4.9 - 12.4.16) (12.5.4, 12.5.5, 12.5.7,12.5.14) (Planning maps 35 and 36)</p> <p>These provisions have the effect of:</p> <ul style="list-style-type: none"> • Controlling the effects of visitor accommodation • Managing the effects from premises licenced for the sale of liquor (through restricted and full discretionary activity status) • Requiring the screening of storage areas • Retaining the requirement for residential activities to be located above ground floor on most streets; removing rules relating to residential flats; and removing the requirement to provide outdoor living space above ground in the Town Centre and reducing the requirement at ground level • Removing controls on ground floor 	<p>Effectiveness: These miscellaneous provisions will effectively contribute toward achieving the relevant Town Centre objectives.</p> <p>Benefits <i>Environmental</i></p> <ul style="list-style-type: none"> • These provisions will maintain the amenity levels expected for the Town Centre environment and ensure there is appropriate control over activities that could cause adverse environmental effects, or need specific consideration. • It is considered unnecessary and potentially inefficient to restrict ground floor uses in the operative Precinct 1 • Assuming the land to the north and east of the operative Town Centre Transition Zone on Man Street is rezoned as Town Centre through Plan Change 50, then this block need no longer provide a transition between the Town Centre and High Density Residential areas. Should that land not be rezoned, then the proposed transition zone would need to be applied to the man street block <p><i>Economic</i></p> <ul style="list-style-type: none"> • These provisions further enable to the town centre to be a vibrant and viable centre by providing for a range of town centre activities, including residential and visitor accommodation. • Removal of the operative Town Centre Transition Zone on Man Street will result in more efficient use of that land and enable a wider range of commercial opportunities on the land. <p><i>Social</i></p> <ul style="list-style-type: none"> • Regulating premises for the sale of liquor and managing the effects of such premises on other uses within and adjacent to the Town Centre Zone will have social benefits. <p>Costs <i>Environmental</i> Nil</p> <p><i>Economic</i></p>

<p>activities in the operative Precinct 1.</p> <ul style="list-style-type: none"> • Removing the operative Town Centre Transition Zone from Man Street • Ensuring against nuisance caused by glare and promoting lighting design that mitigates adverse effects on the night sky, • Preventing inappropriate activities such as panelbeating, etc. • Requiring verandas on the most pedestrian-orientated streets • 	<p>Costs associated with complying with Plan requirements.</p> <p><i>Social</i> Nil</p> <p>Efficiency: These provisions are effective and efficient as they give effect to the various objectives by placing appropriate controls on town centre activities, while continuing to enable the establishment of a diverse range of activities.</p>
<p>Options less appropriate to achieve the Objectives and policies:</p>	
<p>Option 1 - Not to include the various miscellaneous provisions and to not remove the provisions from the operative Plan, as outlined above.</p>	<p>Appropriateness: This option would not be appropriate as it would not ensure control over licenced premises or visitor accommodation; would enable residential at ground level throughout the Town Centre which would compromise the achievement of active frontage and vibrancy and add to reverse sensitivity issues; would increase the costs of residential development (through requiring balconies) in an already challenging development climate; and would result in inefficient use of the Town Centre Transition Zone on Man Street.</p>

10. Efficiency and effectiveness of the provisions

The efficiency and effectiveness of the proposed provisions is documented in part 9.0 of this report.

As an over-riding statement, the provisions have been drafted to specifically address known resource management issues and the inefficiencies and ineffectiveness of some of the current provisions. As well as removing a number of provisions where these were deemed unnecessary or inappropriate, the assessment matters have been replaced by more directive policies, which will be effective at influencing decision-making. It is expected that the proposed provisions will result in efficiencies for those developing within the Town Centre and for the community as a whole and, at the same time, result in a higher quality Town Centre environment.

11. The risk of not acting

Some of the risks associated with not reviewing the Town Centre Zone and proposing amended provisions are that:

- The inefficiencies surrounding the current consenting process/ requirements will continue at considerable cost to the development community and community as a whole;
- Opportunities to enhance the built environment and open spaces through better design control; encouraging the formation of more pedestrian links; and through public/ private partnerships aimed at improving public spaces in conjunction with private developments could be missed;
- The lack of direction in terms of noise (i.e. through the sensible location and design of bars, restaurants, residential, and visitor accommodation) would further worsen the reverse sensitivity issues and dissatisfaction;
- The inner link edge could be developed as High Density Residential, which would be a lost opportunity; and
- Opportunities to intensify the Town Centre may be missed.

Generally the level of information available in coming to the conclusions reached in this evaluation is excellent. Considerable consultation has been undertaken on core issues in recent years and a large number of strategic and technical reports prepared (as outlined in section 5.0 of this report). That said, the following potential gaps and assumptions do exist:

- The Council has modelled the noise contours that would result if all those premises were to operate at 60 dB and 65 dB respectively and if there were to be an Entertainment Precinct established. This provides an indication of how the various scenarios would affect the residential and visitor accommodation both within the Town Centre and the adjacent High Density Residential Zone. This modelling over-estimates the likely effects of the various scenarios in the foreseeable future. However, in line with usual noise modelling practice, the Council has not attempted to predict the future growth in the number of licensed premises and where they would be located and therefore does not have noise contours which reflect a considerable increase in the number of noisy night-time licensed premises.
- This S 32 evaluation assumes that plan change 50 (Town Centre extension) will extend the Town Centre land over various parcels of land and that it is therefore unnecessary to create a noise buffer on those edges of the existing Town Centre. It also assumes that plan change 50 will add considerable capacity to the Town Centre, which has influenced the conclusions reached in terms of what further expansions may be appropriate. Should plan change 50 not become operative generally in the form determined in the Council's decision, then these two aspects will require some reconsideration.

In conclusion, the level of certainty and information available to the Council is considered sufficient for it to make a reasonable decision.

References

Strategic documents, relevant across the issues:

- Queenstown Town Centre Strategy (2009). Refer [Link](#).
- Queenstown Town Centre Monitoring Report (2012) - Refer [Link](#)
- The Town Centre Transitional Zone Plan Change (Plan Change 50). Refer [Link](#)
- The Town Centre Zone review work (commenced 2012)
- Inner Links Queenstown (2014)

Capacity within the Town Centre:

- Review of District Plan Business Zones Capacity and Development of Zoning Hierarchy (November 2013) hereafter referred to as 'the McDermott Miller report' - Refer [Link](#)
- Peer Review of the McDermott Miller report (January 2014). Refer [Link](#)
- Growth projections (2014) - [Link](#)

Expansions to the Town Centre:

- Queenstown Height Study - Landscape & Urban Design Assessment 2009. [Link](#)
- Section 32 Town Centre Fringe Report 2013. [Link](#)
- The Town Centre Transitional Zone Plan Change (plan change 50) [Link](#)

Bulk and location of buildings and quality urban design and built form

- The Inner Links Queenstown Urban Design Context Report (2014). [Link](#)
- The Queenstown Town Centre Character Guidelines (2007) and Queenstown Town Centre Design Guidelines (2015) - [Link](#)
- Council shading model (2014)

Flood risk in the Queenstown Town Centre

- The Joint Flood Mitigation Strategy 'Learning to live with flooding' (2006) [Link](#)

The management of the Town Centre Waterfront (sub) Zone

- The Sunshine Bay, Queenstown Bay, Frankton, Kelvin Heights Foreshore Management Plan (1991) [Link](#)
- The Queenstown Bay Waterfront Development Plan (1994) [Link](#)
- The Jetties and Moorings Policy (June 2007) [Link](#)

Noise:

- The Queenstown Town Centre Noise Rules Review (April 2009) - [Link](#)
- The Acoustics Report (for) Proposed Plan Change 42- Queenstown Town Centre (July 2011). - [Link](#)
- Town Centre Noise discussion document (2010) [Link](#)
- As well as the advice contained in the reports from URS undertaken in 2009 and 2012, further advice was obtained from Dr Stephen Chiles of Chiles Limited as part of this S 32 process.

Other:

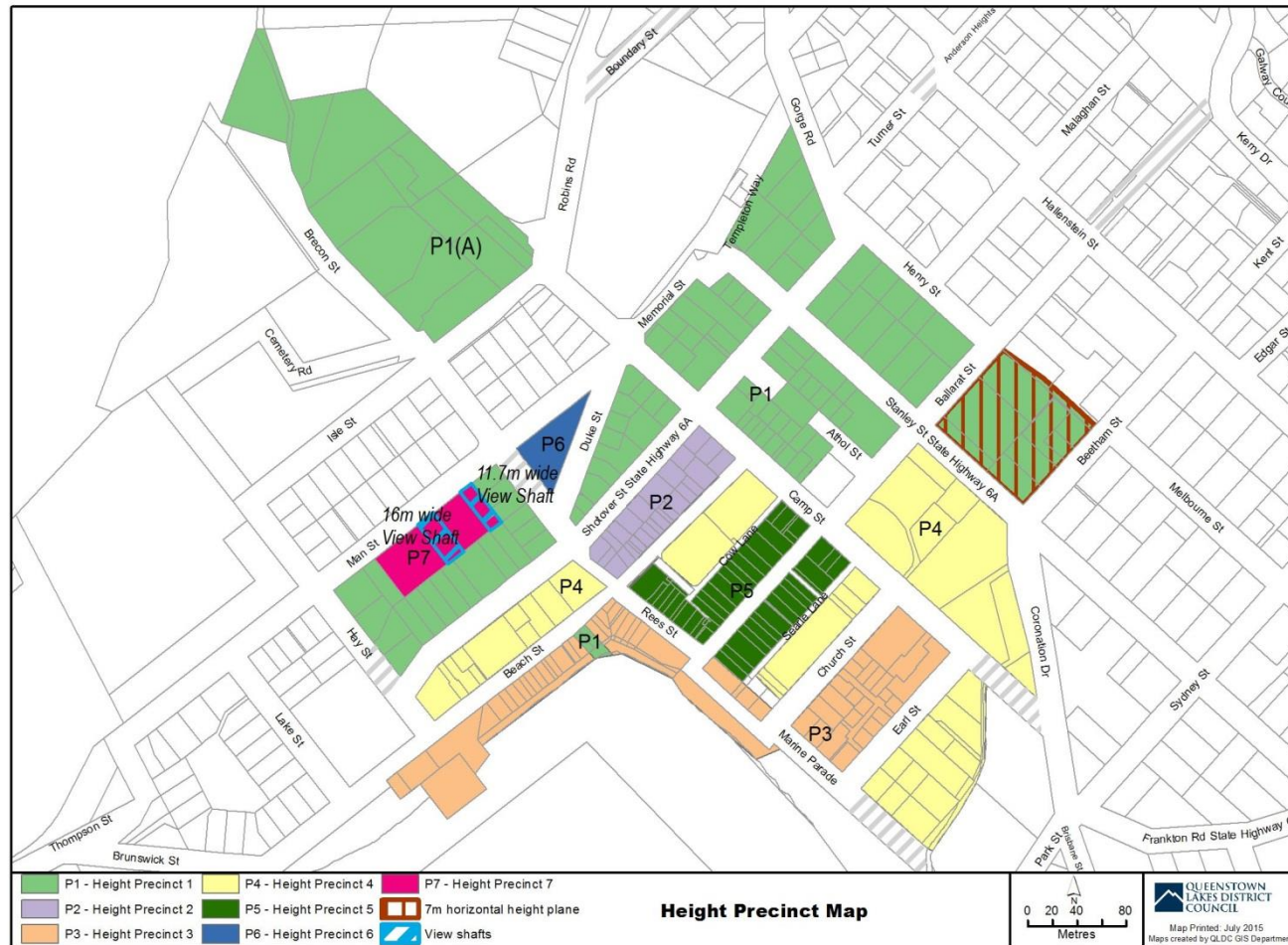
- Queenstown Town Centre Character Guidelines (2007 and Queenstown Town Centre Design Guidelines (2015) - [Link](#)
- Queenstown Town Centre Shading model (2014).

Appendix 1 - Proposed extensions to the Town Centre

Town Centre Zone Extensions Map



Appendix 2 - Proposed height precincts



Appendix 3 - Proposed Queenstown Town Centre Special Character Area Design Guidelines - [link](#)

Appendix 4. Section 32AA Evaluation

Appendix 4
SECTION 32AA EVALUATIONS IN RELATION TO CHAPTER 12 (QUEENSTOWN TOWN CENTRE)

Note: The relevant provisions from the revised chapter are set out below, showing additions to the notified text in underlining and deletions in ~~strike through~~ text (i.e. as per the revised chapter). The section 32 evaluation then follows in a separate table underneath each of the provisions.

The provisions are assessed in the order that they appear in the chapter and any changes to the figures are at the end.

Recommended Amended Rules 12.4.4 and 12.4.5 regarding licensed premises

12.4.4	<p>Licensed Premises</p> <p><i>12.4.4.1 Other than in the Town Centre Transition subzone, premises licensed for the consumption of liquor on the premises between the hours of 11pm and 8am, provided that this rule shall not apply to the sale of liquor:</i></p> <p style="margin-left: 40px;">a. <i>To any person who is residing (permanently or temporarily) on the premises; and/or</i></p> <p style="margin-left: 40px;">b. <i>To any person who is present on the premises for the purpose of dining up until 12am.</i></p> <p>33.1.1.2 <i>Premises within the Town Centre Transition sub-zone licensed for the consumption of liquor on the premises between the hours of 6pm and 11pm with respect to the scale of this activity, car parking, retention of amenity, noise and hours of operation, provided that this rule shall not apply to the sale of liquor:</i></p> <p style="margin-left: 40px;">a. <i>To any person who is residing (permanently or temporarily) on the premises; and/or</i></p> <p style="margin-left: 40px;">b. <i>To any person who is present on the premises for the purpose of dining up until 12am.</i></p> <p><i>*In relation to both 12.4.4.1 and 12.4.4.2 above, discretion is restricted to consideration all of the following:</i></p> <ul style="list-style-type: none"> • <i>The scale of the activity;</i> • <i>Car parking and traffic generation;</i> • <i>Effects on amenity (including that of adjoining residential zones and public reserves);</i> • <i>The provision of screening and/ or buffer areas between the site and adjoining residential zones;</i> • <i>The configuration of activities within the building and site (e.g. outdoor seating, entrances);</i> • <i>Noise issues, and hours of operation; and</i> • <i>Consideration of any alcohol policy or bylaw.</i> 	<u>RD* C</u>
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12.4.5	<p>Licensed Premises within the Town Centre Transition subzone</p> <p><i>Premises within the Town Centre Transition sub-zone licensed for the consumption of liquor on the premises between the hours of 11 pm and 8 am.</i></p> <p><i>This rule shall not apply to the sale of liquor:</i></p> <p>a. <i>To any person who is residing (permanently or temporarily) on the premises; and/or</i></p> <p>b. <i>To any person who is present on the premises for the purpose of dining up until 12 am.</i></p> <p><i>*Discretion is restricted to consideration all of the following:</i></p> <p>a. <i>The scale of the activity;</i></p> <p>b. <i>Effects on amenity (including that of adjoining residential zones and public reserves);</i></p> <p>c. <i>The provision of screening and/ or buffer areas between the site and adjoining residential zones;</i></p> <p>d. <i>The configuration of activities within the building and site (e.g. outdoor seating, entrances);</i></p> <p>e. <i>Noise issues, and hours of operation.</i></p>	<u>D-RD*</u>
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Costs	Benefits	Effectiveness & Efficiency
<ul style="list-style-type: none"> • There is a low risk that there could be an application that the Council would wish to decline. • Conditions aimed at controlling scale could be difficult to impose without effectively declining the application. 	<ul style="list-style-type: none"> • Added certainty of outcome and timeframes in that there is no risk of controlled activities a) being declined or b) being notified unless special circumstances exist. This results in economic benefits and efficiencies. • Consistent with the ODP approach and therefore industry understanding exists. • The Sale and Supply of Alcohol Act 2012 (SSAA) enables a wider range of amenity and good order and nuisance-related effects to be considered and managed than under previous law, which can complement the recommended controlled and restricted discretionary activity District Plan framework. • The controlled status will ensure matters that cannot be effectively considered under the SSAA are considered through the PDP. • Enables the monitoring and enforcement of resource consent conditions relating to noise management. • Failure to meet noise limits will trigger a non-complying 	<ul style="list-style-type: none"> • The amended rules, in conjunction with the noise rules and liquor licencing process, will be equally effective and more efficient at implementing objectives 12.2.1 and 12.2.3 and will further avoid unnecessary duplication. • The controlled activity status recognises the importance of night time activity (Policies 12.2.1.3 and 12.2.3.3), to a greater extent than restricted discretionary status. • The restricted discretionary activity status applied to the Town Centre Transition Subzone will effectively and more efficiently (than full discretionary) minimise noise issues at the periphery of the Town Centre (Policies 12.2.3.2 and 12.2.3.3(c)).

	<p>resource consent and enable wide ranging nuisance issues to be considered.</p> <ul style="list-style-type: none"> • Effects relating to amenity, layout, screening, noise and hours of operation (and to a lesser extent, scale) are all able to be well managed through resource consent conditions. 	
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Recommended Amended Rule 12.4.6 regarding buildings - in relation to natural hazards, pop-up buildings, and artwork

12.4.6	<p><u>Buildings, except temporary 'pop up' buildings that are in place for no longer than 6 months and permanent and temporary outdoor art installations</u></p> <p>12.4.6.1 Buildings, including verandas, and any pedestrian link provided as part of the building/ development:</p> <p>* Discretion is restricted to consideration of all of the following:</p> <ul style="list-style-type: none"> • Consistency with the Queenstown Town Centre Design Guidelines (2015), where applicable; • External appearance, including materials and colours; • Signage platforms; • Lighting; • The impact of the building on the streetscape, heritage values, compatibility with adjoining buildings, the relationship to adjoining verandas; • The contribution the building makes to the safety of the Town Centre through adherence to CPTED principles; • The contribution the building makes to pedestrian flows and linkages <u>and kerbside bus movements where applicable</u>; • The provision of active street frontages and, where relevant, outdoor dining/patronage opportunities; and • Where a site is subject to any Natural hazards where the proposal results in an increase in gross floor area: an assessment by a suitably qualified person is provided that addresses <ul style="list-style-type: none"> • <u>Assessment matters relating to natural hazard:</u> <ul style="list-style-type: none"> - The nature and degree of risk the hazard(s) pose to people and property; - whether the proposal will alter the risk to any site; and the extent to which - <u>whether such risk can be avoided or sufficiently mitigated remedied.</u>¹ <p>And, in addition;</p> <p>12.4.6.2 In the Town Centre Transition subzone and on sites larger than 1800m², any application under this Rule 12.2.6.1 shall include application for approval of a structure plan in respect of the entire site and adherence with that approved plan in consequent applications under this rule.</p> <p>*In addition to those matters listed in rule 12.4.6.1 above, the Council's discretion is extended to also include consideration of the provision of and adherence with the structure plan including:</p> <ul style="list-style-type: none"> • the location of buildings, services, loading, and storage areas; 	RD*
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¹ Policies that guide the assessment of proposals on land affected by natural hazards are located in Chapter 28.

	<ul style="list-style-type: none"> • the provision of open and/or public spaces; and pedestrian, cycle, and vehicle linkages • 	
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Change to exempt pop up buildings and artworks:

Costs	Benefits	Effectiveness & Efficiency
<ul style="list-style-type: none"> • Risk of pop up buildings that do not meet the design expectations of the Town Centre. • May require monitoring of the 6 month timeframe to ensure compliance, which will incur a cost. 	<ul style="list-style-type: none"> • Avoids the costs and time delays involved in obtaining Resource Consent, noting that the time delay is critical for pop up buildings that wish to establish quickly and when an opportunity arises. • The exception avoids the uncertainty surrounding whether and when consent will be approved. • Assists in enabling the community to provide for its cultural wellbeing. • Avoids a resource consent process/ design control, which may be largely or entirely irrelevant to the project, particularly in relation to artworks. • Has the potential to contribute significantly to the success and relevance of the Town Centre. • Can enable more efficient use of the land. • Adds to the sense of place; provides interest and a point of difference. • Adds diversity by offering a more affordable alternative which enables retailers and hospitality operators who may not normally be able to afford to set up in the Town Centre and/ or which are only viable at peak times). • Can help with crime prevention and enhancing vibrancy by activating spaces which may be otherwise disused (e.g. a vacant site). 	<ul style="list-style-type: none"> • The amended rule will be more effective and efficient at contributing to implementing Objectives 12.2.1 and 12.2.2. • Avoiding a resource consent yet retaining the ability to monitor the timeframe through the building consent or through some sort of separate (non RMA) certification process if necessary will be more efficient for establishing pop-up buildings whereas the time involved in obtaining resource consents will often make such propositions unrealistic.

Amending the natural hazards matter of discretion:

Costs	Benefits	Effectiveness & Efficiency
<ul style="list-style-type: none"> • There is a risk that a 	<ul style="list-style-type: none"> • Cost savings in that it may 	<ul style="list-style-type: none"> • The amended rule will be

<p>proposal may be allowed to proceed without an assessment, when it should, in fact, be required. If a proposal occurs which does not sufficiently mitigate risks or worsens such risks, this may result in economic, environmental, and social costs if there is ever a natural hazard event.</p> <ul style="list-style-type: none"> The council may miss an opportunity to improve its knowledge base of existing hazards (provided by the private sector) to the same extent it may if all developments were required to produce one. 	<p>avoid applicants having to obtain an expert assessment where (for example) the extent of new building is small; the risk posed by the hazard is known to be low; the hazard is already well documented/ understood (e.g. Queenstown Bay flooding); or the risk is already sufficiently mitigated through compliance with other rules (e.g. minimum floor levels).</p> <ul style="list-style-type: none"> Enables case by case determination of whether a hazard assessment is necessary, based on location, existing information, and the nature and scale of the proposal to ensure the level of information required is appropriate. Avoids duplication and potential inconsistency with section 28.5 of the PDP Natural Hazards Chapter, which requires assessments commensurate with the level of risk. 	<p>equally effective and more efficient (for the reasons stated) at implementing Objectives 12.2.2 and the objectives contained in chapter 28 (Policy 12.2.2.8 in particular).</p> <ul style="list-style-type: none"> As amended, it will still enable the Council to require an assessment where necessary pursuant to Section 28.5 and Policy 28.3.2.3 of the PDP hazards chapter, (which refers to information requirements in relation to natural hazards) but will not unnecessarily require this in all instances.
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Removing rule 12.4.6.2 requiring the provision of a Structure Plan for developing land over 1800m² and imposing additional matters of discretion:

Costs	Benefits	Effectiveness & Efficiency
<ul style="list-style-type: none"> Relying on Rule 12.5.1.2 to require all comprehensive/ large site developments to provide a Structure Plan may not be as clear/ obvious to the reader as that rule is entitled 'maximum building coverage'. As such it may not be as effective if it were missed and may be less efficient if it causes confusion in administration and amongst plan users. 	<ul style="list-style-type: none"> Avoids an inconsistency in terms of the area thresholds that trigger this rule and the need for a Structure Plan under Rule 12.5.1.2. Avoids duplication with Rule 12.5.1.2, which also requires a Structure Plan, noting that the only additional matters in this rule (i.e. cycling and vehicle links) have been added to Rule 12.5.1.2. 	<ul style="list-style-type: none"> The removal of Rule 12.4.6.2 will not reduce the effectiveness of the provisions to implement Objective 12.2.2 (particularly policies 12.2.2.1, 2.2.2.2, 12.2.2.6, 12.2.2.7, and 12.2.2.9) and Objective 12.2.4 (particularly policies 12.2.4.1 - 12.2.4.3). The removal of the rule will be more efficient in that there will be one less rule assess an application against and less confusion regarding inconsistent area thresholds and the justification for those.

Recommended amendment to Rule 12.5.1 regarding building coverage

<p>12.5.1</p>	<p><u>Maximum building coverage in the Town Centre Transition subzone and in relation to comprehensive developments of sites</u></p> <p>12.5.1.1 In the Town Centre Transition subzone or <u>when undertaking a comprehensive development of sites greater than 1400m²</u>, the maximum building coverage shall be 75%, primarily for the purpose of providing pedestrian links <u>and lanes</u>, open spaces, outdoor dining, and well planned storage and loading/ servicing areas within the development.</p> <p><i>Note: While there is no maximum coverage rule elsewhere in the Town Centre, this does not suggest that 100% building coverage is necessarily anticipated on all sites as setbacks, outdoor storage areas, and pedestrian linkages might be required.</i></p> <p>12.5.1.2 Any application for development <u>building</u> within the Town Centre Transition Subzone or <u>for a comprehensive development (as defined below) on a site 1800m² shall be accompanied by include a Comprehensive Development Structure Plan</u> for an area of at least 4800 <u>1400m²</u>.</p> <p><i>*In regard to rules 12.5.1.1 and 12.5.1.2, discretion is restricted to consideration of all of the following:</i></p> <ul style="list-style-type: none"> • The adequate provision of cycle, vehicle, and pedestrian links <u>and lanes</u>, open spaces, outdoor dining opportunities • The adequate provision of storage and loading/ servicing areas • The site layout and location of buildings, public access to the buildings, and landscaping, particularly in relation to how the layout of buildings and open space interfaces with the street edge and any adjoining public places and how it protects and provides for view shafts, taking into account the need for active street frontages, compatibility with the character and scale of nearby residential zones, and the amenity and safety of adjoining public spaces and designated sites. <p><u>For the purpose of this rule, a 'comprehensive development' means the construction of a building or buildings on a site or across a number of sites which total an area greater than 1400m².</u></p>	<p>RD*</p>
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Costs	Benefits	Effectiveness & Efficiency
<ul style="list-style-type: none"> • Imposes a coverage rule on the comprehensive development of properties over 1400m² - and therefore triggers the maximum coverage rule for more sites than under the notified rule. • May result in confusion due to the two different area triggers within the rule (unable to be rectified due to scope issues) 	<ul style="list-style-type: none"> • Will be more effective and better achieve the objectives and the intent of the rule in that it will capture the whole title, even if it can be defined as a number of small 'sites' under the PDP; or the whole development area, even if that exists in more than one title. • It will potentially capture some additional key properties which are not captured by using the trigger of sites over 1800m². These include properties such as the O'Connells Mall site, the Athol street carpark 	<ul style="list-style-type: none"> • The amended rule will be more effective and efficient at implementing: <ul style="list-style-type: none"> - Objective 12.2.2 regarding quality urban design (particularly policies 12.2.2.1, 2.2.2.2, 12.2.2.6, 12.2.2.7, and 12.2.2.9) and Objective 12.2.4 (particularly policies 12.2.4.1 - 12.2.4.3); and - Objective 12.2.4 regarding accessibility (particularly policies 12.2.2.1, 2.2.2.2, 12.2.2.6, 12.2.2.7, and 12.2.2.9).

	<p>site, the lofts site on Shotover St, the site to the west of that, and the Bayview centre.</p>	<ul style="list-style-type: none"> • While it will not contribute to the policy relating to compactness, the amended rule will better achieve the policies relating to a walkable Town Centre and high quality pedestrian environment. • The amended rule is also likely to be applied to more developments, including the development of some key sites which have the potential to significantly enhance the quality of the Town Centre.
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Recommended removal of Rule 12.5.2 regarding street scene on Beach Street

<p>12.5.2</p>	<p>Street Scene – building setbacks</p> <p>12.5.2.1 Buildings on the north side of Beach Street shall be set back a minimum of 0.8m; and</p> <p>12.5.2.2. Buildings on the south side of Beach Street shall be set back a minimum of 1m.</p> <p>*Discretion is restricted to consideration of the effects on the overall streetscape as a result of a building not being set back the stipulated distance. Such effects might include:</p> <ul style="list-style-type: none"> • sunlight access; • the creation of a consistent building setback; and • widening of the street over time. 	<p><i>RD*</i></p>
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Costs	Benefits	Effectiveness & Efficiency
<ul style="list-style-type: none"> • May result in missed opportunities for private land to be used as semi-public space and for it to be developed as outdoor dining space, noting that the front part of the private lots on the south side of the street gets relatively good sun. • Some may consider the staggered frontages are an emerging character of Beach Street and the removal of this rule is likely to discourage such staggering in the future. • Is likely to discourage the building of higher facades, and a character typified by (slightly setback) 2 storey/ 7m high façades along the north side (and encourage stepped forms more like the 	<ul style="list-style-type: none"> • The existing street width and proposed facade heights enabled at the street boundary will provide a pleasant, enclosed space that is of a human scale and still affords views to the mountains over the buildings • Provides for more efficient use of private land and more flexibility in building design and positioning on the site. • Avoids unclear demarcation of the public/ private space along the frontages and the confusion, enforcement, and amenity issues that can result • Will encourage a more even built edge along the street over time and avoid the creation of entrapment 	<ul style="list-style-type: none"> • Removal of the setback rule will make the rules as a whole more effective and efficient at implementing Objective 12.2.2 (and in particular policies 12.2.2.1, 12.2.2.2 and 12.2.2.6) in that the placement of buildings along Beach St is more likely to be consistent with the SCA Guidelines and will provided better demarcation of public and private space, which will enhance the overall quality of the street.

<p>recent development (RM150881).</p> <ul style="list-style-type: none"> • May result in less parapets being included in designs as these would protrude through the recession plane if the building is built to the front boundary 	<p>areas, places for litter to gather, etc. It is noted that some staggering will likely always occur as some will elect to set the whole building back in order to achieve a more spacious stud height and a 2 storey façade.</p> <ul style="list-style-type: none"> • Will avoid developers having to obtain consent specifically for breaching the setback, thereby resulting in a less complex resource consent process. • Is more consistent with the existing SCA character. 	
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Recommended Rule 12.5.4 regarding the screening of storage space

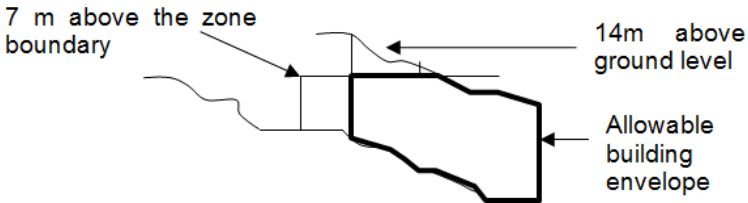
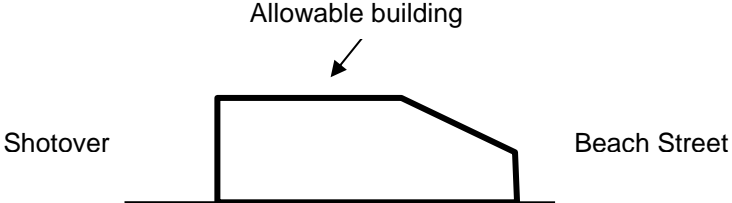
<p>12.5.4</p>	<p>Screening of Storage Space</p> <p>12.5.4.1 Within the Special Character Area and for all sites with frontage to the following roads all storage areas shall be situated within the building:</p> <p>12.4.6.2.1 — Shotover Street (Stanley to Hay)</p> <p>12.4.6.2.2 — Camp Street</p> <p>12.4.6.2.3 — Earl Street</p> <p>12.4.6.2.4 — Marine Parade</p> <p>12.4.6.2.5 — Stanley Street (Beotham Street to, and including, Memorial Street)</p> <p>12.4.6.2.6 — Beach Street</p> <p>12.4.6.2.7 — Rees Street (beyond the Special Character Area)</p> <p>12.5.4.2 12.5.4.1 In all other parts of this zone Storage areas shall be situated within the building or screened from view from all public places, adjoining sites and adjoining zones.</p> <p><i>*Discretion is restricted to consideration of all of the following:</i></p> <ul style="list-style-type: none"> • <i>Effects on visual amenity;</i> • <i>Consistency with the character of the locality;</i> • <i>Effects on human safety and adherence to CPTED principles; and</i> • <i>Whether pedestrian and vehicle access is compromised.</i> 	<p>RD*</p>
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Costs	Benefits	Effectiveness & Efficiency
<ul style="list-style-type: none"> • Enabling outdoor storage on key streets may result in more compliance/enforcement issues to ensure outdoor storage is screened as required. • Without careful design, the screening itself can result in 	<ul style="list-style-type: none"> • Provides greater flexibility in design especially on small premises where storage of bins and outdoor furniture within the building may be problematic or not possible. • Simplifies the rule. 	<ul style="list-style-type: none"> • The amended rule will be equally effective and more efficient at implementing Objective 12.2.2. • The simpler rule and greater flexibility in building/ site design will be more efficient from a

Costs	Benefits	Effectiveness & Efficiency
crime-related and visual amenity issues such as blank surfaces that invite graffiti or result in an unpleasant environment for pedestrians.		District Plan administration perspective and from a development/ landuse perspective.

Recommended Amended Rules 12.5.9 and 12.5.10.1

12.5.9	<p><i>Discretionary Building Height in Precinct 1 and Precinct 1(A)</i></p> <p><i>For the purpose of this rule, refer to the Height Precinct Map (Figure 2) at the end of Chapter 12, which takes precedence over the general descriptions below.</i></p> <p>12.5.9.1 <i>The maximum height shall be 12m and the building shall contain no more than 4 storeys (excluding basements), except that; and</i></p> <p>12.5.9.2 <i>In that part of the precinct on the eastern side of Brecon Street annotated as Within Precinct 1(A) as shown on the Height Precinct Map (figure 2) where the maximum height shall be 15.5m above ground level and shall be limited to no more than 4 storeys in height (excluding basements), provided no part of any building shall protrude through a recession line inclined towards the site at an angle of 45 degrees commencing from a line 10m above the street boundary.</i></p> <p><i>*Discretion is restricted to consideration of the effects of any additional building height on:</i></p> <ul style="list-style-type: none"> • <i>The urban form of the Town Centre and the character of the height precinct within which it is located. The Council will consider:</i> <ol style="list-style-type: none"> a. <i>The extent to which the proposed building design responds sensitively to difference in height, scale and mass between the proposal and existing buildings on adjacent sites and with buildings in the wider height precinct, in terms of use of materials, facade articulation and roof forms; <u>and</u></i> b. <i>The effect on human scale and character as a result of proposed articulation of the façade, the roofline, and the roofscape; and</i> c. <i>The amenity of surrounding streets, lanes, footpaths and other public spaces, including the effect on sunlight access to public spaces and footpaths; the provision of public space and pedestrian links; and</i> d. <i><u>The opportunity to establish landmark buildings on key sites such as block corners and key view terminations; and</u></i> • <i>The protection or enhancement of public views of Lake Wakatipu or of any of the following peaks:</i> <ol style="list-style-type: none"> a. <i>Bowen Peak</i> b. <i>Walter Peak</i> c. <i>Cecil Peak</i> d. <i>Bobs Peak</i> e. <i>Queenstown Hill</i> f. <i>The Remarkables range (limited to views of Single and Double Cone); and</i> • <i>Effects on any adjacent Residential Zone; and</i> • <i>The historic heritage value of any adjacent heritage item/ precinct and whether it acknowledges and respects the scale and form of this heritage item/ precinct.</i> 	RD*
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<p>12.5.10</p>	<p>Maximum building and façade height</p> <p>For the purpose of this rule, refer to the Height Precinct Map (Figure 2) at the end of Chapter 12, which takes precedence over the general <u>geographic</u> descriptions below.</p> <p>12.5.10.1 In Height Precinct 1, Precinct 1(A), and Precinct 2, subject to sub-clauses (a) - (e) below (Stanley and Shotover streets and the north side of Camp Street west of Ballarat, and the eastern side of Brecon Street), unless otherwise allowed by Standard 12.15.10(b) the maximum absolute height <u>limits</u> shall be <u>as follows</u>:</p> <p>i. 15m on Secs 4-5 Blk Xv Queenstown Tn <u>(48-50 Beach St)</u></p> <p>ii <u>15.5m on Precinct 1(A)</u></p> <p>iii 14m elsewhere;</p> <p>And:</p> <p>a. Throughout the precinct, the building shall contain no more than 4 storeys (excluding basements);</p> <p>b. In addition, buildings within the block bound by Ballarat, Beetham, and Stanley streets (as shown on the height overlay) shall not protrude through a horizontal plane drawn at 7m above any point along the north-eastern zone boundary of this block, as illustrated in the below diagram:</p>  <p>c. In addition, on Secs 4-5 Blk Xv Queenstown Tn (48-50 Beach St), no part of any building shall protrude through a recession line inclined towards the site at an angle of 45 degrees commencing from a line 12m above any boundary.</p> <p>d. In addition, in Height Precinct 2 (central Shotover/ upper Beach Street block) any the street front parapet of buildings on the north side of Beach Street shall be between 6.5m and 7m in height and no part of any building, except a street front parapet, shall protrude through a recession line inclined towards the site at an angle of 30 degrees commencing from a line 6.5m above any street boundary.</p>  <p>12.5.10.2 In Height Precinct 3 (lower Beach St to Marine Parade and the Earl/ Church Street block) the maximum height shall be 8m <u>and the street front parapet of buildings shall be between 7.5m and 8.5m and may protrude through the height plane.</u></p> <p>12.5.10.3 For any buildings located on a wharf or jetty, the maximum height shall be 4 m above RL 312.0 masl (412.0m Otago Datum).</p>	<p>NC</p>

12.5.10.4 In **Height Precinct 7 (Man Street)**, the following height rules apply within each of the areas shown on the below plan:



- a. In Area A the maximum height shall be 11m above 327.1 masl. except that within the
- b. In Area B the maximum height shall be 14m above 327.1 masl. except that
- c. In Viewshaft C the maximum height shall be 327.1 masl (i.e. no building is permitted above the existing structure)
- d. In Viewshaft D identified on the Height Precinct map, the maximum height shall be 4.3 m above 327.1 masl.
- e. In Area E the maximum height shall be 12m (above ground level) and, in addition,
 - no part of any building shall protrude through a recession line inclined towards the site at an angle of 45 degrees commencing from a line 10m above the street boundary; and in addition,
 - no building shall protrude through a horizontal plane drawn at 17m above the level of Shotover Street, as measured at the site boundary.
- f. In Area F the maximum height shall be 12m (above ground level) and, in addition,
 - no part of any building shall protrude through a recession line inclined towards the site at an angle of 45 degrees commencing from a line 10m above the street boundary; and in addition,
 - no building shall protrude through a horizontal plane drawn at 14m above the level of Shotover Street, as measured at the site boundary.

12.5.10.5 For all other sites within the Town Centre Zone, the maximum height shall be 12m and, in addition, the following shall apply:

	<p>a. In Height Precinct 4 (lower camp/ Stanley/ Coronation Dr block, Earl/ Gardens block, and lower Beach/ lower Shotover block, south side of Beach St and the north side of Church Street) no part of any building shall protrude through a recession line inclined towards the site at an angle of 45 degrees commencing from a line 10m above the street boundary.</p> <p>b. In Height Precinct 5 (The Mall heritage precinct and those sites facing Rees Street) the street front parapet shall be between 7.5 and 8.5m in height and no part of any building shall protrude through a recession line inclined towards the site at an angle of 45 degrees commencing from a line 7.5m above any street boundary.</p> <p>c. In Height Precinct 6 (land bound by Man, Duke and Brecon streets):</p> <ul style="list-style-type: none"> • No building shall protrude through a horizontal plane drawn at RL 332.20 masl (being 432.20 Otago datum), except that decorative parapets may encroach beyond this by a maximum of up to 0.9 metre. This rule shall not apply to any lift tower within a visitor accommodation development in this area, which exceeds the maximum height permitted for buildings by 1m or less; and <p>No part of any building shall protrude through a recession line inclined towards the site at an angle of 45° commencing from a line 10m above the street boundary.</p>	
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In relation to the changes made to the Height Precinct 1A (P1A) (Rules 12.5.9.2 and 12.5.10.1)

Costs	Benefits	Effectiveness & Efficiency
<ul style="list-style-type: none"> • Potentially less development capacity and less efficient use of land than under the notified rules as the permitted height is reduced from 14 m to 12 m. • May discourage developers from exceeding the 12 m height in order to achieve better building design as this triggers additional consenting matters and may, instead, encourage them to squeeze 4 levels into 12m. 	<ul style="list-style-type: none"> • Enables effects from building height between 12 m and 15.5 m to be assessed and the design improved through the process (or declined if need be) yet without the burden of triggering a non-complying consent and the associated 'gate-way' test. • Provides a higher absolute height limit than under the operative or notified provisions, which will result in greater flexibility of uses/ diversity and more efficient landuse. • Enables well-designed buildings to be of a height that is relatively consistent with the 14 m - 15.5 m (with small protrusion to 17.5 m) height limits on nearby sites. 	<ul style="list-style-type: none"> • The amended rule will be more effective and efficient at implementing Objective 12.2.2 (particularly policies 12.2.2.1, 12.2.2.4 and 12.2.2.5 as recommended to be amended). • It removes the inefficiency and potential ineffectiveness of the notified rule, which made it a restricted discretionary activity for buildings over 15.5 m yet then imposed a 14 m maximum height limit (making heights over 14 m non-complying). • The provisions enable a higher height before non-complying consent is triggered, resulting in greater certainty and less cost for those wishing to exceed 14 m. • While not identical to either the Plan Change 50 or Precinct 1 rules, the recommended rule is intended to be relatively consistent with the overall heights enabled by Plan Change 50 yet be consistent with the rule framework that applies to

Costs	Benefits	Effectiveness & Efficiency
		the majority of the Town Centre.

In relation to the changes made to Height Precinct 2 (Precinct 2) (Rule 12.5.10.1)

Note: The change is limited only to the fact that parapets can no longer protrude through the recession plane and clarifies that the permitted height is 14 m.

Costs	Benefits	Effectiveness & Efficiency
<ul style="list-style-type: none"> • Less flexibility in building design on the Beach St frontage. • Potentially lower stud heights than under the PDP and therefore less internal amenity along the Beach St frontage. • Potentially fewer buildings will be designed with parapets, which will change the existing character to a minor degree. 	<ul style="list-style-type: none"> • Where buildings are constructed on the street boundary, the increased shading effects from parapets protruding through the recession plane will be avoided, which results in greater sunlight to the critical public space on the south side of the street. • Retains sunlight access to the street, which will contribute to vibrancy and economic and social wellbeing • Enables the setback rule to be removed (without creating adverse shading effects), which results in a number of urban design benefits. • The increased permitted building height (from 12 - 14 m) results in greater flexibility in design, permits 4 storey development on the Shotover St and partially into the Beach St sites, and provides for more efficient landuse and economic benefits to landowners. 	<p>The amended rule will be more effective and efficient at implementing:</p> <ul style="list-style-type: none"> • Objective 12.2.3 relating to vibrancy and amenity (noting that sunlight access during busy winter months is considered to make an important contribution to this); and • Objectives 2.2.1 and 2.2.4 relating to providing for a mix of uses within a compact environment (through added height)

In relation to the changes made to Height Precinct 7 (Precinct7) (Rule 12.5.10.4)

Costs	Benefits	Effectiveness & Efficiency
<ul style="list-style-type: none"> • Reduced development capacity/ yield by limiting heights on those buildings north of the mid-block boundary/ the carpark site to 14/ 17 m. • Some reduction in views for those buildings north of the mid-block boundary/ the carpark site to 14/ 17 m • Avoiding building on one viewshaft and reducing the allowable building height on the other viewshaft will limit the use and potential development of that space. • The lower floor of the building on the carpark site (eastern block) will get no views to the lake, which will limit the range of uses and efficiency of landuse • There will be some difficulties with determining/ interpolating 'ground level' given the sites have all been modified by landuse over many decades however the effects of this are likely to be minor given the 14/17 m max height allowed. However, this is not unique to this site; the approach is consistent with how height is measured in the majority of the District; and the issue is assisted by the ground level definition in the PDP. • The P1 sites on Brecon St abutting the P7 sites in front will need to obtain RD consent for extra height if they are to obtain a view. • The rules are complex, which could add to administrative costs. • There is still a small risk that two reasonably monolithic forms could be built on the Man St carpark. • The buildings on the Man St carpark will still be slightly lower than the heights enabled by the Precinct 1 rules applied to the sites 	<ul style="list-style-type: none"> • Will result in a relatively consistent streetscape/ building heights along Shotover and Man streets • Less risk of unusual architecture/ roof lines/ built form resulting from building envelopes that are derived from the underlying topography. • Preserves views from the Precinct 7 land and from Man St through strengthened height controls on the viewshafts. • Avoids building mass that may be out of character with the human scale of the Town Centre and visually dominant from the Town Centre, the waterfront, and Queenstown gardens. • Avoids unacceptable shading on Shotover Street and minimises shading on the open space on the corner of Brecon Street. • Will enable most buildings to obtain good views. • Provides for more GFA on the carpark site and retention of its views, thereby resulting in economic benefits to the landowner without adversely affecting the capacity or amenity of the surrounding sites. • Encourages more varied built form resulting from a) the rolling height plane and b) the diversity of height limits on the large Man St carpark site. • Ensures the view shafts shown on the Man St. carpark site are carried through the whole block • Raising heights in the western part of the carpark site while further restricting heights within the viewshafts results in more consistency in heights with the surrounding properties; still provides for 3 floors 	<p>The amended Precinct 7 height rules will be more effective and efficient at implementing:</p> <ul style="list-style-type: none"> • Objective 12.2.3 relating to vibrancy and amenity as they will provide better protection against shading of Shotover St; • Objective 12.2.2 relating to quality urban design; and • Objective 12.2.4 relating to a compact Town Centre through increased heights and intensification.

Costs	Benefits	Effectiveness & Efficiency
<p>either side of the block.</p> <ul style="list-style-type: none"> Some of the sites on the opposite side of Man Street (in the Plan Change 50 area) may have their view from the ground floor affected by building heights to a greater extent than under the PDP or ODP. However, they are elevated above this site and are allowed to build to 12/14 m. 	<p>with uninterrupted views to the south; preserves good views from Man St; and provides for a better streetscape quality and an active frontage along Man Street.</p>	

See also the evaluation of the amended height precinct plan (for Figure 2) at the end of this report.

Recommended Amended Rule 12.5.11 regarding noise

<p>12.5.11</p>	<p>Noise</p> <p>12.5.11.1 Sound* from activities in the Town Centre Zone and Town Centre Transition Subzone (excluding sound from the sources specified in rules 12.5.11.3 to 12.5.11.5 below) shall not exceed the following noise limits at any point within any other site in these zones:</p> <p>12.4.6.2.8 daytime (0800 to 2200 hrs) 60 dB LAeq(15 min)</p> <p>12.4.6.2.9 night-time (2200 to 0800 hrs) 50 dB LAeq(15 min)</p> <p>12.4.6.2.10 night-time (2200 to 0800 hrs) 75 dB LAFmax</p> <p>*measured in accordance with NZS 6801:2008 and assessed in accordance with NZS 6802:2008</p> <p>12.5.11.2 Sound from activities in the Town Centre Zone and Town Centre Transition Sub-zone (excluding sound from the sources specified in rules 12.5.11.3 and 12.5.11.4 below) which is received in another zone shall comply with the noise limits set for the zone the sound is received in.</p> <p>12.5.11.3 Within the Town Centre Zone only <u>excluding the Town Centre Transition Subzone</u>, sound* from music shall not exceed the following limits:</p> <p>12.4.6.2.11 60 dB LAeq(5 min) at any point within any other site in the Entertainment Precinct; and</p> <p>12.4.6.2.12 55 dB LAeq(5 min) at any point within any other site outside the Entertainment Precinct.</p> <p>*measured in accordance with NZS 6801:2008 and assessed in accordance with NZS 6802:2008, and excluding any special audible characteristics and duration adjustments.</p> <p>12.5.11.4 Within the Town Centre Zone Zone <u>excluding the Town Centre Transition Subzone</u>, sound* from voices shall not exceed the following limits:</p> <p>12.4.6.2.13 65 dB LAeq(15 min) at any point within any other site in the Entertainment Precinct; and</p>	<p>NC</p>
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	<p>12.4.6.2.14 60 dB LAeq(15 min) at any point within any other site outside the Entertainment Precinct.</p> <p>*measured in accordance with NZS 6801:2008 and assessed in accordance with NZS 6802:2008.</p> <p>12.5.11.5 Within the Town Centre Zone only <u>excluding the Town Centre Transition Subzone</u>, sound* from any loudspeaker outside a building shall not exceed 75 dB LAeq(5 min) measured at 0.6 metres from the loudspeaker.</p> <p>* measured in accordance with NZS 6801:2008 and assessed in accordance with NZS 6802:2008, excluding any special audible characteristics and duration adjustments.</p> <p>Exemptions:</p> <ul style="list-style-type: none"> • The noise limits in 12.5.11.1 and 12.5.11.2 shall not apply to construction sound which shall be assessed in accordance and comply with NZS 6803:1999. • The noise limits in 12.5.11.1 to 12.5.11.5 shall not apply to outdoor public events pursuant to Chapter 35 of the District Plan. • <u>The noise limits in 12.5.11.1 and 12.5.11.2 shall not apply to motor/ water noise from commercial motorised craft within the Queenstown Town Centre waterfront subzone which is, instead, subject to Rule 36.5.14.</u> 	
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Consequential changes (double underlined) to the Right of Reply recommended Revised Chapter 36

36.1- Purpose

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With the exception of ventilation requirements for the Queenstown and Wanaka town centres contained in 36.7, and noise from water and motor-related noise from commercial motorised craft within the Queenstown Town Centre Waterfront Subzone, which is subject to Rule 36.5.14, noise in relation to receive within town centres is not addressed in this chapter, but rather in the Queenstown, Wanaka and Arrowtown Town Centres Zone chapters. This is due to the town centre-specific complexities on noise in those zones, and its fundamental nature as an issue that inter-relates with all other issues in those zones. Noise generated in the town centres but received outside of the town centres is still managed under this chapter, except that noise from music, voices, and loud speakers in the Wanaka and Queenstown Town Centres (excluding the Queenstown Town Centre Transition Subzone), need not meet the noise limits set by chapter 36.

Rule 36.3.2.9 Noise standards for noise received in the Queenstown, Wanaka and Arrowtown Town Centre, Local Corner Shopping and Business Mixed Use zones are not included in this chapter. Please refer to Chapters 12, 13, 14, 15 and 16. The noise standards in this chapter still apply for noise generated within these zones but received in other zones, except that noise from music, voices, and loud speakers in the Wanaka and Queenstown Town Centres (excluding the Queenstown Town Centre Transition Subzone) need not meet the noise limits set by chapter 36.

Costs	Benefits	Effectiveness & Efficiency
<ul style="list-style-type: none"> • Even though the wording regarding the transition zone is clarification only, people can no longer argue the more lenient rules could apply and so the landuses enabled in the TCTZ under the redrafting could be considered to be more restrictive. • Boats will be noisier in the waterfront subzone than under the PDP chapter 12 rule. 	<ul style="list-style-type: none"> • Clarifies the intent of rules 12.5.11.3 and 12.5.11.4, which is that they do not relate to the transition subzone. • Avoids interpretive difficulties and potential misinterpretation, which could result in excessive noise at the residential boundary. • Will provide more certain protection of amenity for the residential zones. 	<p>The amended rules will be more effective and efficient at implementing:</p> <ul style="list-style-type: none"> • Objective 12.2.3 relating to vibrancy (particularly policies 12.2.3.1 - 12.2.3.3) in that it will ensure appropriate noise generation within the Town Centre Transition Subzone, which will minimise conflicts at the zone boundary while enabling noisier night time activity elsewhere in the

Costs	Benefits	Effectiveness & Efficiency
	<ul style="list-style-type: none"> • Will enable commercial boats to create the same amount of noise in the Waterfront subzone as other parts of Lake Wakatipu and other lakes and rivers in the District. • Avoids commercial boating operators from having to obtain resource consent for noise in the waterfront subzone even if they comply with noise limits once beyond the Town Centre zone boundary. • There are efficiencies in District Plan administration in having consistent rules for an activity across zones where the effects are the same or similar, especially when that activity (boating) crosses the zone in its everyday operation. • Noise from voices etc. on boats will still be subject to chapter 12. 	<p>QTTCZ ; and</p> <ul style="list-style-type: none"> • Objective 12.2.5 relating to the Queenstown Bay waterfront (particularly policy 12.2.5.1) in that it will not impose unnecessary consenting requirements that may discourage the continued development of the waterfront as a vibrant and exciting area.

Recommended Amended Rule 12.5.14.4 regarding glare

12.5.14	<p>Glare</p> <p>...</p> <p>12.5.14.4 External building materials shall either:</p> <p>12.4.6.2.15 Be coated in colours which have a reflectance value of between 0 and 36%; or</p> <p>12.4.6.2.16 Consist of unpainted wood (including sealed or stained wood), unpainted stone, unpainted concrete, or copper;</p> <p><u>Except that:</u></p> <ul style="list-style-type: none"> • Architectural features, including doors and window frames, may be any colour; and roof colours shall have a reflectance value of between 0 and 20%. 	NC
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Costs	Benefits	Effectiveness & Efficiency
<ul style="list-style-type: none"> • Some buildings or building elements may result in glare that affects people's enjoyment or health, although this will be limited to certain times of the year. 	<ul style="list-style-type: none"> • Enables a far wider range of colours and materials, which: <ul style="list-style-type: none"> - Adds vibrancy and interest to a highly urbanised area - Minimises homogeneity/ adds diversity • Is consistent with the SCA design guidelines (2014) 	<ul style="list-style-type: none"> • The rule is not supported by any objective or policy and therefore may be ineffective even if retained.

Costs	Benefits	Effectiveness & Efficiency
	<p>which consider reflective colours such as cream to be appropriate from a character perspective.</p> <ul style="list-style-type: none"> • The reliance on Rule 12.4.6.1 and the guidelines to manage any glare effects provides control over the matter yet offers greater flexibility. • Avoids duplication with the Queenstown Town Centre SCA guidelines and Rule 12.4.6.1, which provide the Council with control over colour where necessary 	

Recommended amendment to the height precinct map (Figure 2)

See Appendix 1 for amended Figure 2

Costs	Benefits	Effectiveness & Efficiency
<p><u>Expansion of Precinct 3:</u></p> <ul style="list-style-type: none"> • Lower height enabled in that part which is being changed from Precinct 5, which will result in less efficient landuse. <p><u>Replacing areas of Precinct 4 with Precinct 5:</u></p> <ul style="list-style-type: none"> • This will limit development rights on those sites that may be redeveloped. • The areas are largely developed (in a manner that does not meet the recession plane/ parapet rule) and so development adjacent to those developments will be inconsistent with neighbouring buildings. • A 7.5 m façade on the night and day site will be of an inconsistent character to the adjacent Ngāi Tahu development, which has no recession plane at all. • It is likely that application will be made to breach the recession plane, which will be inefficient/ impose a cost 	<p><u>Expansion of Precinct 3:</u></p> <ul style="list-style-type: none"> • Aligns with the heights enabled in the ODP. • Means the precinct boundary coincides with the existing building(s) and cadastral boundaries, meaning any alterations etc. are subject to the same rules thus avoiding any unusual forms within the site. • Clarifies the height on that land where the PDP imposed no height rule, thereby enabling more efficient administration and avoiding the risk it could be argued that there is no height limit. <p><u>Replacing areas of Precinct 4 with Precinct 5:</u></p> <ul style="list-style-type: none"> • It will avoid shading of the church grounds on Church Street. • It will be consistent with other development (other than the Nomads building) in the SCA/ Precinct 5 of the SCA, noting that even 	<p>The amended rules will be more effective and efficient at implementing:</p> <ul style="list-style-type: none"> • Objective 12.2.2 relating to quality urban design (particularly policies 12.2.2.1 - 12.2.2.3); • Objective 12.2.3 relating to vibrancy (particularly new policy 12.2.3.7 regarding shading; and • Objective 12.2.4 regarding compact and accessible Town Centre (particularly policy 12.2.4.1 - 12.2.4.2).

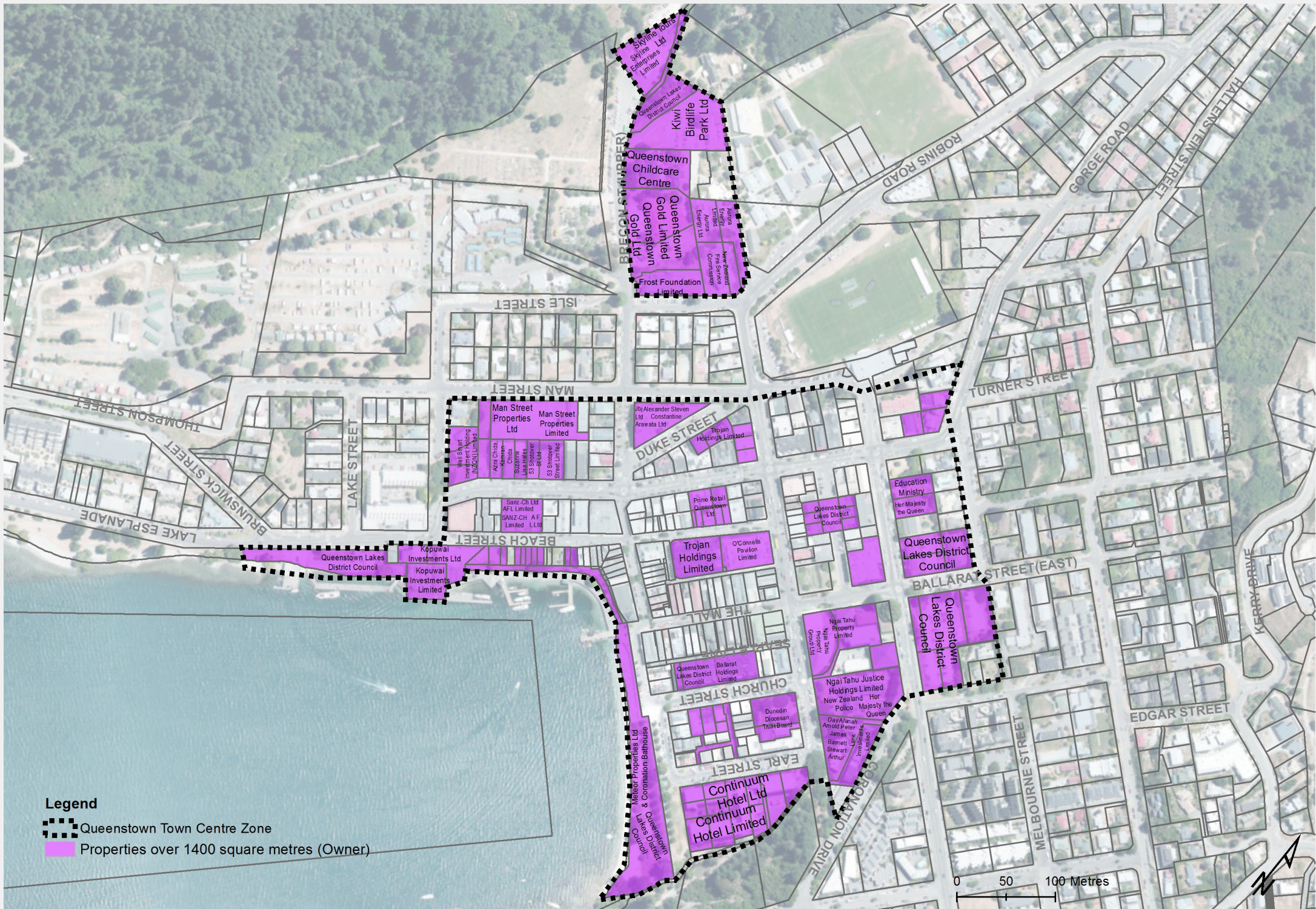
<p>to the applicant.</p> <p><u>Expansion of Precinct 7:</u></p> <ul style="list-style-type: none"> • Requires specific rules to be applied to different parts of the precinct which is a little different to most precincts, although is consistent with <u>Precinct 1</u> which includes site specific rules. • May mislead readers into thinking the <u>Precinct 7</u> is subject to the same height rule 	<p>Stratton house almost complies due to being setback considerably.</p> <ul style="list-style-type: none"> • It will ensure buildings on Beach St are of a height that is appropriate to the width of the street on both sides. <p><u>Expansion of Precinct 7:</u></p> <ul style="list-style-type: none"> • Enables specific heights to be imposed in response to very specific issues related to the block. • Provides the simplest way of including the relatively site-specific height provisions within one precinct. • Avoids adding another precinct to the District Plan. 	
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Recommended amendment to planning maps 35 and 36 to show the Queenstown Town Centre Waterfront subzone (and clarification that it is a subzone of the Town Centre rather than a separate zone)



See Appendix 1 for the amended planning maps

Costs	Benefits	Effectiveness & Efficiency
<ul style="list-style-type: none"> • Confirms that all the Town Centre rules also apply within the waterfront subzone, which adds more restrictions and regulations compared to if it were interpreted to be its own standalone Zone with very few rules. 	<ul style="list-style-type: none"> • Ensures that effects on the quality of the environment in this area can be managed via the Town Centre rules and additional waterfront subzone rules. 	<ul style="list-style-type: none"> • The amendment will enable the PDP to more effectively and efficiently achieve all the QTTC objectives (12.2.1 -12.2.5). • Without this amendment/ clarification, achieving these objectives would be difficult and uncertain given the importance of the waterfront area to the success of the QTTC as a whole.

Appendix 5. Plans showing all titles and contiguous ownerships greater than 1400m² in area

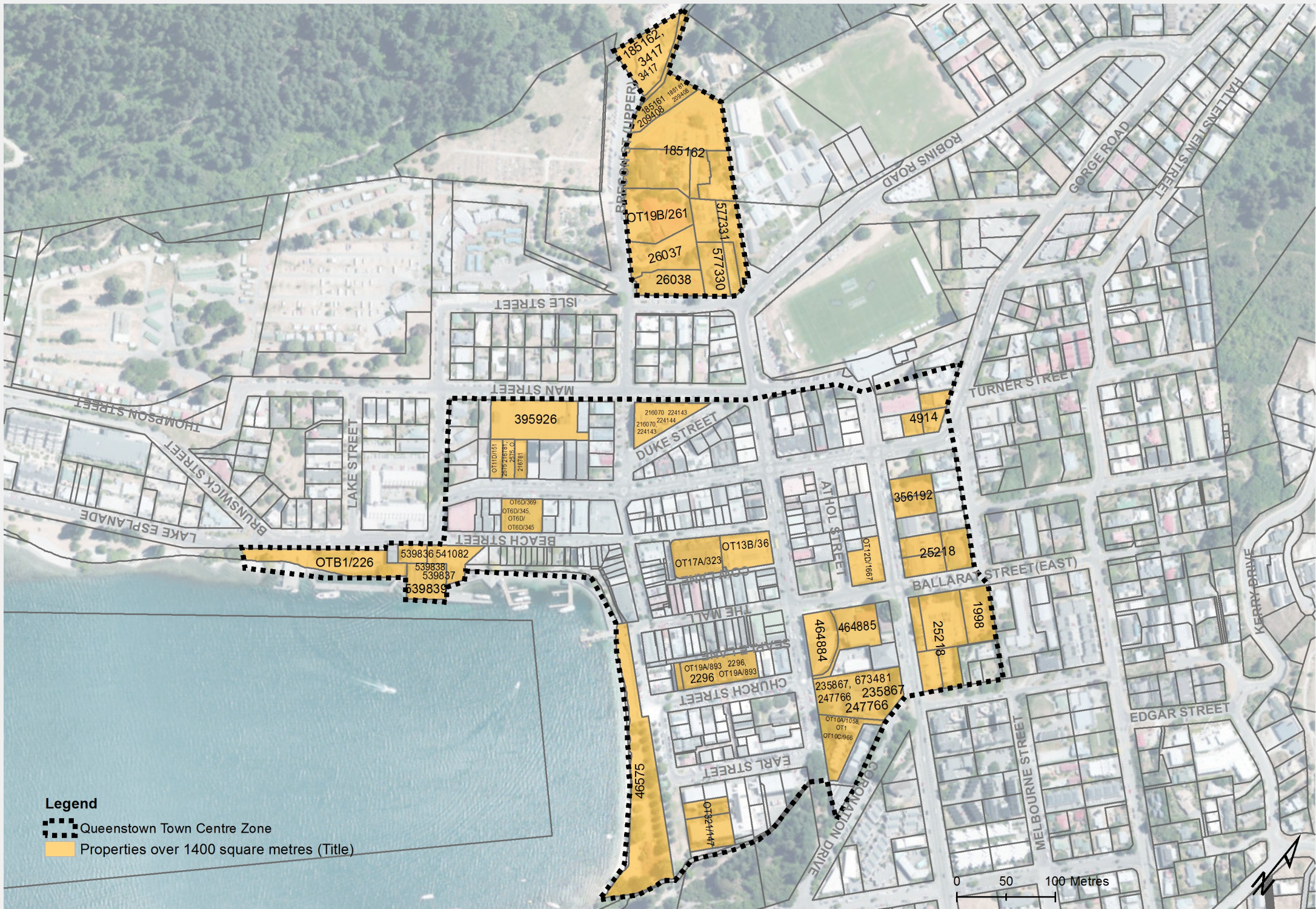


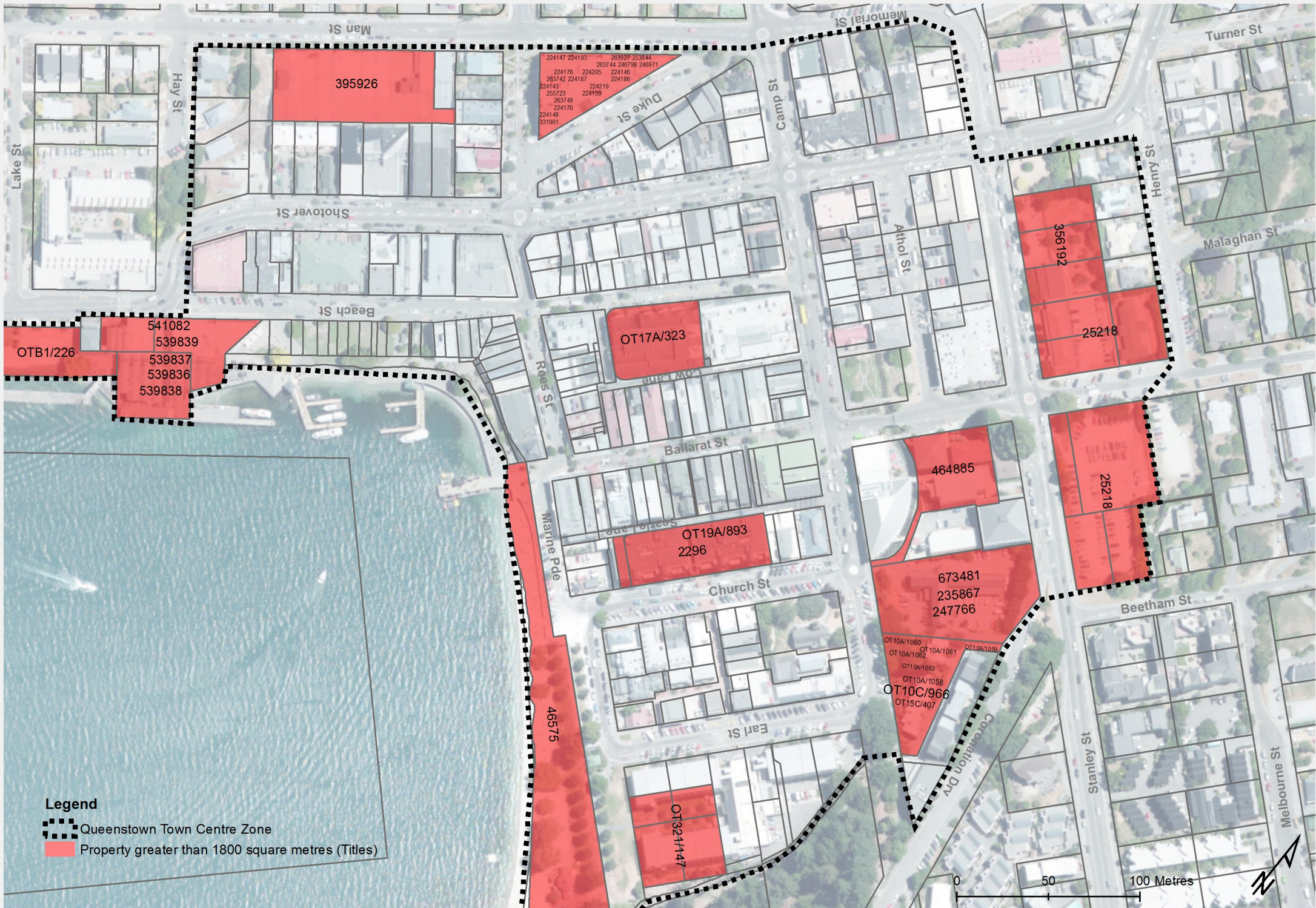
Legend

-  Queenstown Town Centre Zone
-  Properties over 1400 square metres (Owner)



0 50 100 Metres





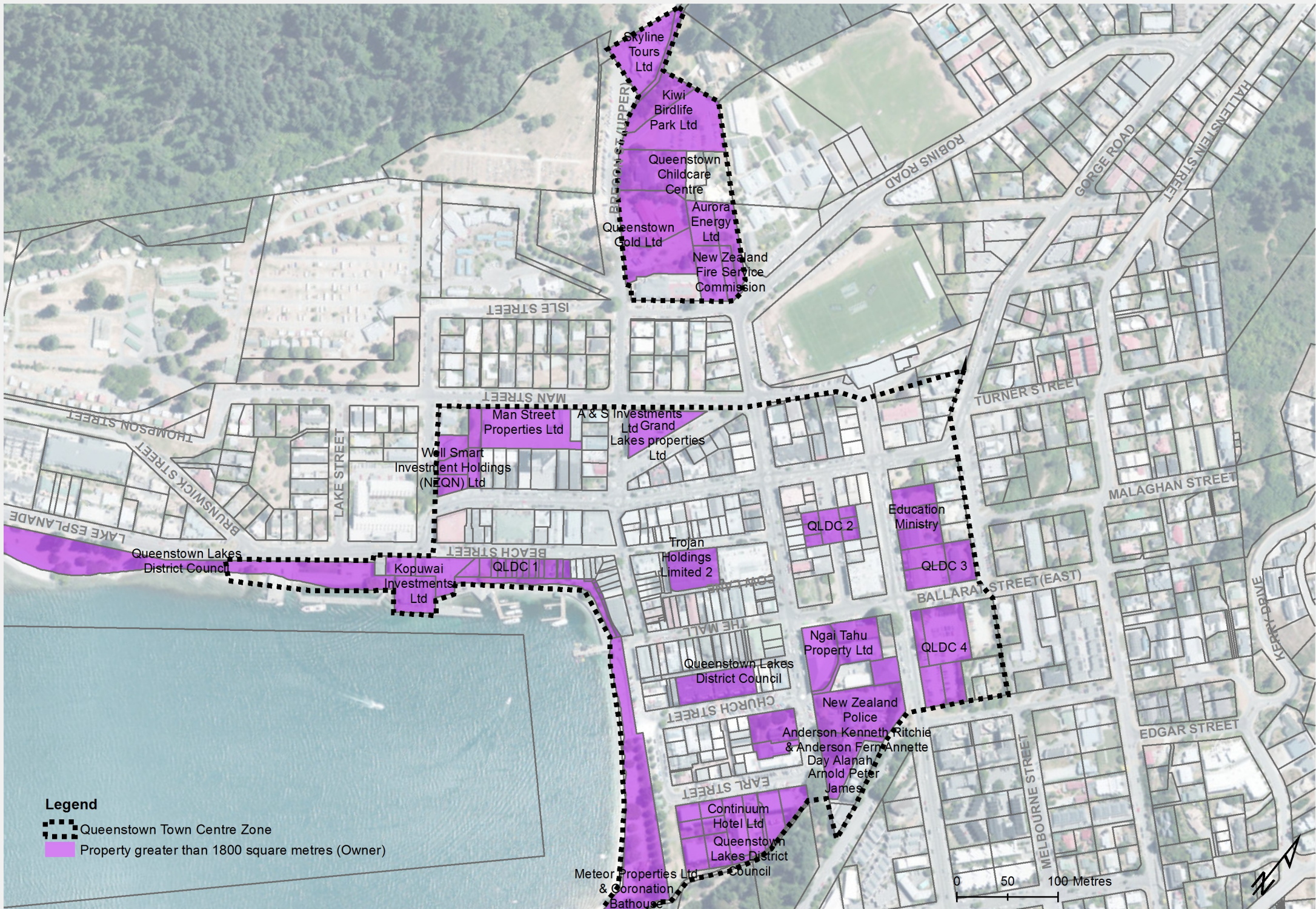


Legend



-  Queenstown Town Centre Zone
-  Property greater than 1800 square metres (Titles)

0 50 100 Metres





Legend

-  Queenstown Town Centre Zone
-  Property greater than 1800 square metres (Owner)

Meteor Properties Ltd & Coronation Bathhouse

0 50 100 Metres

