

Submission on Queenstown Lakes Proposed District Plan 2023 - Variation

Clause 6 of the First Schedule, Resource Management Act 1991

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

Name of Submitter: No. 1 Hansen Road Limited

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

1. This is a submission on the Proposed Urban Intensification Variation (**Variation**) to the Queenstown Lakes Proposed District Plan (**PDP**).
2. No. 1 Hansen Road Limited could not gain an advantage in trade competition through this submission (clause 6(4) of Part 1 of Schedule 1 of the RMA 1991).
3. No. 1 Hansen Road Limited's submission relates to the whole Variation, including the following specific provisions of the PDP:
 - Intensification Options within the Airport Outer Control Boundary (**OCB**);
 - Chapter 15- Local Shopping Centre Zone (**LSCZ**); and
 - Chapter 16- Business Mixed Use Zone (**BMUZ**).
4. The No. 1 Hansen Road Limited submission:
 - (a) Supports the general intention of the Variation, subject to amendments identified in this submission.
 - (b) Opposes the failure to include land at 1 Hansen Road within the proposed land to be rezoned in the Variation.

Reasons:

One of the key purposes of the Variation is to enable heights and densities across the District in accordance with Policy 5 of the NPS-UD, to recognise the benefits of intensification. This submission seeks that 1 Hansen Road be considered in the implementation of Policy 5, as a logical and consequential extension of the upzoning that is being proposed in the Variation. Therefore, the submission is directly linked to the Variation purpose and considered within scope.

Option 3 of the Intensification Options within the OCB (Appendix 8 of the section 32 materials) included rezoning of 1 Hansen Road and potential changes to provisions, including removing density restrictions for Activities Sensitive to Aircraft Noise (**ASANs**) in the BMUZ within the OCB.

Option 3 was considered the most efficient use of the land resource of the three options considered for land within the OCB.¹ Significant benefits were identified, based on the ease of development in this area due to lack of geotechnical, road transport and three waters infrastructure constraints. Intensification of land around Frankton has been identified as 'enabling' in terms of providing critical mass required for a modal shift in transport.

Option 3 was however ranked low overall by the QLDC, on the basis that it favours intensification above prioritising maintaining the efficiency of airport operations.

No 1. Hansen Road Limited submits that appropriate provisions can be included in the BMUZ chapter to enable ASANs within the OCB, with appropriate restrictions to protect the Queenstown Airport such as reverse sensitivity considerations.

Failing to include the rezoning of the Site is a missed opportunity to provide for development in an area with limited development constraints and high accessibility to promote a compact urban form. The costs and benefits of this rezoning have been adequately considered in the section 32 report.

No. 1 Hansen Road Limited submits that intensification within Frankton will help to implement the Queenstown Lakes Spatial Plan and give effect to Policy 5 of the NPS-UD.

(c) Updating the relevant zoning map

Reasons:

Any rezoning of the land needs to be reflected on the Council planning maps. The Council relies upon electronic mapping software.

This submission point seeks that the web mapping application used by the Council to display the district plan zones be amended to include the section of 1 Hansen Road within the OCB, from LSCZ, Lower Density Suburban Residential, and Rural to BMUZ (see **Appendix A**). The Urban Growth Boundary should also be adjusted to reflect this.

(d) Make subsequential changes relating to ASANs in the OCB at 1 Hansen Road. This submission specifically seeks the removal of the 'prohibited' status of ASANs in the OCB, within the BMUZ (Rule 16.4.19) or specifically at 1 Hansen Road.

No. 1 Hansen Road Limited seeks a change to 'restricted discretionary' activity status, with specific regard to residential, visitor accommodation and worker accommodation. In the alternative, deletion of this rule entirely.

Reasons:

As discussed in paragraph 4(b), appropriate provisions can be included to protect the Queenstown Airport functions and strategic direction in the PDP that favours regionally and nationally significant infrastructure.

Some residential and commercial activities can be appropriately located within the OCB to enable greater intensification and efficient use of land, in light of the purpose of the Variation.

¹ Section 6.2.5 of the section 32 report; and the Economic Memo on Intensification within the OCB: Appendix 7 of the section 32 materials.

- (e) Removal of site-specific development controls for 1 Hansen Road, whether the zoning remains LSCZ or if the land is rezoned to BMUZ.

Reasons:

The existing development controls for 1 Hansen Road in the LSCZ limit the efficient use of the site, impacting commercial viability. In particular:

- i. Removal of site-specific rule 15.4.3.2 requiring a Spatial Layout Plan to be submitted for any application for development at 1 Hansen Road. This rule is no longer necessary, given the layout of the site has been established through subdivision resource consent (RM161140, as varied by RM210491) and is under construction.
 - ii. Removal of site-specific Rule 15.5.1.2 restricting building coverage to 50%. This provides unnecessary and unreasonable restriction on development of the site/subdivided lots.
 - iii. Removal of site-specific maximum development in Rule 15.5.5(a)-(d). The maximum residential and commercial allowances are outdated and provide unnecessary constraints on development. These provisions were put in place to minimise effects on the State Highway, however, with the design of roading layout and NZUP upgrades progressing, the transport effects can be avoided or mitigated without the need for these restrictions. The timing restriction for development requiring upgrade of the Hansen Road/State Highway 6 intersection is no longer practical or realistic given the NZUP designs opt to realign the State Highway (rather than upgrade the intersection).
 - iv. The Urban Design Assessment provided by Barker & Associates recognises that as the LSCZ located at Frankton has a high accessibility score, provisions relating to the Frankton LSCZ should be changed to a bespoke approach (consistent with the current approach in the PDP) or changed to a Town Centre zoning with BMUZ around the periphery. This approach is supported, and either the provisions of the LSCZ amended to suit, and that consideration be given to rezoning the LSCZ to Town Centre Zone for the developable area of 1 Hansen Road.
- (f) Supports the increase in building height in Queenstown. No. 1 Hansen Road Limited seeks an increase in the maximum building height for the rezoned BMUZ or LSCZ (specific to 1 Hansen Road) to 24m, to align with the proposed height in Queenstown Town Centre.

Reasons:

No. 1 Hansen Road Limited submits that 24m is the most appropriate height to provide for an efficient use of the land. The setting of the site is amenable to an increased height limit as the surrounding landscape has the capacity to absorb this scale of development. The location has high relative demand for housing and business land and is identified as being highly accessible.

5. No. 1 Hansen Road Limited seeks the following decision from the local authority:

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

(Proposed additions underlined and deletions ~~struck-through~~)

Changes Sought to Variation Provisions

Provision Number	Provision Wording	Provision as Sought to be Amended
Rule 15.4.3.2	<p>Development of 1 Hansen Road only</p> <p>The following additional requirements apply to the Local Shopping Centre Zone located between Hansen Road and Frankton Cemetery (as shown on the District Plan web mapping application):</p> <p>a. Applications for buildings shall be accompanied by a Spatial Layout Plan for the entire part of this site, which is zoned Local Shopping Centre, showing:</p> <p>i. the location, width and design of roads, laneways, footpaths and accessways, which shall include consideration of pedestrian/cycling connectivity and safety as well as the potential for vehicular access to and from the Local Shopping Centre Zone land to the west of the Frankton Cemetery;</p> <p>ii. proposed building locations and parking areas;</p> <p>iii. concept landscape design treatment;</p> <p>iv. detailed landscaping plan addressing the interface between development and the Frankton Cemetery for the purpose of managing effects on the amenity and historic values in and around the cemetery; and</p> <p>v. three waters infrastructure.</p> <p>Note: where relevant, applications may rely upon an approved Spatial Layout Plan submitted as part of a prior application for this site. Discretion is restricted to consideration of the following in addition to the matters above:</p> <p>a. historic heritage and the amenity values of the Frankton Cemetery;</p> <p>b. the safe and efficient operation of the transport network;</p> <p>c. pedestrian/cycling connectivity and safety;</p>	<p>Development of 1 Hansen Road only</p> <p>The following additional requirements apply to the Local Shopping Centre Zone located between Hansen Road and Frankton Cemetery (as shown on the District Plan web mapping application):</p> <p>a. Applications for buildings shall be accompanied by a Spatial Layout Plan for the entire part of this site, which is zoned Local Shopping Centre, showing:</p> <p>i. the location, width and design of roads, laneways, footpaths and accessways, which shall include consideration of pedestrian/cycling connectivity and safety as well as the potential for vehicular access to and from the Local Shopping Centre Zone land to the west of the Frankton Cemetery;</p> <p>ii. proposed building locations and parking areas;</p> <p>iii. concept landscape design treatment;</p> <p>iv. detailed landscaping plan addressing the interface between development and the Frankton Cemetery for the purpose of managing effects on the amenity and historic values in and around the cemetery; and</p> <p>v. three waters infrastructure.</p> <p><u>Note: where relevant, applications may rely upon an approved Spatial Layout Plan submitted as part of a prior application for this site. Discretion is restricted to consideration of the following in addition to the matters above:</u></p> <p><u>a. historic heritage and the amenity values of the Frankton Cemetery;</u></p> <p><u>b. the safe and efficient operation of the transport network;</u></p> <p><u>c. pedestrian/cycling connectivity and safety;</u></p>

	d. amenity values; and e. three waters infrastructure.	d. amenity values; and e. three waters infrastructure.
Rule 15.5.1	Building Coverage 15.5.1.1 Maximum building coverage - 75% 15.5.1.2 Except that in the Local Shopping Centre Zone located between Hansen Road and Frankton Cemetery the maximum building coverage shall be 50%	Building Coverage 15.5.1.1 Maximum building coverage - 75% 15.5.1.2 Except that in the Local Shopping Centre Zone located between Hansen Road and Frankton Cemetery the maximum building coverage shall be 50%
Rule 15.5.5 (delete in entirety if the site is rezoned to BMUZ; if the Local Shopping Centre Zone zoning is to remain in place at 1 Hansen Road, amend accordingly)	Development of 1 Hansen Road The following additional standards shall apply to development in the Local Shopping Centre Zone located between Hansen Road and Frankton Cemetery (as shown on the District Plan web mapping application): a. the total gross floor area dedicated to retail uses shall not exceed 4000m ² ; b. the total gross floor area dedicated to office uses shall not exceed 3000m ² ; c. no retail or office activities (aside from those ancillary to permitted uses) shall take place until an upgrade of the intersection between Hansen Road and State Highway 6 has occurred; d. the total number of residential units (for the purposes of this rule, this shall include residential flats) shall not exceed 50 units; e. there shall be no vehicle access directly onto the State Highway; f. buildings shall be set back a minimum distance of 6m from the boundary with the State Highway; and g. buildings shall be set back a minimum distance of 4m from the boundary with Frankton Cemetery.	Development of 1 Hansen Road The following additional standards shall apply to development in the Local Shopping Centre Zone located between Hansen Road and Frankton Cemetery (as shown on the District Plan web mapping application): a. the total gross floor area dedicated to retail uses shall not exceed 4000m²; b. the total gross floor area dedicated to office uses shall not exceed 3000m²; c. no retail or office activities (aside from those ancillary to permitted uses) shall take place until an upgrade of the intersection between Hansen Road and State Highway 6 has occurred; d. the total number of residential units (for the purposes of this rule, this shall include residential flats) shall not exceed 50 units; ea. there shall be no vehicle access directly onto the State Highway; fb. buildings shall be set back a minimum distance of 6m from the boundary with the State Highway; and gc. buildings shall be set back a minimum distance of 4m from the boundary with Frankton Cemetery.
Rule 15.5.7	Building Height a. for the Local Shopping Centre Zone located at Fernhill and Kelvin Heights the maximum building height shall be 14m; b. for the Local Shopping Centre zone located at Lake Hāwea South the maximum building height shall be 12m; and c. for the Local Shopping Centre Zone located at Frankton, Albert Town,	Building Height a. for the Local Shopping Centre Zone located at Fernhill and Kelvin Heights the maximum building height shall be 14m; b. for the Local Shopping Centre zone located at Lake Hāwea South the maximum building height shall be 12m; and c. for the Local Shopping Centre Zone located at Frankton, Albert Town,

	Arrowtown, Hāwea, Sunshine Bay and Cardrona Valley Road the maximum building height shall be 10m.	Arrowtown, Hāwea, Sunshine Bay and Cardrona Valley Road the maximum building height shall be 10m, <u>with the exception of 1 Hansen Road, where the height shall be 24m.</u>
Rule 16.4.19	Activities Sensitive to Aircraft Noise within the Queenstown Airport Outer Control boundary	Activities Sensitive to Aircraft Noise within the Queenstown Airport Outer Control boundary.
Rule 16.5.9	<p>Maximum building height</p> <p>16.5.9.1 Maximum building height shall be:</p> <p>a. Queenstown - 20m b. Wānaka – 16.5m c. Frankton Marina – 16.5m d. Frankton North – 20m</p> <p>16.5.9.2 Any fourth storey (excluding basements) and above shall be set back a minimum of 3m from the building frontage.</p>	<p>Maximum building height</p> <p>16.5.9.1 Maximum building height shall be:</p> <p>a. Queenstown – 20m b. Wānaka – 16.5m c. Frankton Marina – 16.5m d. Frankton North – 20m <u>e. 1 Hansen Road – 24m</u></p> <p>16.5.9.2 Any fourth storey (excluding basements) and above shall be set back a minimum of 3m from the building frontage.</p>

6. No. 1 Hansen Road Limited wish to be heard in support of this submission.
7. If others make a similar submission, No. 1 Hansen Road will consider presenting a joint case with them at a hearing.



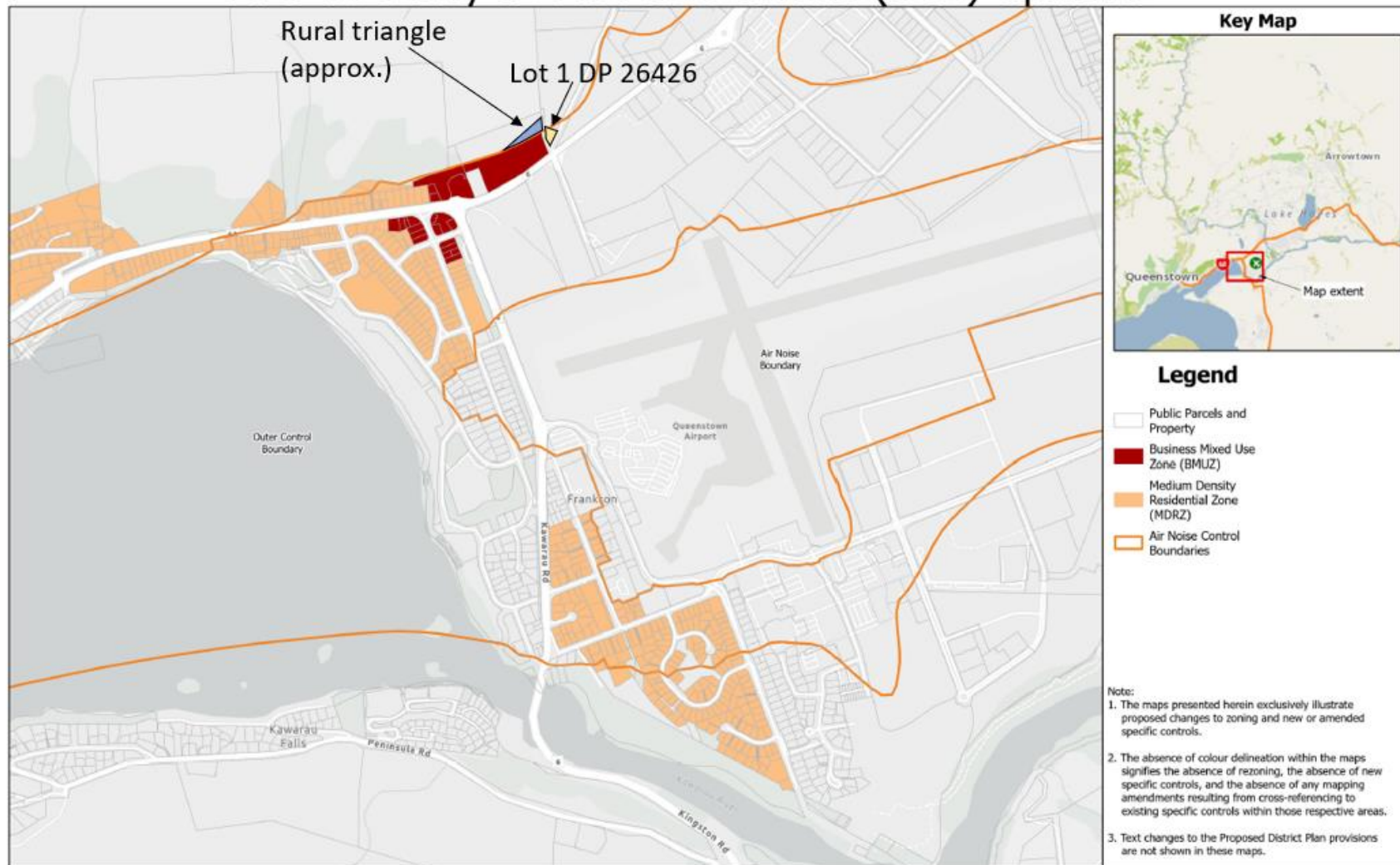
Signature of submitter
(or person authorised to sign
on behalf of submitter)

05 October 2023

Address for service of Submitter:

No. 1 Hansen Road Limited
John Edmonds and Associates Limited
PO Box 95
QUEENSTOWN 9348
Tel 03 450 009/ 021 409 075

NPS-UD Policy 5 - Air Noise Control (OCB) Option 3



The information provided on this map is intended to be general information only. While considerable effort has been made to ensure that the information provided on this map is accurate, current and otherwise adequate in all respects, Queenstown Lakes District Council does not accept any responsibility for content and shall not be responsible for, and excludes all liability, with relation to any claims whatsoever arising from the use of this map and data held within.



Map Date:
19/05/2023



The Site- 1 Hansen Road

The site is one lot, made up of two parcels of land, as shown on Figure 1:

- Part Section 5 Block XXI Shotover Survey District, and
- Lot 1 DP 26426

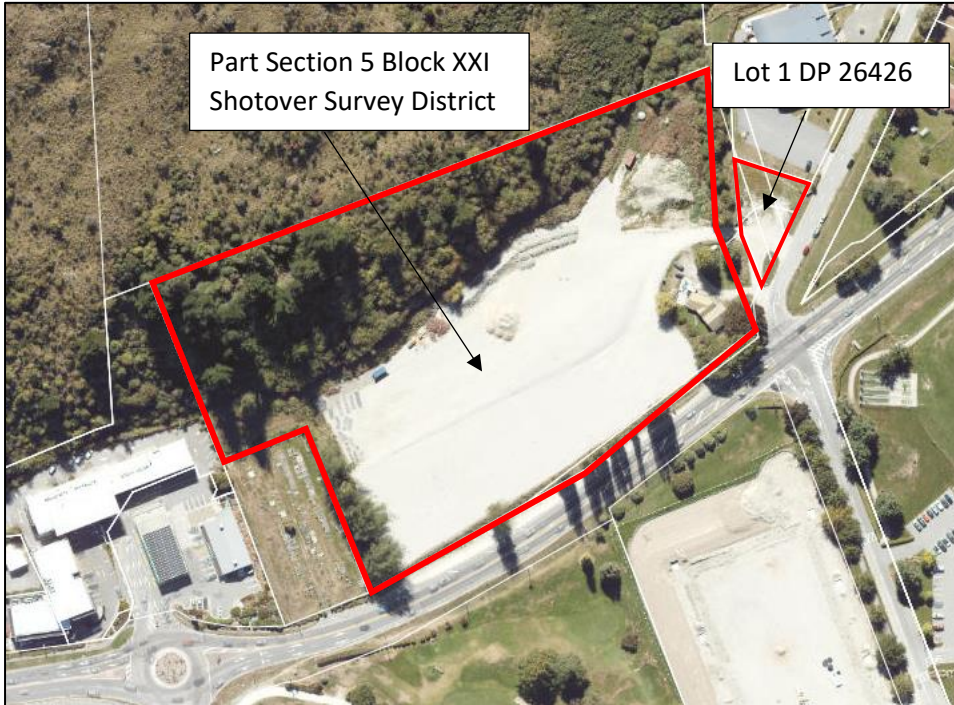


Figure 1- Aerial Photograph of Site- 12 September 2023

District Plan Zoning Background- 1 Hansen Road

The Queenstown Lakes Proposed District Plan (PDP) is operative for this site. The only appeal that relates to the PDP map is limited to the location of the ONL line that traverses the site, which is a district-wide appeal, and not specific to this site.

1 Hansen Road is located within the heart of highly urbanised Frankton.

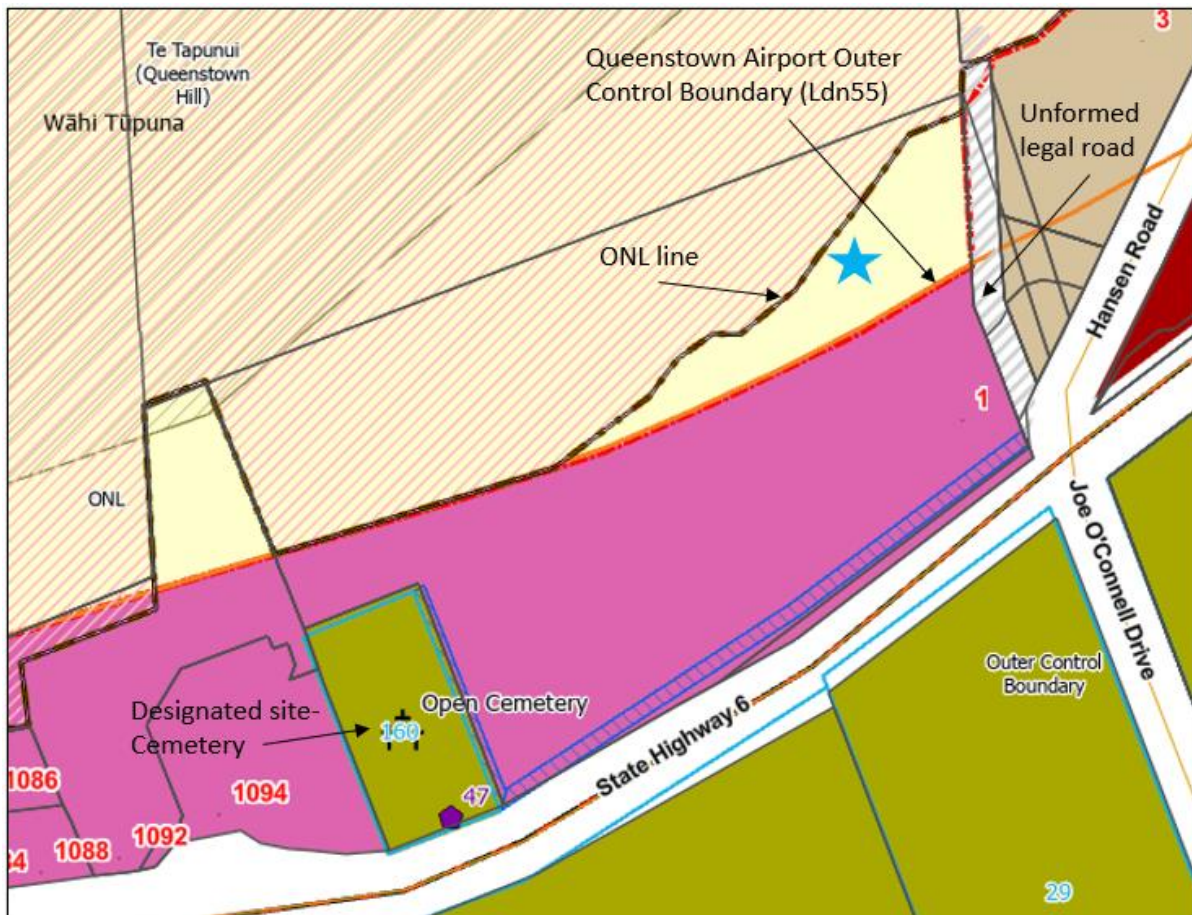


Figure 2- PDP Zoning Map- 1 Hansen Road, February 2023

Legend	
	Local Shopping Centre
	Rural
	Wāhi Tūpuna
	Urban Growth Boundary
	Landscape Classification
	Landscape Priority Area
	Building Restriction Area

The area of land zoned Local Shopping Centre is generally flat. The triangular area of Rural zoned land 'Rural Triangle' not shown within the ONL overlay at the east of the site (noted with a blue asterisk) is also generally flat and urban in nature. The rural triangle is addressed below. The land slopes up to the rear from the ONL line forming the foothill of Queenstown Hill/Te Tapu-nui.

Rural Triangle

In the Operative District Plan, the rural triangle was zoned Low Density Residential, providing for the urbanisation of this land:

Appendix A- No. 1 Hansen Road Submission to Urban Intensification Variation

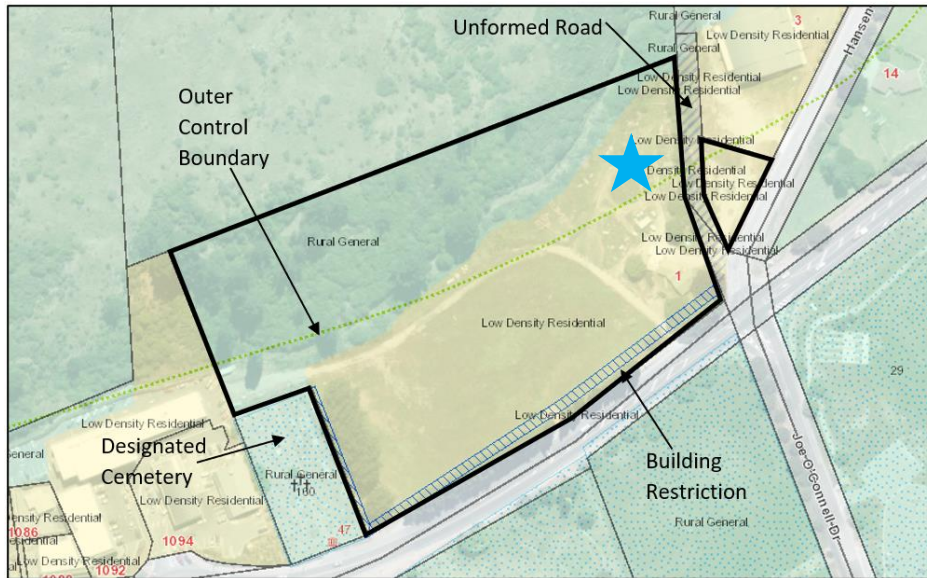


Figure 3- ODP Zoning Map

Through the District Plan review process, the triangle was changed to Rural zone (notified in 2015, legal effect in 2018). The ONL line originally followed the Urban Growth Boundary and Outer Control Boundary, however this was changed through the review process to follow the toe of the slope as shown in Figure 4.

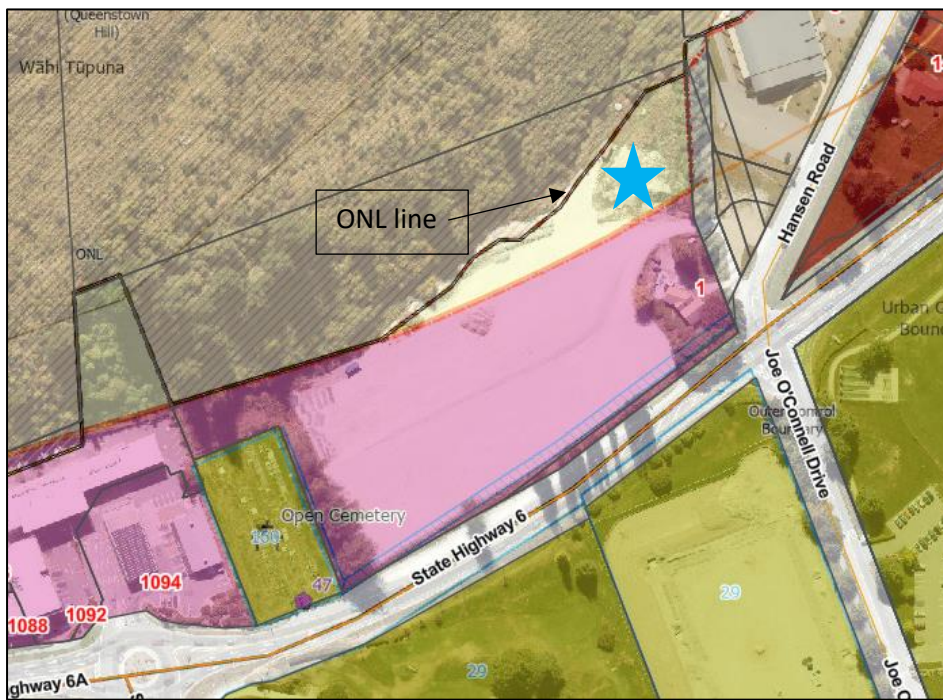


Figure 4- PDP zoning map overlaid on aerial photograph 2022

Appendix A- No. 1 Hansen Road Submission to Urban Intensification Variation

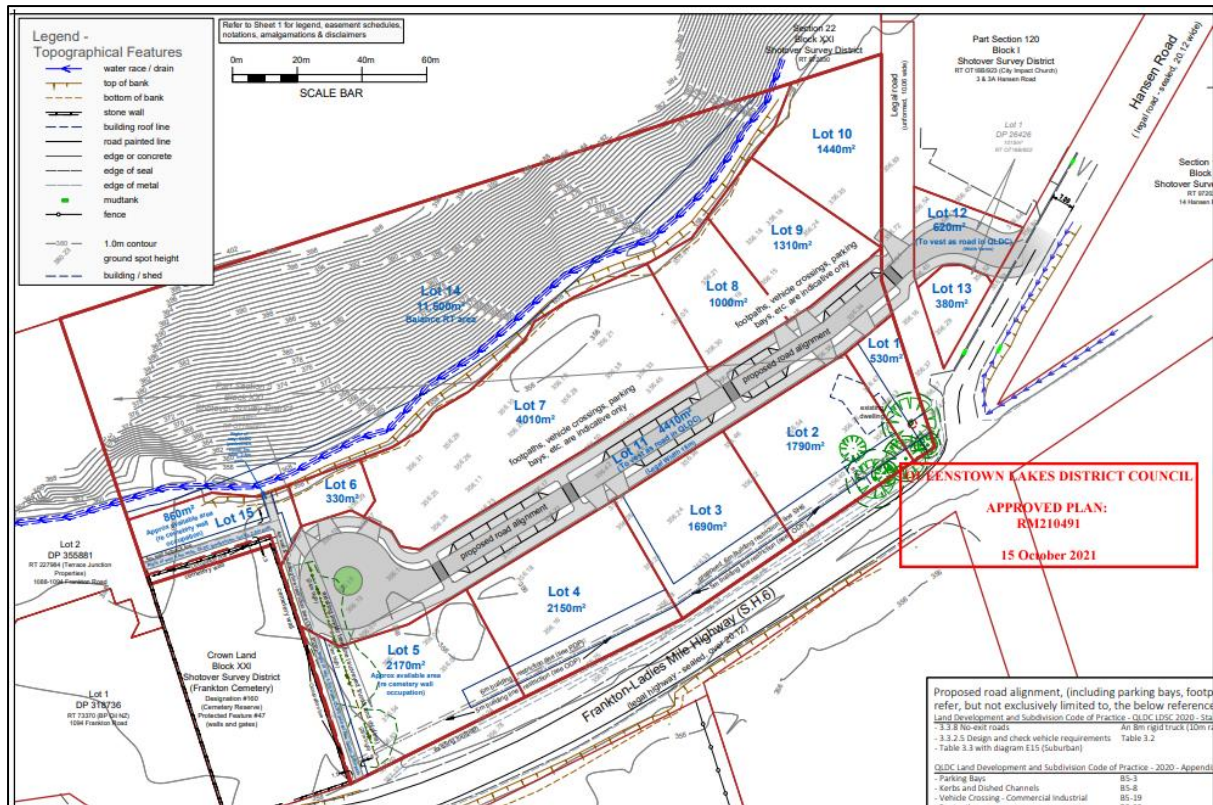


Figure 5- Approved subdivision scheme plan RM210491

In June 2017 and as varied in October 2021, the Council approved a subdivision incorporating urban lots, solidifying the urban use of the land- see attached Approved Subdivision Plan. From the contours shown on Figure 5, being the approved subdivision layout of the site, it is clear the lots 7-10 are on flat land, the same as Lots 1 – 6, with no definition between the Rural zone and Local Shopping Centre zone. The land slopes steeply up towards the north from the toe of the hill, as shown by the escarpment on Figure 4, being the location of the ONL line.

From this background, it is clear the triangle has been subject to a mapping error as there is no definition between the Local Shopping Centre zoned land and this rurally zoned land. The land should have retained an urban zoning, and be located within the UGB, the same as the remainder of the urban area of the site, and those adjoining.



FORM 6: FURTHER SUBMISSION

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



Clause 8 of Schedule 1, Resource Management Act 1991



TO // Queenstown Lakes District Council

Name of further submitter



FURTHER SUBMISSION // In support of or opposition to a submission on:

[write the name of the plan change or variation here]

I AM [state whether you are]

A person representing a relevant aspect of the public interest; or

[in this case, also specify the grounds for
saying that you come within this category]

A person who has an interest in the proposal that is greater than the general public's interest; or

[in this case, also specify the grounds for
saying that you come within this category]

The local authority for the relevant area.

I wish

I do not wish* to be heard in support of my further submission.

I will

I will not* consider presenting a joint case with others presenting similar submissions.

* Select one

When a person or group makes a submission or further submission on a District Plan or Plan Change this is public information.

Please note that by making a submission your personal details, including your name and addresses will be made publicly available under the Resource Management Act 1991. This is because, under the Act, any further submission supporting or opposing your submission must be forwarded to you as well as to QLDC.

There are limited circumstances when your submission or your contact details can be kept confidential. If you consider you have compelling reasons why your submission or your contact details should be kept confidential, please contact the Senior District Plan Administrator on 03 441 0499 to discuss.



I SUPPORT (OR OPPOSE) // The submission of:

The specific submission(s) that this further submission relates to are as follows:

Original submission point number You MUST include the original submission number and particular submission points that you support OR oppose.	Original submission details You MUST include the name, address, AND the submission number of the original submission and serve notice on the original submitter.	Support or oppose Tick whether you support OR oppose the original submission.	Reason Give reasons why you support or oppose the original submission.	Decision sought from Council State whether you seek all or part of the original submission to be allowed or disallowed.
		<input type="checkbox"/> Support <input type="checkbox"/> Oppose		
		<input type="checkbox"/> Support <input type="checkbox"/> Oppose		
		<input type="checkbox"/> Support <input type="checkbox"/> Oppose		
		<input type="checkbox"/> Support <input type="checkbox"/> Oppose		

**NOTE // To person making further submission****A copy of your further submission must be served on the original submitter within 5 working days after it is served on the local authority.**

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

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

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

Electronic address for service of submitter [email]

Telephone/mobile

Postal Address including post code: [or alternative method of service under section 352 of the Act]

Contact person [name and designation, if applicable]

SIGNATURE

** Signature [or person authorised to sign on behalf of submitter]

Date

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



775 – John Edmonds On Behalf Of City Impact Church Queenstown Incorporated**Supports OS775**

City Impact Church's submission relates to landholdings neighbouring No. 1 Hansen Road land.

City Impact Church seek rezoning of land on Hansen Road to Business Mixed Use Zone. No. 1 Hansen Road support the rezoning of the City Impact Church site, as a logical and geographical extension of the Frankton North Structure Plan area and existing Business Mixed Use zoned land in the vicinity.

No. 1 Hansen Road supports the City Impact Church submission to the extent that it is consistent with the relief sought by No. 1 Hansen Road.

200 – Evan Keating On Behalf Of Waka Kotahi, NZ Transport Agency

Supports OS200.18 and OS200.21

No. 1 Hansen Road supports submissions of Waka Kotahi relating to intensification in Frankton and achieving consistency with the Queenstown Lakes Spatial Plan.

No. 1 Hansen Road's landholdings at Frankton are within the area identified as a Metropolitan Centre and within the OCB, both points specifically discussed in the Waka Kotahi submission.

Waka Kotahi submit that it is not clear that the appropriate balance has been struck in the Frankton Area and that benefits of development in Frankton have not been fully recognised. Waka Kotahi requests that Council reconsider this issue with the aim of providing increased development potential, at least for land within the OCB.

No. 1 Hansen Road supports this submission point, agreeing that the appropriate balance has not been reached. No. 1 Hansen Road agrees that Frankton is a highly accessible area within the district and is an appropriate place for intensification as large numbers of people can access services, work opportunities and living activities within a relatively short distance.

No. 1 Hansen Road supports the submission that Frankton is appropriate for greater density of development as Frankton provides a commercial node and transport corridors that will service and support existing and future public transport services.

No. 1 Hansen Road supports reconsideration of the benefits of development in the Frankton area with the aim of providing increased development potential.

No. 1 Hansen Road supports the Waka Kotahi, NZ Transport Agency submission to the extent that it is consistent with the relief sought by No. 1 Hansen Road.

822 – Brett Giddens On Behalf Of Queenstown Airport Corporation**Opposes OS 822.5, 822.12, 822.13, 822.14, 822.15, 822.18, 822.22**

No. 1 Hansen Road owns land that is within the Queenstown Airport Outer Control Boundary, and specifically referenced within the Queenstown Airport Corporation submission.

No. 1 Hansen Road opposes the Queenstown Airport Corporation submission to specifically limit the Local Shopping Centre Zone at 1 Hansen Road, or within the OCB, to be no more than 10m. No. 1 Hansen Road considers this to be unduly restrictive, as the site is on the edge of the OCB and is a site capable of absorbing increased height.

Queenstown Airport Corporation opposes increased building height within the Business Mixed Use Zone. No. 1 Hansen Road opposes the Queenstown Airport Corporation relief sought for a 12m height limit for BMUZ sites within the OCB. No. 1 Hansen Road considers this is unduly restrictive.

No. 1 Hansen Road opposes Queenstown Airport Corporation's submission supporting retention of the prohibited activity status in Rule 16.4.19 for activities sensitive to airport noise within the OCB. No. 1 Hansen Road sets out reasons for removal of the prohibited activity status in its original submission. No. 1 Hansen Road considers a consenting pathway is appropriate to manage effects of activities sensitive to airport noise within the OCB. This includes advances in technology and building materials that can achieve reduced noise environments.

No. 1 Hansen Road opposes the Queenstown Airport Corporation submission to the extent that it is inconsistent with the relief sought by No. 1 Hansen Road.