

all land use consents. We consider it to be an efficient and effective 'safety net' to ensure capacity is maintained.

- 5.38 Overall, we therefore accept submissions (in whole or in part) supporting our recommended provisions in **Appendix 1** and reject those submissions (in whole or in part) that oppose them.

6. QUEENSTOWN INCLUDING FERNHILL, FRANKTON ROAD, FRANKTON FLATS, AND KELVIN HEIGHTS

Background / key issues

- 6.1 The form of Lake Wakatipu, the glacially carved slopes around that, and location of Queenstown Airport have significantly shaped Queenstown and its outer neighbourhoods. Over time Queenstown has grown significantly, with many submitters with multi-generational connections to the land showing us family photographs of landscape and landform features often unrecognisable today. Submissions across the urban area ranged from requesting more urban development capacity than proposed in the UIV; support of the UIV; additional intensification but less than proposed in the UIV; and retain the PDP by not enabling any additional development capacity.
- 6.2 The urban form has followed accessible land adjacent to movement corridors, often on slopes and including zig-zags, cul-de-sacs, and severances between neighbourhoods. It can be plainly contrasted with the closer-to-textbook flat grid and genuinely 'central' core of Christchurch city. As a result, travelling between Queenstown's distinctive and different neighbourhoods and the various commercial activities and community services therein, often involves circuitous travel along relatively few, and often increasingly congested, movement corridors that offer genuine connectivity.
- 6.3 It is also the case that Queenstown, despite being the largest settlement in the District, is not a metropolitan urban area. It still has a strong relationship with the rural and wilderness areas around it as well as the other well-separated towns and villages. For many residents we were told that daily life was and for the foreseeable future will be dominated by the need for a private automobile. As described above, Queenstown's urban form functions more as a series of adjoining neighbourhoods wedged into the landform than one singular and obvious town.
- 6.4 The UIV proposed substantial up-zoning across Queenstown primarily by way of the MDRZ on land that under the PDP is currently LDSRZ; and by way of increases in the development capacity enabled within areas already zoned MDRZ or HDRZ.
- 6.5 Of note was that the UIV excluded several spatially important parts of Queenstown, including the PC50 land within the town centre itself (see Section 4), large areas of Frankton Flats and Remarkables Park, and the recently zoned TPLM area. Although our consideration of PDP changes must necessarily exclude that land, it would be artificial to not keep in mind the contribution they will nevertheless still make to accommodating housing demand in the settlement.
- 6.6 The key issues raised in submissions were:

- (a) The appropriateness of upzoning land in many locations (in terms of both support and opposition to the UIV);
- (b) The accessibility of different locations and what development enablement would be commensurate with that;
- (c) Constraints and the extent of existing development intensity that make additional intensification unreasonable;
- (d) Adverse effects of additional development heights and densities, primarily in terms of traffic, character and other amenity values;
- (e) That more growth should be directed into planned greenfield areas; and
- (f) Submissions seeking the re-zoning of land including the PC50 land within the ODP are also relevant, however have been addressed separately (see Section 2).

Submissions / s42A Report / evidence / legal and lay argument

6.7 The evidence presented to us was largely in the form of lay submissions by residents. The common issues raised were:

- (a) Disagreement that the locality around submitters was as accessible by passenger transport or active transport to a range of commercial activities and community services as the Council had claimed;
- (b) Related to the above, that Queenstown's slopes and climate meant that the idea of walking, cycling or using buses was not as practical, for as much of the time, as a starting-point theory might suggest;
- (c) Disagreement that the scale and extent of development proposed to be enabled by the Council was acceptable;
- (d) That the various neighbourhoods each possessed special visual, amenity, landscape or other qualities that would make intensification, particularly 3-storey scaled intensification, highly adverse and inappropriate;²³²
- (e) A view that Queenstown was already very congested²³³ and dense, with other locations being superior for accommodating growth (including dedicated green field areas);
- (f) Disagreement that substantial additional development capacity could be accommodated without creating adverse economic effects (i.e., the view that less visitors would want to come to Queenstown); and
- (g) We also received expert evidence from a small number of submitters that was focused on the specific interests of those submitters.

6.8 In addition to the lay submitters, we heard from several experts including:

- (a) Mr Edmonds provided planning evidence for Scenic Hotel Group Ltd (763), Millenium and Copthorne Hotels NZ Ltd (1344) and Hospitality Group Limited (1345), and

²³² Including the statement from Mr Hewart (78), Mr De La Mere (384) provided us with images as to the effects on the view from his property and the Statement from Mr Potter (1250).

²³³ Mr and Mrs French (701) presented information to us in relation to these issues.

considers that 18.5m height to be appropriate in this area "as there is a recognised predominant concentration of hotels and visitor accommodation in this area".²³⁴ Mr Edmonds also provided a supplementary memo²³⁵ responding to amended relief sought by Mr Freeman regarding increased height in the block (called the Stanley street Height Precinct) above and providing a rule framework (and s32AA evaluation) that would accommodate it. Mr Edmonds also provided evidence for further submissions 1344 and 1345 that the area be extended to include adjacent parcels of land owned by Millennium and Copthorne and Hospitality Group Limited. He explained the VA nature of the area, the landholdings and the context of the sites. He concludes that including the sites is "a logical extension of the four blocks referenced in the original submissions. This part of the site is relatively flat and then gently slopes towards the lake ...".²³⁶

- (b) Mr Edgar provided planning evidence in support of Mr and Mrs O'Donnell (641, 657, 1358) in relation to effects on their property at Panorama Terrace, and the wider area, in shifting to HDR and MDR. Issues he raised relate to:
- (i) the further enablement of VA and a shift in the policy framework. While he accepts Ms Frischknecht's position as to matters of discretion for VA are broad, he considers there is little to suggest a wide range of effects should be considered and does not agree that additional VA controls would narrow the scope of discretion.²³⁷ He maintained the amendments sought in his evidence.²³⁸
 - (ii) Concerns as to the provision of infrastructure given the very large areas of upzoning and also the efficiency and effectiveness of requiring consideration of infrastructure capacity on a case-by-case basis.²³⁹
 - (iii) Loss of sunlight, privacy and outlook.²⁴⁰
- (c) Mr Freeman and Ms Costello for the Multiple Queenstown Submitters who:
- (i) Supported²⁴¹ the upzoning to HDRZ from Park Street to Cecil Road (652, 653 and 654), agrees with the assessment of Mr Wallace and supports the recommendations of the s42A report.²⁴²
 - (ii) Supported (1008, 984, 986) Mr Wallace that it is appropriate to enable greater height (20m) with these submitters focused on the same Frankton Road, Coronation Drive, Beetham Street and Melbourne Street block addressed by Mr Freeman above which she considers "does have features which would support slightly more intensification over the notified UIV provisions".²⁴³
 - (iii) Supported²⁴⁴ the land at 554 Frankton Road (835) being upzoned to MDRZ.

²³⁴ Statement of Evidence of Mr Edmonds (763, 764, 1344, 1346), 4 July 2025, at [6.5].

²³⁵ Dated 22 August 2025.

²³⁶ Statement of Evidence of Mr Edmonds (1344, 1345), 4 July 2025, at [5.8].

²³⁷ Summary of Evidence of Mr Edgar at [12].

²³⁸ Statement of Evidence of Mr Edgar at Appendix B.

²³⁹ Statement of Evidence of Mr Edgar at [56].

²⁴⁰ Statement of Evidence of Mr Edgar at [61].

²⁴¹ Statement of Evidence of Mr Freeman, 4 July 2025, at [114].

²⁴² Statement of Evidence of Ms Costello, 4 July 2025, at [22].

²⁴³ Statement of Evidence of Ms Costello, 4 July 2025, at [56].

²⁴⁴ Statement of Evidence of Mr Freeman, 4 July 2025, at [118].

- (iv) Supported the MDRZ Objectives and Policies s42 Report version but in terms of recession planes on sloping sites raised the same concerns as for the LDSRZ (Section 13).
 - (d) Mr Freeman provided planning evidence on behalf of the Multiple Queenstown Submitters. Apart from one matter, he supported the provisions as enabling intensification in close proximity to the town centres of Queenstown and Wānaka.²⁴⁵ The one change he sought was to the activity status for breach of the landscaped permeable surface coverage, which he sought be lowered to discretionary.
 - (e) For submissions 984 and 986 and 1008 he supported an increase in height for the Frankton Road, Coronation Drive, Beetham Street and Melbourne Street block to 18.5m. He relies on Ms Cosetllo's evidence (see below) for non-notification and notes that Mr Williams supports a 20m height in this location. He opposes Ms Frischknecht's approach of additional height being a discretionary activity as a more onerous process and supports a non-notified RDA approach to heights between 16.5m and 20m.²⁴⁶
 - (f) Ms Clouston in relation to 111 Frankton-Ladies Mile Highway (768) sought removal of the maximum height limit of 20m at Frankton North (and its associated non-complying activity status) or if a maximum height was retained then she sought 24m.²⁴⁷
- 6.9 Mr Osborne filed a statement of lay evidence,²⁴⁸ and we received legal submissions on behalf of Mr and Mrs Osborne (1258),²⁴⁹ opposing the location of the HDRZ. They live on the edge of the notified HDRZ boundary, raising concerns that the UIV will not deliver more residential housing due to the VA provisions with the HDRZ and amenity effects on their existing dwelling. He concluded in his statement that:²⁵⁰

... the Variation HDR provisions will not achieve a well-functioning urban environment, will compromise amenity values while failing to achieve the objectives of the NPS US and the Variation. The Variation will result in development that is ad hoc, will not significantly contribute to housing, will not improve competitive land and will have unintended consequences such as the delivery of VA at the expense of residential housing.

6.10 In relation to infrastructure Mr Powell's evidence:

- (a) For the QTC and surrounding catchment²⁵¹ does not support limiting intensification in this area due to infrastructure constraints.
- (b) For Frankton and Frankton Road²⁵² does not support limiting intensification in this area due to infrastructure constraints.
- (c) For Fernhill²⁵³ does not support limiting intensification in this area due to infrastructure constraints.

²⁴⁵ Statement of Evidence of Mr Freeman, 4 July 2025, at [89].

²⁴⁶ Statement of Evidence of Mr Freeman, 4 July 2025, at [97].

²⁴⁷ Summary Statement of Evidence of Ms Clouston, 7 August 2025, at [9.7] – [9.9].

²⁴⁸ Statement of Evidence Mr Osborne 8 July 2025.

²⁴⁹ Legal Submissions on behalf of Mr and Mrs Osborne, 8 August 2025.

²⁵⁰ Statement of Evidence Mr Osborne 8 July 2025 at [44].

²⁵¹ EIC Mr Powell at [5.1] – [5.7].

²⁵² EIC Mr Powell at [5.8] – [5.12].

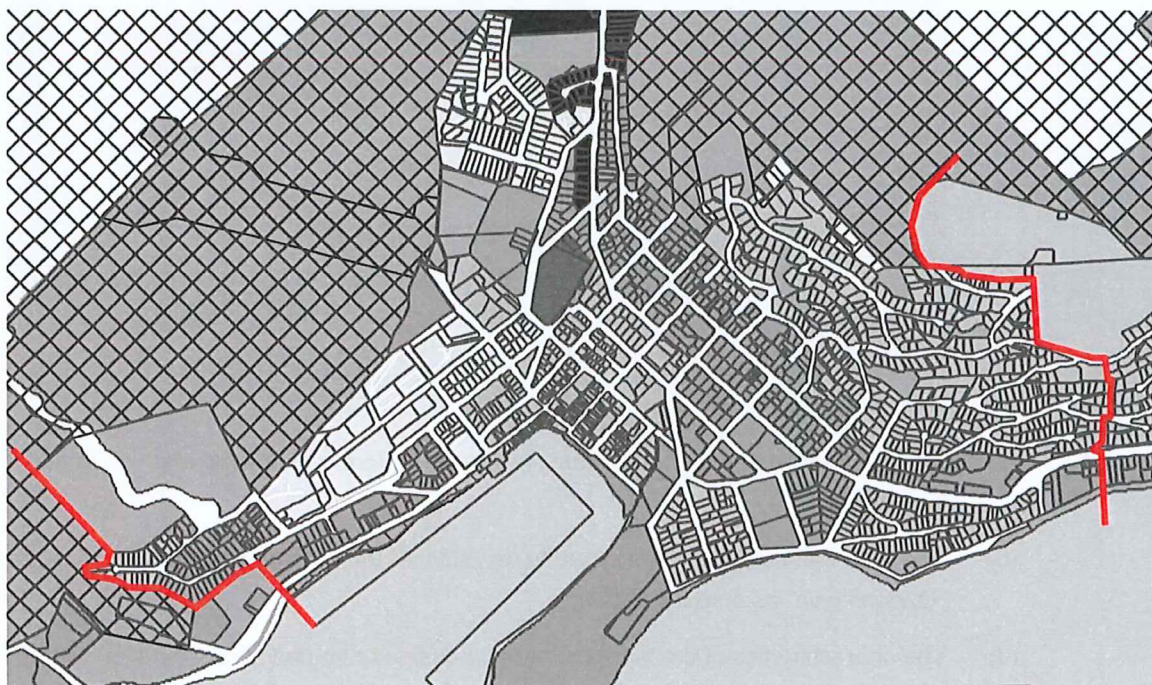
²⁵³ EIC Mr Powell at [5.18] – [5.21].

- (d) For Kelvin Heights²⁵⁴ in relation to water supply it notes that "the last large tract of land to be developed in this area will need major upgrades to increase the water supply capacity" and intensification could be folded into that. The same applies for wastewater.

Findings / decision / provision changes

- 6.11 The Panel does not agree with the Council that 3-storey apartment-based living would be commensurate in any of Queenstown's neighbourhoods other than the central Queenstown residential neighbourhood adjacent to the town centre.
- 6.12 We refer to **Figure 2**, the area we have identified as the central Queenstown residential neighbourhood in terms of western and eastern extents.

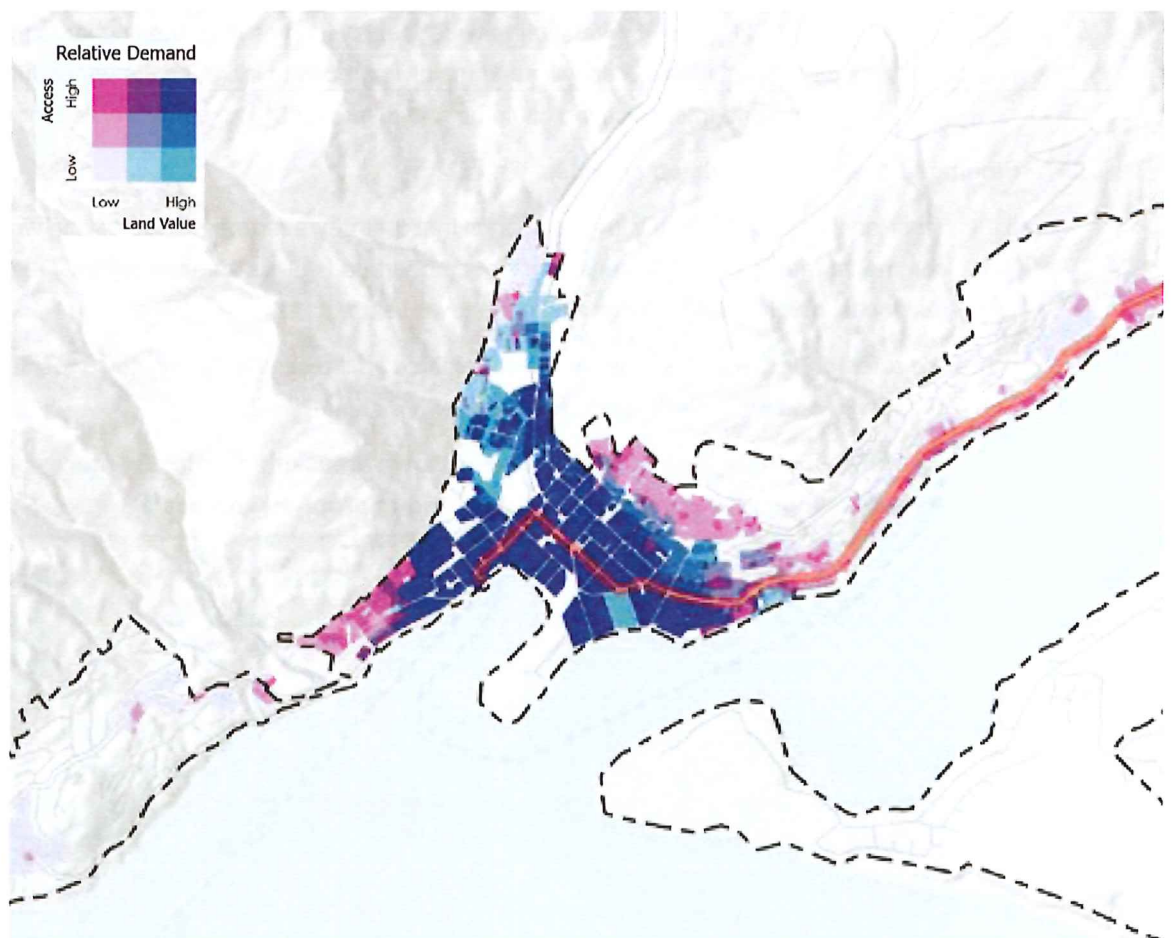
Figure 2 – identification of central Queenstown area within which 3+ storey apartment-style dwellings would be commensurate and appropriate (no scale)



- 6.13 The Panel identified the extent of this neighbourhood based on walking around the area into and through the town centre taking into account:
- (a) The accessibility analysis produced by Mr Wallace on behalf of the Council (see **Figure 3** which reproduces one of the many maps produced showing demand);

Figure 3 – A zoomed-in crop of part of Figure 14 'Relative Demand Bivariate Analysis', in B&A Ltd Memorandum from Jack Earl and Cam Wallace to Elias Mathee, 16 May 2003, Method Statement – Accessibility & Demand Analysis – NPS-UD Policy 5.

²⁵⁴ EIC Mr Powell at [5.8] – [5.12].



- (b) The information provided to us from submitters in terms of how far and where they typically walk;
- (c) The area that submitters explained to us was that they thought of when they imagined "Queenstown" as a specific town;
- (d) The characteristics of the land and the impression of immediate association with QTC the Panel determined existed;
- (e) The Council's standard metrics of convenient walking distance as measured from the QTC (recognising of course the topography); and
- (f) Forming a logical 'edge' for planning purposes using open space areas where possible and otherwise following direct cadastral boundaries.

6.14 Within this central neighbourhood, we have been persuaded that the Council's Reply recommendations for residential-zone height and density are most appropriate and will implement the NPS-UD. This includes the proposed up-zoned areas including adjacent to Queenstown Gardens.

6.15 Outside of our identified central Queenstown residential area, our site visits and the lay evidence received from locals persuaded us that most daily-need activities are not close-by or reasonably accessible by passenger transport or active transport such that apartment living could be commensurate with that. During our site visits, which included the Panel walking local

streets and slopes, we observed that walkable or active transport access was often limited to the immediate local neighbourhood only with few if any commercial activities or community services. Many roads, often sloped ones, were narrow and lacked obvious space (or sufficient room to provide space) for active mode facilities. Several accessways and private roads (we understand in part due to the additional design flexibility available in terms of narrower width and greater slope compared to public roads) lacked even footpaths.

- 6.16 Although bus services on key roads are available, many are not always conveniently accessible including in periods of inclement weather or where, even if the total walking distance was not unreasonable, the zig-zagging and inefficient nature of the required route to access bus services (and in some cases a lack of clear or obvious crossing facilities on key roads) struck the Panel as likely to frustrate rather than invite users.
- 6.17 We also accepted the practical reality (frequently) explained to us that it is often cold, or wet, or slippery, or dark on many of Queenstown's (often south facing) residential streets and this also limits real-world take up of passenger transport or active transport.
- 6.18 In these locations, the Panel finds that generally 3+ storey apartment living is not a justified NPS-UD Policy 5 response, but that additional densification – specifically targeting opportunities for smaller and more flexible housing solutions at 1-to-2 storeys would be appropriate. Such 'suburban' intensification is likely to lead to a more efficient use of land – especially where there are gaps between existing dwellings that could accommodate smaller houses on lots below existing density limits in a way that would sit compatibly against the backdrop of existing character and amenity values. This can be contrasted with what would in most cases need to be (less realistic) complete site clearance and demolition to make way for 3+ storey plus buildings.
- 6.19 Our key findings are that:

Within central Queenstown residential neighbourhood and subject to the modifications explained later to the provisions for each zone:

- (a) The Panel agrees with the Council's proposed extent of HDRZ, although we recommend that be named the High Density Residential A Zone (HDRAZ). Our agreement includes the broad framework of heights, densities and complementary provisions proposed in the UIV for this zone. Although we do not consider that there is a case for 3-storey walk up apartments to meet relative demand (NPS-UD Policy 5(b)), the land is nevertheless sufficiently accessible that this option should be provided for on the basis of meeting NPS-UD Policy 5(a) (in this instance being the heights and densities that are the "greater of" the two policy directions).
- (b) The Panel agrees with the broad framework of heights, densities and complementary provisions proposed in the UIV for the MDRZ, although we recommend this be named the Medium Density Residential A zone (MDRAZ).
- (c) We agree with the broad framework of heights, densities and complementary provisions proposed by the Council for the Queenstown Town Centre zone.

- (d) We are not persuaded to agree with proposed changes to the BMUZ and instead recommend a modified version of the PDP status quo zone be retained, specifically in terms of enabled building heights and densities (but with building height infringements becoming a discretionary rather than non-complying activity).

Within the other Queenstown neighbourhoods including Fernhill, Frankton, and Kelvin Heights:

- (e) We agree with the spatial extent of new MDRZ proposed by the Council in the UIV, however, apart from the areas we have identified as MDRAZ, find that this should be based on the PDP status quo version of that zone including its enablement of generally 2-storey building heights. We also recommend additional provisions to provide a clearer resource consent pathway for dwellings that exceed the PDP density limits (which we recommend retaining to maintain a reasonable permitted activity opportunity).
- (f) As set out in Section 13, we have recommended the LDSRZ becomes a new SRZ based on the PDP status quo LDSRZ permitted heights and densities, but which provides a clearer pathway for dwellings that exceed the PDP density limits.
- (g) For the Local Shopping Centre zone (Section 17) and the Business Mixed Use zone (Section 18), we are not persuaded that heights or densities greater than the PDP status quo already enables would be commensurate or necessary to implement NPS-UD Policy 5, and for this reason we have recommended modified versions of these zones that are closer to those PDP versions than the UIV versions proposed by the Council.

6.20 The above will collectively:

- (a) Provide for an overall increase in housing capacity (and maintain appropriate business capacity) including specific targeting of opportunity for smaller and more affordable houses also most likely to be compatible with existing character and amenity values in and around Queenstown, that is commensurate with the real-world accessibility of the central Queenstown neighbourhood, and its outer neighbourhoods.
- (b) Concentrate additional building heights and densities where there is greatest demand and environmental capability to absorb the effects of that additional capacity.
- (c) Maintain the overall amenity and character values of Queenstown and its neighbourhoods, including the relationship of urban form to landscape and landform patterns, accepting that in central Queenstown the compelling reasons in favour of additional intensification mean some parts of this neighbourhood will be subject to quite substantial localised change in built form character. We consider that to be necessary to give effect to Policy 5 in those areas. As explained above, for many areas proposed to be MDRZ in the notified UIV we have kept the notified extent of the upzoning but retained the status quo MDRZ height provisions subject to additional density opportunity, to meet NPS-UD Policy 5(b) (noting our finding as part of this that the specific case for 3-storey walk up apartments was in the Panel's view overly speculative and theoretical for the purposes of that NPS-UD policy test). We have done this based both on our findings of accessibility and relative demand (see Section 4) but also following the many

submissions we received on character and amenity and finding the right level of integration that is commensurate to deliver well-functioning urban environments.

- 6.21 We refer to our overall s32AA analysis in Section 21 for additional reasons that also apply to Queenstown.
- 6.22 Overall, we therefore accept submissions (in whole or in part) supporting our recommended provisions in **Appendix 1** and reject those submissions (in whole or part) that oppose them.

7. ARTHURS POINT

Background / key issues

- 7.1 Arthurs Point is a small village north of Queenstown occupying a linear terrace and the lower slopes of the adjacent mountains, spanning each side of the Shotover River and a narrow, one-way bridge across that. It is an access point to the Shotover River and recreational-related activity is undertaken here. The village also has a small commercial offering, partially-implement cycle networks, and a basic bus service. It does not currently include a formal Town Centre, Local Shopping Centre, Business Mixed Use, or similar commercial zone; a distinguishing characteristic when compared with the other towns and villages subject to the UIV. It is approximately 5km from the closest point of the Queenstown Town Centre zone. This is in turn not conveniently walkable but could be accessed (relative to NPS-UD Policy 5) by passenger transport, or a bike / e-bike-type trip (noting there is no separated crossing at the Shotover River) in the order of 15-30 minutes depending on preferred speed, underlying fitness level or travel conditions on any given day.
- 7.2 But in summary most residents will regularly need to commute away from the village in meeting their daily needs and in many cases, this will be by private vehicle. It provides only limited in-village employment, commercial, or community services.
- 7.3 On our site visit we saw first-hand the settlement's high-amenity, unique amenity values. These reflected what submitters explained to us, and we agree at the outset that Arthurs Point provides very high existing amenity values.
- 7.4 Arthurs Point also includes several large sites and a mix of lower density, medium, and high-density residential zones.

Submissions / s42A Report / evidence / legal and lay argument

- 7.5 The Variation proposed to retain the PDP zone framework but standards within those zones that were proposed to be changed via the Variation would apply. Submissions to change the existing zones or the standards applicable within them were raised by a relatively small number of submitters. These were considered in the s.42A report prepared by Ms. Morgan, and we refer to our separate section considering specific site re-zoning submissions.
- 7.6 Mr Powell's evidence²⁵⁵ is that the water supply does not limit intensification, but wastewater does with the main at capacity. While there is no allocate funding for this at present as it is a

²⁵⁵ EIC Mr Powell at [5.32] – [5.34].

- (b) Submission 758 several dwellings have recently been developed and therefore unlikely to add to development capacity on the basis that a range of typologies will exist and evolve over time.⁶⁴⁵
- (c) Submissions arguing that shading effects on Jubilee Park and within the area generally as being a reason not to intensify, relying on Mr Wallace⁶⁴⁶ that additional shading by larger buildings in this area should not be determinative of whether to enable intensification and noting high demand for apartments and the area's high accessibility.

20.8 We recognise that we heard from several other submitters living in this area and thank them for presenting. May raised the effects of sunlight, especially given the topography of the area. We recognise that the character of the area will fundamentally change. But we agree with the Council that it should, and indeed under Policy 5 NPS-UD must, be intensified. We considered various options but ultimately accepted that the provisions will provide appropriate protections, within the character of the new zone (which again we recognise will be, over time, significantly different to that of the present zone). We are also mindful of NPS-UD Objective 4 and Policy 6 in making our decision within this area.

20.9 Our decision is that we recommend the land should be re-zoned to High Density Residential A zone and we agree with Ms Morgan's planning analysis and reasons. The land is amongst the most-accessible, best-suited to high density residential development within the District. We are not persuaded that the land is subject to characteristics that would make the re-zoning inappropriate, and do not agree that it possesses a degree of special character that could countermand the findings we have arrived at to implement NPS-UD Policy 5. In arriving at this conclusion, we confirm that we walked through the local streets here and considered the variety of building types, sizes, conditions, and ages in view.

20.10 We find that the proposed HDRAZ will have benefits for the Queenstown Gardens rather than adverse effects that were of concern to the submitters including the likelihood of more use, and more successful overlooking, of the park from occupants within high-density apartments.

20.11 We refer to our overall s32AA analysis in Section 21 for additional reasons that also apply to Area 1.

20.12 Overall, we therefore accept (in whole or part) submissions supporting our recommended decisions on rezoning for Area 1 and reject those submissions (in whole or part) that oppose them.

Area 2: Northeast of Queenstown Town Centre and Frankton Road⁶⁴⁷

20.13 Ms Morgan states⁶⁴⁸ (footnotes removed) in relation to this area and the submissions:

Area 2 relates to zoning of land in the area northeast of Queenstown town centre and Frankton Road, including land between Edgar Street to the east and Panorama Terrace / Windsor Place to the west. Under the PDP the zoning of this area is a mix of MDRZ, HDRZ and LDSRZ (refer Figure 3).

⁶⁴⁵ S42A Report (Rezoning Residential) at [6.11].

⁶⁴⁶ EIC Mr Wallace at [15.22].

⁶⁴⁷ Including Submissions 26, 59, 77, 82, 93, 97, 223, 253, 413, 508, 515, 517, 536, 548, 556, 627, 641, 657, 661, 705, 758, 831, 836, 1013, 1024, 1025, 1070, 1077, 1094, 1097, 1167, 1232, 1250, 1258 and 1368.

⁶⁴⁸ S42A Report (Rezoning Residential) at [7.1] – [7.2].

Under the notified UIV, the main change in this area is the proposed rezoning of existing LDSRZ to MDRZ, with some LDSRZ proposed to be rezoned HDRZ near the lower sections of Dublin Street and Suburb Street. 29 submissions points and 21 further submission points have been received in relation to the zoning of this area, the general location of land subject to submissions in this area is shown in Figure 4 below. The key issues raised in submissions, which seek changes to the notified UIV are summarised as follows:

- (a) Oppose the change to HDRZ for specific properties or streets including York Street, Suburb and Dublin Street and requests that it revert to the operative zoning;
- (b) Oppose the change to MDRZ for specific properties or streets including Suburb Street, Kent Street and Belfast Street;
- (c) Amend provisions to ensure that there should be no more than 12 residential dwellings served by the privately owned/Council maintained York Street Right of Way;
- (d) Retain the operative zoning for the block of land bounded by Hallenstein, Edgar, Kent and York Streets;
- (e) Support the increased height limit and recession planes for the HDRZ within the Edgar Street locality at 7 and 5 Edgar Street in particular;
- (f) Support proposed rezoning of 43, 45, 47, 49, 62, 66 and 67 Suburb Street, and Lot 1 DP 502401 (and wider area on the northern side of Frankton Road) from LDSRZ to MDRZ;
- (g) A number of submitters oppose rezoning in the vicinity of Panorama Terrace and seek to retain the operative height limits and zoning;
- (h) Request consistent zoning for properties at 1-18 Panorama Terrace and that all of these properties be rezoned to HDRZ or alternatively rezoned to MDRZ25; and
- (i) Rezone the "currently isolated" patch of LDSRZ land around Windsor Place /Edinburgh Drive /London Lane (12 property titles) to MDRZ.

20.14 Ms Morgan supports the UIV proposal and agrees⁶⁴⁹ with the evidence of:

- (a) Ms Fairgray in relation to downzoning in this area. Ms Fairgray supports⁶⁵⁰ retention of the notified zoning based on relative demand and that the areas covered are sizable. She also considered that lower density land uses (such as LDSR) would result in inefficient use of land in the context of Queenstown's spatial structure.
- (b) Mr Wallace⁶⁵¹ that as these locations are near the QTC and open spaces, cycle trails etc they scored highly on accessibility and are "very well suited to supporting higher density residential uses."

20.15 Ms Morgan considers that:⁶⁵²

... the proposed application of the MDRZ and the expanded HDRZ within this location would be commensurate with the area's high and moderate levels of accessibility and high relative demand for housing when considered relative to other locations in Queenstown (Policy 5) and UFD-P3 of the pORPS. ...

⁶⁴⁹ S42A Report (Rezoning Residential) at [7.5].

⁶⁵⁰ EIC Ms Fairgray at [8.9].

⁶⁵¹ EIC Mr Wallace at [15.21].

⁶⁵² S42A Report (Rezoning Residential) at [7.5].

20.16 In relation to submissions along Panorama Terrace Ms Morgan supported⁶⁵³ Mr Wallace's approach using natural boundaries (roads, parks, streams, steep topography) rather than property boundaries to create zone edges. This area is addressed in detail under Area 6 below.

20.17 In relation to other matters:⁶⁵⁴

- (a) Submissions 97 and 1077 request further extension of the HDRZ to cover properties northeast of the town centre. Ms Fairgray considers⁶⁵⁵ that either MDRZ or HDRZ (her preference) would be economically beneficial.
- (b) Rezoning a small number of sites around Windsor place was supported by Mr Wallace⁶⁵⁶ and Ms Morgan through extending the MDRZ over it with a 8m height limit. Ms Morgan recommends rezoning 2, 4, 5, 6 and 7 Windsor Place, and 3, 4, 5, 6, 7 and 8 London Lane, and 22 Manchester Place from LDSRZ to MDRZ, subject to the 8m height limit for Queenstown Hill as per notified Rule 8.5.1.2 and provides a s32AA assessment.
- (c) Ms Morgan considers that access restrictions on the York Street right of way are already addressed through PDP restrictions that are not changing.
- (d) Ms Morgan considers that transport issues on Queenstown Hill generally; while acknowledging steepness, it retains high to moderate accessibility.

20.18 Referring to **Figure 2** in Section 6, we have determined a boundary that broadly follows a north-south line from the boundary between 159 and 171 Frankton Road. West of this line, within the area identified in **Figure 2**, we find that the up-zoning proposed by the Council is appropriate except that any remaining Suburban Residential zoned land within that central Queenstown neighbourhood should also be up-zoned to MDRAZ. All HDRZ within the area shall be re-zoned to HDRAZ. Within that central Queenstown residential neighbourhood, there is a very high level of accessibility to commercial activities and community services and no characteristics (even considering land slope and orientation) that would justify limiting or redistributing that.

20.19 But east of our proposed boundary, and although we are persuaded to agree with the proposed re-zonings recommended by Ms Morgan in the Council's reply-version, we recommend the 2-storey MDRZ zone apply except where the PDP zone is already HDRZ, in which case that should remain the zone (i.e., not the HDRAZ). Where the Council's reply-version recommendations would retain land as LDSRZ, we recommend this become subject to the SRZ as the Panel has recommended. Having visited the residential slopes above Frankton Road, we agree with the lay submitters that there is not a commensurate level of accessibility that would justify 3-storey apartment-based living under NPS-UD Policy 5(a), and in a NPS-UD Policy 5(b) sense we have found that relative demand, once adjusted to remove what we find as unrealistic speculations for 3-storey walk up apartments, can be addressed by way of our increased density enablement, including for attached dwellings.

⁶⁵³ S42A Report (Rezoning Residential) at [7.6].

⁶⁵⁴ S42A Report (Rezoning Residential) at [7.7] – [7.10].

⁶⁵⁵ EIC Ms Fairgray at [8.38] - [339].

⁶⁵⁶ EIC Mr Wallace at [15.45].

20.20 We refer to our overall s32AA analysis in Section 21 for additional reasons that also apply to Area 2.

20.21 Overall, we therefore accept (in whole or part) submissions supporting our recommended decisions on rezoning for Area 2 and reject those submissions (in whole or part) that oppose them.

Area 3: Fernhill⁶⁵⁷

20.22 Ms Morgan states (footnotes removed):⁶⁵⁸

Area 3 includes the residential land at Fernhill. Refer Figure 5 for the PDP zoning in this area. Zoning in this area is a mix of LDSRZ and MDRZ. No change to the zoning in this area is proposed through the notified UIV.

Three submissions have been received in relation to zoning at Fernhill. The relief sought by the submitters is shown spatially on the plan at Figure 5. The key issues raised in submissions, which seek changes to the notified UIV are summarised as follows:

(a) Rezone 139 Fernhill Road, 10 – 18 Richards Park Lane and 18 – 22 Aspen Grove MDRZ, and include these properties within the Visitor Accommodation Sub-Zone of the Proposed District Plan³⁴; and

(b) Support the mapping for Fernhill as notified and request that 45 Wynyard Crescent be rezoned MDRZ to match zoning of adjacent sites.

20.23 Ms Fairgray supports⁶⁵⁹ applying the MDRZ to these sites from an economic perspective. Mr Wallace states that while Fernhill scored relatively poorly in terms of accessibility including these sites worked from a "practical perspective"⁶⁶⁰ and would more fully integrate Coherent's (1263) undeveloped landholdings. Ms Morgan agreed with Mr Wallace that including the land in the MDRZ would deliver "a logical zoning pattern" to enable comprehensive development of a larger landholding.

20.24 In response to submission 384 seeks a two-storied height limit (and not 2 stories) Ms Fairgray considers⁶⁶¹ retention of the PDP 8m height limit would reduce the feasibility of more intensive development options in this location.

20.25 Generally, however, reflecting the accessibility comment above, Mr Wallace states:⁶⁶²

In terms of extension of the MDRZ and / or HDRZ around Fernhill and Sunshine Bay due to the existence of a frequent bus route,⁴⁸ I note that the MDRZ already extends around the Fernhill LSCZ along Fernhill Road and Aspen Grove as per the notified UIV mapping. In addition, I do not consider the mere presence of a single bus route in isolation is an appropriate benchmark for upzoning in line with the requirements of the NPS-UD.⁴⁹ The presence of frequent public transport is clearly an important factor, however there is a need to also consider what services/ amenities can be accessed and the total journey length involved. In the case of Sunshine Bay, Route 1 provides access to QTC, Frankton, Airport and Remarkables Park. Bus journey time to QTC is approximately 16 minutes, while Remarkables Park has an in-bus journey time of 37 minutes. When combined with walking times from the origin and to the destinations of bus stops and an allowance for waiting times once

⁶⁵⁷ Including submissions 384, 429, 1263.

⁶⁵⁸ S42A Report (Rezoning Residential) at [8.1] – [8.2].

⁶⁵⁹ EIC Ms Fairgray at [8.42].

⁶⁶⁰ EIC Mr Wallace at [15.53].

⁶⁶¹ EIC Ms Fairgray at [8.14].

⁶⁶² EIC Mr Wallace at [15.9].