

Attachment A: IHP Recommendation Report for the Urban Intensification Variation to the PDP

**BEFORE AN INDEPENDENT HEARING PANEL
APPOINTED BY QUEENSTOWN LAKES DISTRICT COUNCIL**

UNDER THE

Resource Management Act 1991

And

IN THE MATTER OF

the Urban Intensification Variation to the proposed
Queenstown Lakes District Plan

RECOMMENDATION OF THE INDEPENDENT HEARING PANEL

23 December 2025

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1. EXECUTIVE SUMMARY

- 1.1 The Variation to Queenstown Lakes Proposed District Plan (**PDP**): Urban Intensification (**UIV**) is the Council's response to, in part, implementing the requirements of the National Policy Statement on Urban Development 2020 (Updated May 2022)¹ (**NPS-UD**). The UIV specifically addresses Policy 5 of the NPS-UD. Policy 5, put simply, requires the District plan to enable urban heights and densities to a level commensurate with the greater of accessibility or the relative demand.
- 1.2 The Council limited the UIV to land within the identified urban environment subject to the PDP (and then not all zones). Excluded from this are parts of the urban environment managed within the Operative District Plan (**ODP**) (largely existing special zones), and any additional but not yet zoned greenfield land. Those would need to be subject to separate plan change processes in due course. The UIV applied to Queenstown, Arthurs Point, Arrowtown, Wānaka and Hāwea.
- 1.3 Urban growth, housing and housing affordability are significant issues in the Queenstown Lakes District (**District**). The District has seen, and the predictions are it will continue to see, significant growth. Coupled with this growth is the pressure on the significant landscapes and environments of the District along with the demands for greater infrastructure capacity. It is, in all senses, a 'wicked problem' about which there is no one right answer, nor community agreement, on how it is best to be resolved. The many submitters had almost just as many different views on what the right approaches and outcomes are. The UIV, while implementing the NPS-UD in part, is one method through which the Council is trying to get ahead of growth and proactively shape how the District will grow in an efficient and sustainable manner for the benefit of its current, and future, communities. With the other methods the Council has within its PDP, or is exploring for future growth, it paves a way for new opportunities growth and intensification in the District.
- 1.4 The process to get to this point has been long; reflecting the controversial nature of such changes and their immense complexity. The UIV was publicly notified on 24 August 2023 and submissions closed on 5 October 2023. The summary of decisions requested was publicly notified on 16 May 2024 and further submissions closed on 14 June 2024 (with additional late submissions). A total of 1274 submissions (including 26 late submissions) and 108 further submissions (including eight late further submissions) were received. Over 7,000 individual submission points were made. In addition, before, during and after the 13 days of hearing we received numerous submitter presentations, lay witness statements, expert witness statements, legal submissions, and memoranda making up many thousands of pages of material.
- 1.5 This has been a significant process in terms of considerable anguish (as people's homes are affected it is immensely personal), time and resources for the District – one which many residents have committed considerable time and effort to. We thank the submitters, especially those who took the effort and time out of their normal daily lives to present to us and share with us candid personal snapshots that enabled us the opportunity to understand their concerns, and how the communities of the District work. We thank too all the experts and lawyers who

¹ [National Policy Statement on Urban Development 2020](#).

presented to us for helping to shape our recommendations. We finally thank the Council team for a mighty effort given the volume and complexity of the issues and material. They are totally committed to assisting the community and submitters and provided an efficient and professional service throughout the process which was of immense assistance to the Panel.

- 1.6 Having read, listened, asked questions and discussed amongst ourselves, this recommendation decision sets out the reasons for the UIV provisions (and maps) as we recommend them to be (and as attached in **Appendix 1**). Our role is simply **recommendatory**; the final decision is up to the councillors.
- 1.7 So, where did we get to?
- 1.8 Except for Queenstown, which has a particularly extended urban form, the other areas subject to the UIV can be understood as one clearly distinguishable town (Wānaka) and a series of smaller villages. They have obvious edges, and even in the case of Wānaka, can be understood and analytically approached as a single urban area 'in the round'. It happens that this is also how submitters typically described them to us. In the case of Queenstown, this includes numerous neighbourhoods including Fernhill, Sunshine Bay, Kelvin Heights, Frankton, and Remarkables Park. Although all comprising 'Queenstown', the Panel has approached each distinguishable neighbourhood area based on its own context as part of that wider whole. This necessitated identification of a 'central Queenstown' neighbourhood of residential zoned land adjacent to the town centre. Overall, we found this approach to be most relevant to the questions asked by the NPS-UD in the context of Queenstown Lakes District (as opposed to one of New Zealand's large urban areas).
- 1.9 As already stated, the UIV generated significant community interest, with concerns expressed about how the UIV might change the amenities and character of the District's towns and villages. At the outset, the Panel acknowledges the local community tension that national planning directions give rise to in this respect, and that where required changes to existing urban amenities and character must be enabled.
- 1.10 Having said that, we find the NPS-UD is not so blunt or directive that any additional enablement of building height and density identified in a location as commensurate under NPS-UD Policy 5 must be provided for regardless of adverse effects, other local impacts, or practicality. Having identified that a location warrants a NPS-UD Policy 5 'up zoning', which the Panel respectfully proposes as the easier task, the key resource management plan making test is, in concert with the submitters and other relevant RMA requirements, to identify how to most appropriately go about enabling that additional height and density in a real-world setting including to minimise adverse effects of intensification within the scope of the NPS-UD direction.
- 1.11 The Panel has taken the broad overall position that where the NPS-UD warrants upzoning, this must be delivered but in doing so should accommodate the most character and amenity-compatible way based on the circumstances of each town and village.
- 1.12 The UIV is unusual in the context of RMA plan changes. The PDP has already provided a substantial increase in development capacity in all urban locations compared to the ODP that preceded it. It was common ground that there is sufficient plan enabled capacity (short,

medium and long-term) already zoned within the District (though there is a considerable housing affordability issue). Although there is a difference between plan enabled capacity and relative demand for housing and business in a location, the Panel accepts that, generally, there is not a strong case to significantly change the PDP to satisfy the relative demand limb of NPS-UD Policy 5. It was primarily in terms of the other Policy 5 limb – how accessible different locations are by active or passenger transport to a range of commercial activities and community services, that the Panel's inquiry focused mostly on.

- 1.13 The process in reaching our recommendations proved to be one that was particularly relevant to the lived day-to-day experiences of the submitters that 'live and breathe' urban Queenstown, Arthurs Point, Arrowtown, Wānaka, and Hāwea. Although we commend the Council for the depth and quality of accessibility analysis it provided to us, the many stories we heard from submitters describing how they go about their daily lives across the urban environment were particularly helpful for our findings. We completed the hearings with a broad understanding of how people typically perceived the built environment around them, what they felt was close or convenient, and what was not, and in what circumstances. Our findings and recommendations reflect a substantial reliance on that collective submitter knowledge. It follows that although the Panel recommends quite substantial overall change to the UIV, this is highly aligned with what many submitters repeatedly told us about what was accessible, what housing issues were in greatest need of improvement, and that additional density was in most cases seen as less concerning compared to additional building heights, shadows, overlooking, loss of sunlight, and loss of views or a general local built character of small settlements.
- 1.14 The Panel has found that in the Queenstown and Wānaka town centres, an upzoning in line with the notified UIV, and as recommended by Council officers through the process, is required to reflect the very high levels of accessibility within these locations and their capability to accommodate urban intensification in very efficient ways. Other business areas are subject to relatively minor amendments as they are, in the Panel's view, already sufficient to achieve the NPS-UD's requirements.
- 1.15 In terms of residential areas:
 - (a) The Panel has agreed with many submitters that in almost all the urban environment subject to the UIV, additional building height would not be commensurate with accessibility or relative demand. This includes Arthurs Point, Arrowtown, and Hāwea (noting that any existing PDP zone(s) that already provided more than we find the NPS-UD would require would continue to be valid for the reasons previously determined through the PDP). Although we have accepted the Council's evidence that relative demand for attached housing requires additional enablement, we have not been persuaded that there is credible, real-world demand, for three-storey walk up apartments of the scale assumed by the Council and proposed as enabled in the notified UIV. But we have recommended enablement of a substantial additional opportunity for attached housing (2 storey) in the residential zones to appropriately respond to the need for more opportunity for attached housing (in terms of the NPS-UD Policy 5 relative demand limb).

- (b) We did not agree that the existing non-complying activity status for resource consent building height rule infringements continued to be justified, and recommend this be changed to discretionary.
- (c) After considering what many submitters explained to us about affordable housing issues and what accessibility was available, the Panel recommends changes to both the Low Density Suburban Residential Zone (which we recommend be renamed the Suburban Residential zone) and Medium Density Residential Zone to provide a clearer land use consent pathway for higher densities, within the framework of the existing built form rules. This will enable more smaller, lower cost houses and attached houses across much of the urban environment that will be inherently compatible with existing amenity values and built form character (no greater building height, building coverage, shadowing and so on would result).
- (d) In the case of Wānaka, the specific combination of its urban form characteristics and substantial zoned 'greenfield' areas at and adjacent to Three Parks Wānaka allows what we find to be the required upzoning to be largely accommodated in those areas. Further, the Wānaka Town Centre (**WTC**) is constrained in its extent and has limited capacity for commercial and community facility development compared with Three Parks. It was clear to the Panel, after listening to the submission and visiting Three Parks and its surrounds that significant development is underway and that in the short-medium term this will be a significant centre for Wānaka. Although the NPS-UD of itself justifies additional heights in much of the existing (and proposed) MDRZ and HDRZ in Wānaka, we find that the NPS-UD allows us to consider the whole relevant urban environment, rather than requiring a literal site by site, or street by street, approach. This has allowed us to reach an outcome that can implement the NPS-UD while also generally maintaining the character and amenity values of most existing developed areas (while recognising their will be considerable change for some affected residents).
- (e) In the case of Queenstown, we find that for the most part it is not highly accessible by active or passenger transport to a sufficient range of commercial activities and community services that would make apartment-based living (3+ storeys) commensurate or appropriate (or necessary in terms of the relative demand we find to be realistic). The exception is the central neighbourhood adjacent to Queenstown Town Centre (**QTC**), which the Panel finds to be so close and accessible to the town centre that it must be upzoned to give effect to Policy 5 of the NPS-UD.

1.16 Following on from the above, the Panel has largely accepted the Council's proposals to upzone land across the District but other than in the central Queenstown neighbourhood and at and adjacent to Three Parks Wānaka, this should be based on variants of the existing LDSRZ (to become SRZ) and MDRZ, each based on existing PDP height limits but enabling additional smaller and attached dwelling density via land use consent. The Panel has recommended a specific Medium Density Residential A Zone and a High Density Residential A Zone in those latter locations where it agrees with the Council more height than the existing PDP zones provide for are required.

1.17 Overall, the Panel finds that its recommendations:

- (a) implement the NPS-UD;
- (b) appropriately maintain local character and amenity values in the District's urban environments while providing for substantial intensification with a specific emphasis on smaller, attached, lower cost houses that were repeatedly identified as what was of greatest need in the District; and
- (c) will best promote sustainable management and the balance of planning documents relevant to the UIV including the PDP, RPS, and other National Policy Statements.

1.18 For those who wish to keep reading, while we have reviewed all the submissions and material provided, given the scale of it, we simply cannot respond to it all individually and this decision is already long enough. We have approached our recommendatory decision by reviewing the background, high-level drivers, legal issues and policy matters first, then moved through the towns and settlements of the District, before turning to the plan chapters and finally considering the rezoning requests. This made sense for us and hopefully makes this long document more readable. While separated into sections this decision, s32AA evaluations and our recommendations must be read together.

1.19 The provisions (and maps) as we recommend them to be are in **Appendix 1**. As we have noted in Section 22 there will need to be a technical tidy up (formatting, numbering etc) by the Council staff and we support that; this process has been complex enough without those additional tasks.

2. BACKGROUND

RMA issue

2.1 Housing is a critical issue in New Zealand, the importance of which has been emphasised by successive governments. The current Minister for Housing has stated "solving our housing crisis is one of this government's top priorities."²

2.2 Reflecting the national significance of housing in 2016 the Government developed the National Policy Statement for Urban Development Capacity. This was replaced by the National Policy Statement for Urban Development 2020 (NPS-UD) which itself was amended in May 2022. Presently, further amendment is being developed with the Minister for Housing stating:³

The NPS-UD was a good starting point for strengthening housing growth in cities, but the government is committed to going further to help create competitive urban land markets and abundant development opportunities.

2.3 The amendments to the NPS-UD being explored overlap with some matters before this panel, and raised across numerous submissions, including:⁴

strengthening the existing NPS-UD intensification requirements, including requirements for councils to:

² [Going for Housing Growth speech | Beehive.govt.nz](#)

³ [Saying yes to housing growth | Beehive.govt.nz](#)

⁴ [FACT SHEET Going for Housing Growth.pdf](#)

- enable intensification along key public transport corridors:
- measure walking catchments using a more prescribed methodology
- enable greater heights within key areas, such as along key transit corridors:
- offset development capacity lost due to some qualifying matters, such as 'special character'; and
- enable intensification across urban areas in line with demand and accessibility.

2.4 QLDC must give effect to the NPS-UD.⁵ The s32 Report⁶ for the UIV (addressed in detail in Section 3) sets out three key issues which the NPS-UD aims to address and are specific to the District as being: that the District is not delivering well-functioning urban environments; housing in the District is unaffordable; and increased traffic generation (and lack of transport choice) is placing pressure on the transport system.

2.5 The UIV is the method whereby QLDC is varying the PDP to give effect to, primarily, Policy 5 of the NPS-UD. Policy 5 states:

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

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

2.6 This is the primary driver for, and sets the fundamental scope of, the UIV. QLDC must implement Policy 5 (but in doing so must deliver it in the manner appropriate for the context of the District). It is therefore helpful to also understand the resource management issues related to housing, and urban intensification in particular, within the District.

2.7 The public notice summarised the UIV as follows:

Queenstown Lakes District Council has prepared proposed changes to the Queenstown Lakes Proposed District Plan (PDP) under Schedule 1 of the Resource Management Act 1991 (RMA).

This proposal seeks to amend the PDP by increasing heights and densities in some zones in the Urban environment as well as rezoning land close to the commercial areas in Queenstown, Frankton and Wānaka to enable intensification of development. The proposed variation also includes amendments to planning provisions to recognise the benefits of intensification; to ensure adequate amenity values are provided for within intensification areas; and to ensure that intensification can be serviced.

...

2.8 The fact sheet⁷ supporting the public notice states:

Queenstown Lakes District Council (QLDC) is proposing a variation to the Proposed District Plan (PDP) which would increase urban density in some areas of the Queenstown Lakes District.

The changes would:

⁵ RMA s75(3).

⁶ S32 Report, section 5.2.

⁷ [qldc-urban-intensification-variation-a4-factsheet-aug23-web\(2\).pdf](#).

> enable increased heights and densities in some zones, and

> include proposals to rezone land close to commercial areas in Queenstown, Frankton and Wānaka to enable intensification of development.

...

The proposed Urban Intensification Variation gives effect to central government's National Policy Statement on Urban Development (NPS-UD). The NPS-UD sets national direction to ensure Aotearoa New Zealand has well-functioning urban environments that meet the diverse and changing needs of our communities and future generations.

...

A compact urban form may contribute to a well-functioning urban environment by reducing the demand for greenfield development and its effects upon sensitive environments, landscape values and productive land supply as well as the inefficient expansion of infrastructure. A compact urban form may also reduce reliance on private vehicle use; maximise the use and viability of public transport, walking and cycling; and improve the efficient operation of public utilities which will reduce energy demand and limit greenhouse gas emissions. In locations that aren't currently served by public transport, a compact urban form may make the future provision of public transport more viable

...

The proposed Variation applies to existing urban areas within QLDC's PDP. Changes to planning maps are proposed to enable intensification of development in areas close to commercial areas in Queenstown, Frankton and Wānaka. The planning provisions proposed to be amended are within the following chapters of the PDP: ...

...

2.9 The s32 Report succinctly summarises the purpose of the UIV as "This variation is proposed in order to meet [QLDC's] obligations as a Tier 2 local authority under Policy 5 of the ... NPS-UD."⁸

2.10 The s32 Report is clear that while the 2021 Housing and Business Assessment (**2021 HBA**) HBA⁹ shows that there is sufficient plan enabled capacity (short, medium and long-term) zoned within the District Plan,¹⁰ and identified in the Spatial Plan, Policy 5 directs that the PDP also "enables heights and density of urban form commensurate with the greater of the level of accessibility and relative demand."¹¹ The s42A Report (Strategic Overview) states that:¹²

⁸ S32 Report, executive summary.

⁹ [3a-attachment-a-housing-development-capacity-assessment-2021-main-report.pdf](#). This document is also often referenced as the 2021 Housing and Business Assessment. During the hearing we were told by the Council that a new HBA was 'imminent' but by the time we closed the hearing had not been provided with that. During our deliberations in December 2025, we discovered that the updated HBA had been released on 23 September 2025. It is not clear to us why the Council did not identify the September 2025 HBA to us prior to the closing of the hearing on 20 October 2025. With the hearing closed, and us not having been able to seek any evidence or submissions on it, we have not included it in our decision making. We note, however, that the 2025 HBA is based off the same high growth figures that Ms Fairgray used in her evidence to us. In doing so the 2025 HBA finds a short-term shortfall of 1000 dwellings primarily due to infrastructure constraints within the Wakatipu Ward. In the medium term it predicts a surplus of 6,100 dwelling and a surplus of 2,800 dwellings in the long-term (but with some localised potential shortfalls. That said, the 2025 HBA notes that proposed PDP changes are likely to significantly increase the development opportunity for different types of dwellings across the District.

¹⁰ S32 Report, section 1, Introduction, at page 4.

¹¹ S32 Report, section 5.1.14.

¹² At [4.4] and [4.6].

On this basis, the UIV focuses greatest development opportunity into areas of greatest accessibility and demand, enabling more development close to jobs, community services, public and active transport networks, and other amenities.

...

... intensification opportunities are enabled in locations that have greatest accessibility, the development opportunity is scaled to the level of relative demand in each location, and that this occurs within the context of other factors that are important for a well-functioning urban environment.

- 2.11 The s32 Report also makes it clear that Policy 5 of the NPS-UD does not stand on its own and must be read alongside other relevant policies, particularly those relating to a well-functioning urban environment:¹³

The proposed provisions therefore aim to not just enable intensification, but to also ensure adequate amenity values within intensification areas, that development can be serviced and to mitigate any increases in stormwater runoff.

Housing affordability

- 2.12 While housing affordability is not the driver for the UIV it is a critical issue for the District which many submitters raised before us, often on the basis that the UIV would not solve the critical issue of affordable housing¹⁴ in the District. Ms Bowbyes commented:¹⁵

However, the 2021 HBA identified a shortfall in housing in the affordable price bracket. The shortfall is projected to increase over time due to house prices increasing faster than growth in real incomes in the District, resulting in declining affordability.

- 2.13 Housing, in particular housing affordability, has long been, and remains, an issue in the District.¹⁶ The Queenstown Lakes Spatial Plan 2021 (**Spatial Plan**) states:¹⁷

Prior to the COVID-19 pandemic, Queenstown Lakes' housing market was the most expensive in New Zealand with the average dwelling costing around \$1million, and average weekly rents of \$650. Coupled with below average incomes, the current average house value to average annual earnings reached a ratio of 20:1. Housing affordability will likely remain an issue after the COVID-19 pandemic.

...

Increases in household incomes have not kept up with the cost of living. Affordability is a particular problem for those working in labour intensive tourism and related industries, as these industries have relatively low productivity and low earnings. Unemployment is low, yet many work multiple jobs to afford to live in the area, resulting in a stressed workforce. This has knock-on implications for their families and community. The shortage of affordable housing is hindering recruitment and retention of workers in a range of sectors and professions. Migrant workers make up a significant portion of the resident population but have very limited options for accessing housing support.

¹³ S32 Report, section 6.1.2.

¹⁴ Affordable housing is not the same as housing affordability as explained in the EIC of Ms Fairgray at [7.2].

¹⁵ S42A Report (Strategic Overview) at 5.36.

¹⁶ See for example the Spatial Plan, page 77.

¹⁷ Spatial Plan, page 43.

- 2.14 The UIV does not, and is not intended to, address the issue of affordable housing. However, Ms Fairgray concludes that "a key economic effect of the notified UIV is to increase housing choice and affordability."¹⁸ Ms Fairgray expands on this:¹⁹

Housing affordability is not increased through adding dwellings in the lowest dwelling value bands alone. It also requires an increased range of dwelling options that are suited to each household size and type, a share of which require larger dwellings. It is important that increased housing options occur across the dwelling value demand profile to enable the ability for households within different parts of this profile to make trade-offs between housing type, location, size and price. For instance, a three-to-four-bedroom duplex is likely to form a cheaper viable option for a larger family household that may alternatively occupy a larger detached dwelling. While this larger duplex dwelling is unlikely to occur in the lowest dwelling value bands, it increases housing affordability for households that may otherwise occupy dwellings in the mid value bands.

I consider that the dwelling development patterns encouraged in each location by the notified UIV are generally likely to provide significant opportunity for these trade-offs and dwelling choices to occur. In my view, the MDR and HDR Zones are likely to result in a greater range of dwelling types within the more accessible locations.

The market is likely to deliver smaller and cheaper dwellings in these locations in comparison to that enabled under the current provisions, with terraced housing and attached dwellings likely to form core components of this dwelling mix.

- 2.15 Ms Fairgray was also clear²⁰ that the notified UIV changes to the LDSRZ would also increase housing affordability by increasing the opportunity for the market to deliver smaller detached dwellings.
- 2.16 Ms Fairgray's position aligned with the submission from the Queenstown Lakes Community Housing Trust²¹ supporting greater housing density within the residential zone and a wider choice of housing typologies. Ms Scott explained to us during the hearing that the trust has a waiting list of some 1480 (7% of the residential population) and 5% of those are considered high needs (i.e. homeless or living in very poor, insecure, conditions). The submissions before us were that this dire affordability situation has continued (but often they did not consider the UIV would address the issue).

Urban capacity and demand

- 2.17 In relation to broader elements of the NPS-UD the s42A Report (Strategic Overview) states:²²

In summary, the 2021 HBA identified that the District has sufficient plan-enabled capacity to accommodate housing growth across the urban environment that is more than sufficient to meet the projected demand in all locations of the District in the short, medium and long term. However, the 2021 HBA identified a shortfall in housing in the affordable price bracket. The shortfall is projected to increase over time due to house prices increasing faster than growth in real incomes in the District, resulting in declining affordability.

¹⁸ EIC Ms Fairgray at [7.2].

¹⁹ EIC Ms Fairgray at [7.9] and [7.10].

²⁰ EIC Ms Fairgray at [7.11].

²¹ Submitter 1273.

²² At [5.36]. Footnotes removed.

2.18 But growth pressures within the District are significant. The growth pressures are succinctly illustrated in the Queenstown Lakes Spatial Plan 2021 (**Spatial Plan**)²³ which provides²⁴ 2021 average daily population figures for residents at 41,000 and visitors at 10,000 and the predicted 2051 average daily population figures of 78,000 residents and 42,000 visitors.

2.19 The District was predicted to have sufficient plan enabled capacity in the **2021 HBA**. Since the 2021 HBA the District has continued to see continuing strong growth (both in demand and property prices). In May 2025 QLDC updated its dwelling demand projections and adopted the Statistics New Zealand Estimated Residential Population High Plus series of modelled projections.²⁵ Ms Fairgray sets out in her evidence the updated demand projections²⁶ stating:²⁷

(a) District level projected growth is 36% higher in the medium term, resulting in an additional net increase of 2,600 dwellings (incl. a margin).

(b) District level projected growth is 40% higher in the long term, resulting in an additional net increase of 8,000 dwellings (incl. a margin); and

(c) A larger portion of the additional growth occurs in the Wanaka Ward where the updated long-term projected growth is 63% higher than in the previous projections (and 55% higher in the medium term). This results in an additional 4,800 net increase (incl. margin) in long-term dwelling demand above that of earlier projections.

2.20 Having considered the above changes, Ms Fairgray updates her original assessment as follows:²⁸

The dwelling demand base is projected to approximately double over the long-term. There is a projected demand (including a margin) for a net additional 9,900 dwellings over the medium-term and 27,900 dwellings over the long-term. The projections reflect total dwelling demand, including holiday dwellings, with resident households forming the largest component of demand.

...

Over half (56%) of the net increase is projected to occur in the Whakatipu Ward, amounting to 15,500 dwellings in the long-term. Approximately 44% is projected to occur in the Wanaka Ward (+12,400 dwellings), which is greater than the Ward's estimated share (33-36%) of growth observed over the past 5 to 10 years.

2.21 This increase in projected demand for the Wānaka Ward is predicted by Ms Fairgray to have a greater proportion of detached housing with higher demand for attached dwellings in the Whakatipu Ward.²⁹ Overall Ms Fairgray estimates:³⁰

... there is projected long-term demand for between 11,400 and 14,900 detached dwellings (top section of Table 1 above), with just over half (51% to 52%) occurring in the Whakatipu Ward. I estimate between 10,600 to 10,800 dwellings of the projected long-term demand is for attached dwellings, ranging from duplex pairs up to terraced housing, with over half (58%-59%) in the Whakatipu Ward. In addition, I estimate there is demand

²³ [the-spatial-plan_a4-booklet_jul21-final-web-for-desktop.pdf \(qldc.govt.nz\) \(Spatial Plan\)](#).

²⁴ At page 15.

²⁵ See the s42A Report (Strategic Overview) at [6.5].

²⁶ EIC Ms Fairgray, Table 1 and Appendix 1.

²⁷ EIC Ms Fairgray, Appendix 1, at [3].

²⁸ EIC Ms Fairgray at [4.7] and [4.9].

²⁹ EIC Ms Fairgray at [4.10].

³⁰ EIC Ms Fairgray at [4.11].

for 2,200 to 6,000 apartment dwellings, which are likely to make up a larger share of demand into the long-term as the market becomes more established. My assessment shows these are more concentrated into the Whakatipu Ward.

Capacity Assessment of UIV Enabled Development Opportunity

2.22 Ms Fairgray's capacity assessment shows that while only a proportion of the plan enabled capacity is likely to be realised,³¹ the notified UIV "substantially increases the plan enabled capacity and level of development opportunity across the District ...".³² Much of the added dwelling capacity occurs in central parts of the Whakatipu Ward, especially the Queenstown Town Centre. Significant increases in plan enabled capacity are also provided in the Wānaka Ward. Further, the notified UIV is estimated to increase the commercial feasibility capacity by nearly two thirds.

2.23 Importantly, Ms Fairgray estimates that differences between capacity and demand become significantly larger for medium density (attached / terraced housing) under the notified UIV which are otherwise close to or below the level of demand in some parts of the market under the PDP. The importance is that:³³

... these types of dwellings are likely to meet an increasing and sizeable share of future housing demand, and provide viable housing options for demand substitution from other typologies (e.g. a portion of demand for detached dwellings).

2.24 In relation to development capacity, Ms Morgan in her evidence notes that:³⁴

... However, it is important to bear in mind that Ms Fairgray's development capacity analysis does not take into account future urban areas identified in the Queenstown Lakes Spatial Plan 2021. While the Spatial Plan is not a Future Development Strategy and therefore does not technically meet the definition of plan-enabled capacity, the development capacity it identifies remains relevant for the long term. Because this has not been factored into Ms Fairgray's development capacity analysis, in practice the development capacity numbers are likely to be understated in the long term. ...

2.25 The updated³⁵ differences between capacity and demand shows that despite the increased opportunity in the notified UIV "a shortfall in attached dwellings may occur in the Wānaka ward." Ms Fairgray also states that:³⁶

My updated assessment compares updated capacity estimates (to reflect the notified-UIV provisions) with the higher projection of demand (approximately 40% higher in the long-term than my earlier assessment).

Relative demand

2.26 Ms Fairgray considers that relative demand is particularly important when establishing provisions for higher density development and intensification around centres and other key areas of accessibility. It is obviously also particularly important in the context of the UIV given the inclusion of relative demand within Policy 5(b) of the NPS-UD.

³¹ EIC Ms Fairgray at [4.24].

³² EIC Ms Fairgray at [4.17].

³³ EIC Ms Fairgray at [4.33].

³⁴ EIC Ms Morgan at [4.9].

³⁵ EIC Ms Fairgray, Appendix 1.

³⁶ EIC Ms Fairgray at [4.5].

2.27 Relative demand is explained in the s42A Report (Strategic Overview) as follows:³⁷

Relative demand refers to the levels of demand for different dwelling types at each location across the urban environment. For instance, in some locations, there will be more demand for standalone dwellings than attached dwellings, and in other locations, there will be greater demand for more affordable dwellings. Understanding of demand, and the socio-demographic make-up of the market, is very important to understand relative demand, and make appropriate provision for varying patterns of demand in an urban environment.

2.28 Ms Fairgray stated that relative demand³⁸

... refers to levels of demand for different dwelling types at each location across the urban environment. Demand for housing is not spread uniformly across a city, with differences in the type and characteristics of demand in each location. The patterns and structures of demand in each location translate into different combinations of dwelling types and sizes, and scales of development sustained and delivered in each area by the market. ...

2.29 Therefore, Ms Fairgray assessed³⁹ the development opportunity for different types of dwellings enabled in each location and how that aligns with the level of relative demand for different types of housing at each location. That includes location and the spatial extent (which Ms Fairgray considered to be a critical factor⁴⁰) across which the development opportunity is applied and its scale (height and density) within each zone. This assessment is important to avoid under-supply or enabling supply in inappropriate locations; both of which deliver poor economic outcomes.

2.30 The Accessibility and Relative Demand report appended to the s32 Report assessed accessibility and relative demand across the urban environments of the District. That was then relied on, in conjunction with the Economic Assessment also appended to the s32 Report, to inform locations to enable intensification under Policy 5. The Economic Assessment:⁴¹

... considered both overall capacity (total capacity for each Ward's housing market) as well as the levels of capacity/demand for different types of dwellings in each location, which is important for assessing the alignment of intensification areas with relative demand. ...

2.31 As addressed above, Ms Fairgray found important differences in relation to the patterns of demand between the Whakatipu and Wānaka Wards, reflecting the market conditions of each location.⁴² Understanding those differences is important in aligning the development opportunity with the relative demand.

2.32 Overall, Ms Fairgray considers that the notified UIV generally aligns⁴³ with the relative demand across the District, but she supports further intensification in some areas where it remains within relative demand⁴⁴, and refinements for specific locations to better align the development

³⁷ At [6.10].

³⁸ EIC Ms Fairgray at [4.39].

³⁹ EIC Ms Fairgray at section 4.

⁴⁰ EIC Ms Fairgray at [4.43].

⁴¹ S42A Report at [7.16]. Noting that the s32 assessment was updated for Ms Fairgray's evidence by the (2024-25) Economic Assessment.

⁴² EIC Ms Fairgray at [4.10].

⁴³ EIC Ms Fairgray at [9.20].

⁴⁴ EIC Ms Fairgray at [5.37].

enabled with the relative demand for housing in those locations. This is addressed in Section 20 in relation to rezoning.

Commercial feasibility

2.33 Ms Fairgray considers that the feasibility of the notified UIV enabled development opportunity for commercial developers is critical. That makes obvious sense; ultimately delivery of housing is required. Planning is just one factor that affects feasibility.⁴⁵ Generally, and linking to relative demand above, Ms Fairgray states that:⁴⁶

... the large increases in enabled yield across much of Queenstown's areas of highest relative demand are likely to form a large commercial incentive for developers.

2.34 Ms Fairgray concludes that the UIV provides for a large increase in development opportunity and a significantly expanded range of typologies as follows:⁴⁷

- (a) For the HDR and MDR zones increased in enabled yields are likely to encourage more intensive typologies with greater development intensity occurring gradually over time. Terraced dwellings are likely to form an important part of the market (especially in the Whakatipu Ward).
- (b) For the LDSRZ reduced lots size and an average land use are likely to increase feasibility in smaller scale infill developments. Importantly this increases the feasibility of the market to deliver smaller dwellings in response to market demand. The modelling indicates that the UIV delivers a significant increase in the development opportunity within the LDSRZ.

So what does this all mean?

2.35 Ms Fairgray considers that the notified UIV will, over the medium to long term, deliver patterns of growth that differ substantially to past patterns of low density. In the process it is important to deliver efficient urban form, especially in relation to accessibility to centres and areas of commercial and social amenity. Ms Fairgray comments:⁴⁸

... The development patterns enabled and encouraged by the notified UIV affect the location of households relative to these areas of amenity. In my view, increased levels of growth within central areas and areas of highest accessibility to amenity is likely to have greater economic benefit than more dispersed patterns of growth.

The urban form of development also has economic effects for infrastructure provision. Intensification in central areas around commercial centres reduces the demand for infrastructure and may also result in lower costs for infrastructure provision. In contrast, patterns of lower density outward urban expansion typically have higher infrastructure costs through the greater physical construction of network extensions required to support this growth.

⁴⁵ It also includes scale and timing or market demand, financial conditions, construction sector capacity, infrastructure provision, etc.

⁴⁶ EIC Ms Fairgray at [5.30].

⁴⁷ EIC Ms Fairgray, section 5.

⁴⁸ EIC Ms Fairgray at [6.6] and [6.7].

2.36 We generally agree with Ms Fairgray⁴⁹ that the delivery of what we will term a centres-based, or centres-first, urban form is a more efficient and sustainable pattern of growth than dispersed patterns of development subject to the caveat that we see significant differences between the urban form of the District, being many well-separated and generally small-scale towns and villages, and the large-scale continuous metropolitan urban areas of major cities (where centres-based planning initiatives have been primarily orientated). A centres-based urban form can deliver more efficient consumer access to goods and services, centralisation of infrastructure (including social and public infrastructure) and "reinforces the commercial viability and vitality of centres". But in fairness, in this District the common way of life we were described still relies on people regularly traversing significant distances between the various towns and villages (and other destinations between and around those). This is very different to, and is likely to be permanently very different to, ideas of a commuting suburban living nearby a major city Rapid Transit Network station. We address this further in Sections 4 and 8.

2.37 Ms Fairgray's evidence is that the UIV also provides for a wider range of dwelling types, with the greatest focus on attached dwellings in central areas of the urban environment. This occurs through a combination of greater enabled dwelling yields on parcels already feasible to develop and more parcels becoming feasible to develop. She also considers that the MDR and HDR zones are likely to result in a greater range of dwelling types within more accessible locations with it likely that will deliver smaller and cheaper dwellings within these locations.⁵⁰

2.38 In relation to the Whakatipu Ward, Ms Fairgray found that the UIV HDR and MDR zones provide a significant opportunity for intensification across the central parts of the ward. Each zone delivers different economic benefits:

- (a) HDR supports the viability and vitality of commercial centres if done carefully in appropriate locations. While the HDR market is currently limited in scale it is expected to grow in the long-term across a greater range of locations. Ms Fairgray therefore cautions⁵¹ that provision of very extensive HDR risks diluting it across larger areas.
- (b) MDR is "likely to form an important part of the District's urban intensification and future housing supply."⁵² MDR across a wider scale than HDR is likely to have greater economic benefit for urban form that contributes to a well-functioning urban environment. Critically MDR is already well-established and commercially feasible across a range of locations. Ms Fairgray stated, with some caution as to location:

I consider that the notified spatial extent of the MDR Zone is likely to encourage development trajectories that contribute to increasing the efficiency of the urban form over the medium to long-term. The sizeable increases in development opportunity and potential dwelling yield within this zone, in comparison to currently enabled opportunity, is likely to result in higher shares of growth occurring in these central parts of the District. In my view, the spatial extent of the opportunity is relatively expansive, allowing up to intensive terraced housing or walk-up apartment developments across large shares of the central part of the District.

⁴⁹ EIC Ms Fairgray at [6.8].

⁵⁰ EIC Ms Fairgray at [7.8].

⁵¹ EIC Ms Fairgray at [6.21].

⁵² EIC Ms Fairgray at [6.22].

In my view, it is important that the level of development opportunity provided across these central areas is differentiated from development opportunity provided in more peripheral locations. Provision of similar development opportunity in more peripheral locations may result in a less economically efficient urban form through reducing the share of growth that occurs centrally. ...

2.39 In relation to the Wānaka Ward Ms Fairgray found that:⁵³

- (a) the market is less intensive than the central areas of the Whakatipu Ward with a greater share of medium density development as opposed to high density.
- (b) Intensification in the central areas around the town centre and Three Parks is likely to support the commercial viability of both areas; and
- (c) as a result of the updated (May 2025) demand projections further provision of medium density is likely to produce greater economic benefit.

2.40 In relation to dwelling mix Ms Fairgray stated:⁵⁴

I consider that increasing the housing choice within the District is likely to produce economic benefits for current and future households and contribute to a well-functioning urban environment. Increasing the range of dwelling options across different locations both increases the range of neighbourhood areas economically accessible to different households as well as increases the affordability of housing options for households.

I have examined the notified UIV provisions and consider that these economic benefits are likely to occur at both the District and local level across a range of areas. I consider that the range of typologies enabled and encouraged within the main residential zones²² provide increased choice across different neighbourhoods and within different types of areas (e.g. suburban vs. central). These provide better alignment with patterns of long-term housing need than the distribution of dwellings likely to be delivered under the current PDP provisions.

The UIV

2.41 The context above has all led to the UIV and provides a summary of the resource management issue. Fundamentally for the UIV, QLDC is required "to give effect to" the NPS-UD.⁵⁵ As a Tier 2 (and 3) local authority QLDC has advanced the UIV to:⁵⁶

... give effect to Policy 5 of the NPS-UD and the wider directive of the NPS-UD to ensure a well-functioning urban environment that responds to the diverse and changing needs of people, communities and future generations.

2.42 An overall strategic summary of the UIV is set out in the s42 Report (Strategic Overview). Ms Bowbyes succinctly summarises the strategic approach of the UIV as follows:⁵⁷

... The purpose of the UIV is to give effect to Policy 5 of the NPS-UD and the wider directive of the NPS-UD to ensure a well-functioning urban environment that responds to the diverse and changing needs of people, communities and future generations.

...

⁵³ EIC Ms Fairgray at [6.27] – [6.31].

⁵⁴ EIC Ms Fairgray at [7.6] and [7.7].

⁵⁵ Section 75(3) of the RMA.

⁵⁶ Section 32 Report, section 1.

⁵⁷ Strategic Overview s 42 Report, at [4.1] – [4.4].

The UIV aims to specifically give effect to Policy 5 of the NPS-UD, through enabling more efficient use of urban land, while also being consistent with the other objectives and policies of the NPS-UD. The implementation of Policy 5 will assist with the achievement of Policy 2 of the NPS-UD, however there are important differences between providing sufficient opportunity for growth on an overall basis (Policy 2) to the differentiated focus instead on the location and scale of development opportunity within the urban environment required under Policy 5. The development patterns encouraged through the application of Policy 5 have important effects on achieving the objectives of a well-functioning urban environment. It is important to ensure that different housing options are enabled in each location (and type of location) within the urban environment that align with the patterns of housing demand in the community in each area.

The aim of the UIV is to enable more development opportunity within existing urban zoned areas (with the exception of ODP zones that are outside the scope of the UIV) in a way that contributes to a well-functioning urban environment. This is enabled by aligning enabled building heights and density to levels commensurate with the level of accessibility and relative demand across different locations within the urban environment. On this basis, the UIV focuses greatest development opportunity into areas of greatest accessibility and demand, enabling more development close to jobs, community services, public and active transport networks, and other amenities.

2.43 By way of a summary the UIV responds to the direction within the NPS-UD in two key ways:⁵⁸

- (a) Upzoning (increase in intensification enabled) of some current zoning; and
- (b) Changes to planning provisions to:
 - (i) enable heights and densities in accordance with Policy 5 and to recognise the benefits of intensification;
 - (ii) to ensure adequate amenity values within intensification areas; and
 - (iii) to ensure that development can be serviced and to mitigate any potential increase in stormwater runoff.

2.44 In relation to upzoning the approach is to extend the HDRZ across central areas with the highest accessibility, MDRZ in central parts on a more widescale basis in accordance with patterns of demand and lower scale opportunity for intensification is provided in outer areas, predominantly through changes to the LDSRZ.

2.45 The UIV changes the planning provisions in the following chapters of the PDP (to varying degrees⁵⁹):

- (a) Chapter 2 – Definitions;
- (b) Chapter 4 – Urban Development
- (c) Chapter 7 – LDSRZ
- (d) Chapter 8 – MDRZ
- (e) Chapter 9 – HDRZ;

⁵⁸ See section 9 of the s32 Report.

⁵⁹ A summary can be found at section 9.2 of the s32 Report.

- (f) Chapter 12 – Queenstown Town Centre
- (g) Chapter 13 – Wānaka Town Centre Zone
- (h) Chapter 15 – Local Shopping Centre Zone;
- (i) Chapter 16 – Business Mixed Use Zone; and
- (j) Chapter 27 – Subdivision and Development.

3. THE STATUTORY AND PLANNING FRAMEWORK

The legal framework

- 3.1 Our decision must accord with the statutory framework set out in the RMA and summarised in various Environment Court cases, including in *Colonial Vineyards Ltd v Marlborough District Council*.⁶⁰
- 3.2 In **Appendix 2**, we set out the legal framework we have applied, adopting the matters set out in Appendices 2A and 2B of the s 32 Report, section 5 of the s42A Report (Strategic Overview) and section 5 of QLDC's opening legal submissions.
- 3.3 We have applied the relevant statutory provisions in making our decision, including Part 2 (as relevant), ss 31, 32, 32AA and 72–76 and Schedule 1 of the RMA. In particular, where our recommendations differ from those set out in the s42A Reports, Rebuttal or Reply evidence on behalf of QLDC, or as sought by submitters who provided s32 or 32AA evaluations, we have set out our s 32AA further evaluation. Otherwise, we rely on the s32AA evaluations provided to us. With the recommendations we propose, we consider that the UIV will assist QLDC in carrying out its functions to achieve the purpose of the RMA.

The planning framework

- 3.4 The relevant planning documents in relation to the UIV are the:⁶¹
- (a) NPS-UD;
 - (b) Operative Otago Regional Policy Statement 2019 (**ORPS19**);
 - (c) Proposed Otago Regional Policy Statement 2021 (**PRPS21**);
 - (d) Queenstown Lakes Proposed District Plan (**PDP**);
 - (e) Queenstown Lakes Spatial Plan 2021;
 - (f) Housing Development Capacity Assessment 2021;
 - (g) The Cry of the People, Te Tangi a Tauira: Ngāi Tahu ki Murihiku Natural Resource and Environmental Iwi Management Plan 2008; and
 - (h) Kāi Tahu ki Otago Natural Resource Management Plan 2005.

⁶⁰ *Colonial Vineyard Ltd v Marlborough District Council* [2014] NZEnvC 55 at [17]. Endorsed in various later decision including *Save the Maitai Inc v Nelson City Council* [2024] NZEnvC 155 at [14].

⁶¹ The s32 Report also refers to the National Planning Standards.

3.5 The above documents, and their relevant provisions, are discussed in depth in Appendix 2B of the s 32 Report and Chapter 5 of the s42A Report (Strategic Overview). A summary of them is set out below.

NPS-UD

3.6 The NPS-UD came into effect in August 2020 and seeks to achieve well-functioning urban environments. QLDC, as a Tier 2 (and 3) local authority under the NPS-UD, is required among other matters to:

- (a) enable height and density of urban form commensurate to the greater of the level of accessibility of active or public transport to a range of commercial activities and community services or relative demand for housing and business use in that location (Policy 5); and
- (b) provide at least sufficient development capacity to meet expected demand for housing and for business land over the short term, medium term, and long term (Policy 2).

3.7 As above, the UIV is intended to give effect to Policy 5 of the NPS-UD.

3.8 The NPS-UD was assessed in the s32 Report and s42A Report (Strategic Overview).⁶² We do not repeat all its objectives and policies here, but we have carefully considered them as relevant to the UIV and set out a detailed assessment of Policy 5 in Section 4. We do, as required, specifically address other objectives and policies in the NPS-UD throughout this decision.

RPS

3.9 The UIV is also required to give effect to the operative RPS and have regard to the proposed RPS. The relevant provisions of the operative RPS are set out in the s32 Report. Ms Bowbyes, in the s42A Report (Strategic Overview) states that the relevant provisions of the pRPS remain subject to appeals. We agree that the decisions version of the pRPS should be given "some weight" as it has been through a public hearings process.

3.10 In relation to the relevant provisions Ms Bowbyes in her s42A Report (Strategic Overview) provides the following summary:⁶³

In my view, the UIV will assist with achieving pORPS Objective UFD-01 – Development of urban areas, by increasing development opportunities in accessible locations, including within and close to existing commercial centres. Additionally, the UIV will assist with implementing pORPS Policy UFD-P3 – Urban intensification by managing intensification in urban areas so that it contributes to establishing or maintaining the qualities of a well-functioning urban environment and enabling heights and densities that meet the greater of demonstrated demand for housing and/or business use or the level of accessibility provided for by existing or planned active or public transport. The notified UIV implements pORPS method UFD-M2 – District Plans (4) which requires territorial authorities to amend their District plans to identify and provide for locations that are suitable for urban intensification in accordance with UFD-P3.

3.11 Various provisions of the RPS are addressed as relevant throughout our decision.

⁶² S32 Report at pages 6–8 and s 42A Report (Strategic Overview) at [5.3] – [5.25] and [5.31] – [5.35].

⁶³ At [5.28].

Proposed District Plan

3.12 Relevant PDP provisions are set out⁶⁴ and assessed in the s32 Report and in the s42A Report (Strategic Overview). Ms Bowbyes in the later focuses especially on the PDP Strategic Objectives as follows:⁶⁵

(a) Strategic Objective (S.O) 3.2.1 The development of a prosperous, resilient and equitable economy in the District;

(b) S.O. 3.2.2 Urban growth is managed in a strategic and integrated manner; S.O. 3.2.3 A quality built environment taking into account the character of individual communities; and

(c) S.O. 3.2.6 The District's residents and communities are able to provide for their social, cultural and economic wellbeing and their health and safety.

3.13 Various PDP provisions are addressed as relevant throughout our decision.

Spatial plan

3.14 The Spatial Plan was developed in a partnership between the Council, Aukaka and Te Ao Marama Inc and the Government (Grow Well | Whaiora). The Spatial Plan:⁶⁶

... sets out a vision and framework for how and where our District will grow, in this case out to 2050. The idea is to ensure that future growth happens in the right place and is supported by the right infrastructure, whether that's pipes in the ground, ways of getting around, access to schools, healthcare or other community facilities.

3.15 Having addressed growth and housing issues (see above) the Spatial Plan proposes a consolidated approach to growth, stating:⁶⁷

Within the existing urban areas of Queenstown and Wānaka, future growth will be focused in locations with good access to facilities, jobs and public transport. This will require enabling higher density development ... and a greater mix of uses than is currently provided for. New housing will increasingly move towards medium and higher density typologies, such as townhouses, terraced housing and apartments. This will help to increase the variety of housing, including more affordable options.

Concentrating growth in the existing urban areas will mean more people live in areas where public transport, cycling and walking is an easy and attractive transport option. This will support committed and future investment in improved public transport and active mode infrastructure, reduce the impact on the environment particularly through emissions reduction, and make the transport system safer and more resilient.

3.16 The Spatial Plan for Outcome 1: Consolidated growth and more housing choice states:⁶⁸

Rapid resident and visitor growth means urban development has been sprawling over a larger area, putting pressure on the environment and infrastructure. Many residents struggle to find affordable, secure homes. We need to focus future growth, concentrate on going up - not out, and providing more affordable housing choice.

3.17 The Spatial Plan foresaw the UIV in the following way:

⁶⁴ See Appendix 3 to the s32Report for a full list of relevant objectives and policies.

⁶⁵ At [5.29].

⁶⁶ Spatial Plan, page 3.

⁶⁷ At page 51.

⁶⁸ Spatial Pan at page 65.

The National Policy Statement on Urban Development 2020 requires changes to the planning framework so urban land can be used more efficiently to accommodate growth. Zoning in the District Plan will need to change to enable heights and densities that match:

> Where there is good access by existing or planned public transport to a range of commercial and community services; or

> The relative demand for housing and business use

Increasing heights and densities in these locations will provide for a greater variety of housing, increasing choice for residents, as well as better matching the expected future demand for smaller households and more affordable housing.

3.18 QLDC is presently preparing its Spatial Plan Gen 2.0 (again through the Grow Well Whaiora Partnership). This process will also include an updated Future Development Strategy as set out under clause 3.13 of the NPS-UD. This will provide the "a strategic blueprint for future urban expansion."⁶⁹

2021 HBA

3.19 The 2021 HBA has already been introduced in Section 2. It is an important base document for housing development and planning in the District. As set out above, Ms Fairgray in her evidence relied on an updated assessment of the notified UIV capacity and demand assessment.

3.20 The s42A Report (Strategic Overview) states:⁷⁰

The purpose of the HBA (as outlined in clause 3.20 of the NPS-UD) is to provide information on the demand and supply of housing and business land in the urban environment, and the impact of planning and infrastructure decisions on that demand and supply to inform RMA planning documents, FDSs and long-term plans. In the QLDC context the HBA also assists with our understanding of the competition for the housing resource (such as the use of residential units for short-term letting), and how this impacts on the availability of housing stock for long-term occupation.

In summary, the 2021 HBA identified that the District has sufficient plan-enabled capacity to accommodate housing growth across the urban environment that is more than sufficient to meet the projected demand in all locations of the District in the short, medium and long term. However, the 2021 HBA identified a shortfall in housing in the affordable price bracket. The shortfall is projected to increase over time due to house prices increasing faster than growth in real incomes in the District, resulting in declining affordability.

3.21 Clause 3.6 of the NPS-UD requires QLDC to identify housing bottom lines (being the amount of feasible and reasonably expected to be realised development capacity that is sufficient to meet the expected household demand within the urban environment. This was identified through the 2021 HBA and replicated in PDP Chapter 4 (at 4.1.2). While mentioned for completeness, to avoid doubt, housing bottom lines are not within scope of the UIV.

⁶⁹ S42A Report (Strategic) at [5.51].

⁷⁰ At [5.35] and [5.36].

Other planning options for housing

3.22 The UIV is not the sole response to addressing the issue of housing in the District. It must be viewed in context with other options, including greenfield developments both planned (such as Te Pūtahi Ladies Mile (TPLM)⁷¹) and within the Spatial Plan.⁷² Many submitters saw greenfield development as preferential to urban intensification. For the reasons set out in Section 5, we do not; but we do accept that both are required for the District given its growth and housing pressures. Some 97% of the District is ONL or ONF. Growth outwards is severely limited. The issues of growing out in this District are summarised in the Spatial Plan as follows:⁷³

Growth pressures have resulted in urban development occurring over an increasingly large, dispersed area. This is changing some areas from a rural character or natural landscape to a more modified rural and urban environment, compromising some aspects of the environment valued by the community and Kāi Tahu.

3.23 Some submitters also talked about the number of holiday houses in the District that are vacant for much of the year. Or the number of Airbnb houses used as holiday / temporary accommodation. Other submitters told us that Queenstown and Wānaka have always been holiday locations. The nature of the housing market in Queenstown is also commented on in the Spatial Plan which states:⁷⁴

The housing market in the Queenstown Lakes has different characteristics to many other areas of New Zealand. The popularity of the area as a holiday destination means there are many unoccupied dwellings (28%), as well as a very high percentage of short-term rentals (such as Air BnB) to long term rentals (49.8%). Rents have increased by 54% over the past five years, over double the New Zealand average. Build costs for new houses are also significantly higher (23%) than the New Zealand average.

3.24 We recognise that Airbnb and empty holiday houses affect those looking to purchase or rent housing in the District (see also Section 5). However, for the former there are other methods of control (and it is not a matter within the scope of the UIV) and for the latter, based on what we heard through submissions, has always been an integral nature of the District.

Section 32 report

3.25 On 16 May 2023 QLDC released the s32 Report (which was updated on 21 August 2023 to include Lake Hāwea South).

3.26 The report succinctly summarises the purpose of the UIV as "This variation is proposed in order to meet [QLDC's] obligations as a Tier 2 local authority under Policy 5 of the ... NPS-UD."⁷⁵

3.27 The s32 Report identifies the following key issues that the NPS-UD aims to address:⁷⁶

- (a) The District is not delivering well-functioning urban environments:
 - (i) existing provisions are providing a barrier to the development of attached homes with a diversity of housing typologies required;

⁷¹ See [Te Pūtahi Ladies Mile Variation](#).

⁷² As set out below the Spatial Plan Gen 2.0 will include the Future Development Strategy which will provide the strategic blueprint for future urban expansion. See s42A Report (Strategic) at [5.51].

⁷³ Spatial Plan at 42.

⁷⁴ Spatial Plan at 43.

⁷⁵ Section 32 Report, executive summary.

⁷⁶ S32 Report, section 5.2.

- (ii) a shortfall in affordable housing with smaller/attached/denser housing typologies needed to address this issue;
 - (iii) low density of development around commercial areas and along transport routes fails to provide population density to economically support the centres (and to stimulate greater public transport); and
 - (iv) reliance on greenfield subdivision has weakened the competitive operation of land development and additional feasible capacity in existing areas will increase competition.
- (b) Housing in the District is unaffordable:
- (i) a June 2022 median house price to median average earnings ratio for the District of 14:1 (when anything above 5:1 is considered "severely unaffordable");
 - (ii) encouraging and enabling changes to increase the uptake of enable and serviced capacity in a more affordable price range; and
 - (iii) diversity of housing typology.
- (c) Increased traffic generation and lack of transport choice:
- (i) dispersed low density increases reliance on private cars with intensification in appropriate locations allowing people to live closer to their work; and
 - (ii) existing transport constraints within the District.

3.28 With Policy 5 directing the greater enablement of intensification, with a view to help achieve the Policy 1 outcomes, QLDC commissioned accessibility and demand analytics to inform the implementation of Policy 5 of the NPS-UD. This resulted in two recommended options (in parallel with changes to enable more height and density) for rezoning being:⁷⁷

- (a) where commercial zones are strengthened through upzoning of the land surrounding the nodes; and
- (b) where commercial nodes as well as a corridor (with frequent public transport) are strengthened through the upzoning of land surrounding the nodes and corridor.

3.29 Market Economics then modelled these options (and the others listed below) to identify the commercial feasible capacity values for each of the six options and the baseline being considered. Market Economics also advised on how the different options would help meet demand in different locations along with the economic effects of the development patterns encouraged.

3.30 A full review of the District plan then occurred. Although the zoning extent of all urban areas was reviewed, for many areas rezoning is not needed due to the area's level of accessibility and relative demand.

3.31 The s32 Report therefore considered changes to the standards in the following PDP zones:⁷⁸

⁷⁷ Section 32 Report, section 6.1.1.

⁷⁸ The UIV also proposes amendments to Chapters 2 (Definitions), 4 (Urban Development) and 27 (subdivision and Development).

- (a) Lower Density Suburban Residential Zone (Chapter 7);
 - (b) Medium Density Residential Zone (Chapter 8);
 - (c) High Density Residential Zone (Chapter 9);
 - (d) Queenstown Town Centre Zone (Chapter 12);
 - (e) Wānaka Town Centre Zone (Chapter 13);
 - (f) Local Shopping Centre Zone.(Chapter 15); and
 - (g) Business Mixed Use Zone (Chapter 16).
- 3.32 Changes were also considered based on existing heights and densities enabled as well as constraints such as hazards, heritage features, airport noise boundaries, reverse sensitivity effects and landscape values. No changes were proposed to many zones⁷⁹ on this basis.
- 3.33 The District Plan review also included various other reviews and monitoring including an urban design review by Barker & Associates focusing on building heights and density provisions, provisions to mitigate effects, as well as other provisions that may impend the intention of the UIV.
- 3.34 The s32 Report considered seven options being:⁸⁰
- (a) Option 1: Change zoning around commercial nodes and make the associated provisions more enabling.
 - (b) Option 2: Changes the zoning around commercial nodes and corridors and make the associated provisions more enabling.
 - (c) Option 3: Option 1 plus changes to the standards in the Lower Density Suburban Residential Zone (LDSRZ) related to building heights, average site area, and minimum lot area (subdivision chapter).
 - (d) Option 4: Option 2 plus changes to the standards in the LDSRZ relating to building heights, average site area and minimum site area (subdivision chapter). Ultimately this was the preferred option.⁸¹
 - (e) Option 5: Option 2 plus apply the Government's Medium Density Residential Standards to the land zoned LDSRZ and MDRZ.
 - (f) Option 7: Status quo.
- 3.35 As above these options were modelled by Market Economics with additional recommendations being made, which help refined the options and provision, including:
- (a) removing the existing density rule for the proposed MDR zoning with Chapter 8 (enabling 3-story walk up apartments to address a long-term shortfall for attached housing in Wānaka);

⁷⁹ See the list in section 6.1.2 of the s32 Report.

⁸⁰ Section 32 Report, section 11, sets out these options and evaluates them.

⁸¹ Section 32 Report, page 86.

- (b) instead of downzoning the existing HDR in Wānaka, Three Parks and Arthurs Point to MDR, the HDR zoning was kept with bespoke height rules (excluding Arthurs Point) and applying the new HDR recession plane rules;
- (c) instead of down zoning the MDR areas north of Wānaka to LDSR, the MDR was retained and new height (11m +1m – an increase from 7m) and recession plane provisions were applied; and
- (d) instead of downsizing the existing MDR at the top of Queenstown Hill and Arthurs Point, the MDR zoning was kept subject to bespoke height rules (8m) and the proposed MDR recession planes.

3.36 The s32 Report also assesses the exclusions (whole and part) to intensification, with several constraints to intensification identified. As it notes, constraints do not necessarily preclude intensification; rather intensification is to be enabled while appropriately managing constraints.⁸² Identified constraints included:

- (a) Gorge Road HDR Zone where QLDC is working to understand the nature, scale and risk of the natural hazard with the current position being intensification is considered inappropriate;
- (b) location specific building height standards in many specific areas around the District due to landscape / ONL values;
- (c) Arrowtown Historic Heritage ('Old Town'), with no changes proposed or the Arrowtown Town Centre Zone nor the Arrowtown Residential Historic Management Zone;
- (d) Queenstown Town Centre Historic Heritage Precincts (and the precinct heights extended across one block);
- (e) the airport air noise boundary (**ANB**) (no change) and outer control boundary (**OCB**) (for which option 2 with provision changes only was preferred⁸³ and considered to achieve "an appropriate balance between intensification within the OCB while not significantly compromising the safety and efficiency of the airport");⁸⁴
- (f) the Wānaka Town Centre where option 4 (16.5m building height with 4m setback or upper floors above 12m and status quo height in Precinct 1) was preferred⁸⁵ as "it will provide a balance between intensification and maintenance of existing character and amenity, particularly from the adjoining public spaces, including the Lake Wānaka ONL;
- (g) stormwater and climate change with measures to help mitigate the increase in impervious surfaces and stormwater runoff;
- (h) the Wānaka aquifer and landslide area where the proposed rule changes are not anticipated to increase effects; and
- (i) setbacks from the State Highway to address reverse sensitivity effects.

⁸² Section 32 Report, section 6.2.

⁸³ Section 32 Report, pages 43-45.

⁸⁴ Section 32 Report, page 47.

⁸⁵ Section 32 Report, pages 50-51.

3.37 Due to the UIV implementing the NPS-UD, consultation was limited with more targeted engagement. Consultation occurred with Aukaha and Te Ao Marama with the noted issues relating to climate change, provision of infrastructure for water, stormwater and wastewater disposal.

3.38 Section 9.2 of the s32 Report summarises the proposed changes to the planning provisions. The proposed changes were modelled to provide a:

total plan enabled capacity of 84,200 additional residential units (35.6% increase to the existing plan enabled baseline capacity of 62,100) and a total commercially feasible capacity of 55,400 additional residential units and an additional 23,500 commercially feasible residential units on top of the existing dwelling stock. The percentage of plan enabled capacity that is commercially feasible will also increase by approximately 11%. ...

3.39 The s32 Report concludes that the UIV will:⁸⁶

- (a) provide for a greater diversity in housing typology increasing housing choice that will cater for changing demographics;
- (b) allow for terraced and attached housing that is typically smaller and is considered to contribute to improved housing affordability;
- (c) promote a compact urban form focused around existing commercial areas and a frequent public transport corridor;
- (d) enable more people to live in or near commercial centres which will strengthen and support them and help improve their productivity;
- (e) enable intensification within existing urban areas which do not have an identified significant transport constraint and along key public transport routes;
- (f) align with the Spatial Plan, provide enough capacity to meet demand and does not raise concerns with the District's infrastructure limits (increased density makes investment more viable and feasible in the long-term); and
- (g) align with the objectives and policies of the NPS-UD, in particular Policy 5, in a manner that will achieve a well-functioning urban environment.

Notification and submissions

3.40 The UIV was publicly notified on 24 August 2023 and submissions closed on 5 October 2023. The summary of decisions requested was publicly notified on 16 May 2024 and further submissions closed on 14 June 2024. In addition:

- (a) a summary of three original submissions which were mistakenly omitted from the summary of decisions was notified on 11 July 2024 and further submissions closed on 25 July 2024;
- (b) a summary of two original submissions, and three submission points from an original submission, which were mistakenly omitted from the summary of decisions, was notified on 8 August 2024 and further submissions closed on 22 August 2024; and

⁸⁶ Section 32 Report, page 65.

- (c) a summary of 11 original submissions which were mistakenly omitted from the summary of decisions was notified on 14 February 2025 and further submissions closed on 28 February 2025.

3.41 A total of 1274 submissions (including 26 late submissions) and 108 further submissions (including eight late further submissions) were received. Over 7,000 individual submission points were made.⁸⁷

Section 42A report

3.42 Council officers provided s42A Reports on 6 June 2025.⁸⁸ The s 42A Reports and expert evidence provide an analysis of issues raised in submissions and recommended changes in response and covered:

- (a) Amy Bowbyes in relation to strategic overview, submissions on Arrowtown, and the text for Chapters 2 (Definitions), 4 (Urban Development) and 7 (LDSRZ);
- (b) Corinne Frischknecht for Chapters 7 and 8 (Lake Hāwea Residential Zones – text), 8 (MDRZ text), 9 (HDR text), 12 (QTC – text), 13 (WTC – text), 15 (LSCZ – text), 16 (BMU – text), and rezoning: Business and Lake Hāwea Zones;
- (c) Rachel Morgan in relation to rezoning requests for the residential zones;
- (d) Elias Matthee for Chapter 27 (subdivision and development – text);
- (e) Susan Fairgray for economics;
- (f) Cam Wallace for urban design;
- (g) Richard Powell for infrastructure; and
- (h) Richard Knott for heritage (Arrowtown).

3.43 The s42A Reports included recommended changes to the UIV provisions in respect to submissions received which were collated in revised provisions appended to the s42A Report (Strategic Evidence).

Expert and lay evidence

3.44 We received numerous lay witness statements from submitters. Given the numbers we do not list them all here, but they are all available on the website. Again, we greatly appreciate the efforts of those submitters who took the time to provide us with lay evidence. As will become apparent, while not all have been successful, they have greatly influenced our decision and recommendations.

3.45 We received expert evidence from:

- (a) Planning (with many experts providing multiple briefs):

⁸⁷ See, for the Council reply position on each point [amy-bowbyes-reply-evidence-appendix-b-reply-recommended-decisions-on-submissions.xlsx](#). This updated and completed an earlier 16 May 2024 version (which ran to over 700 pages). We thank the Council team for the time taken to compile that list.

⁸⁸ Section 42A Reports were provided by Ms Amy Bowbyes (Strategic, Text: Arrowtown, and Text: Definitions, Urban Development, Low Density Residential Zone); Ms Corrine Frischknecht (Text: Medium and High Density Residential Zones, Hāwea Residential, Text: Town Centres and Business Zones, and Rezoning: Town Centres and Business, including at Hāwea); Ms Rachel Morgan (Rezoning Residential); Mr EJ Matthee (Subdivision & Development).

- (i) Mr Ashby;
 - (ii) Ms Clouston;
 - (iii) Mr Edgar;
 - (iv) Mr Edmonds;
 - (v) Mr Freeman;
 - (vi) Ms Keeley;
 - (vii) Mr Kemp;
 - (viii) Mr Vivian; and
 - (ix) Mr Williams;
- (b) Urban design:
- (i) Mr Compton-Moen (4 briefs of evidence);
 - (ii) Ms Costello; and
 - (iii) Mr Harland;
- (c) Landscape:
- (i) Mr Falconer;
 - (ii) Mr Milne; and
 - (iii) Mr Blakely;
- (d) Heritage: Ms Lutz;
- (e) Noise: Mr Day; and
- (f) Groundwater: Mr Thomas.

QLDC rebuttal evidence

3.46 We received rebuttal evidence, responding to the submitter evidence (and with updated provisions and rezoning recommendations), from:

- (a) Ms Bowbyes (Strategic, Arrowtown, definitions and LDSRZ);
- (b) Ms Frischknecht (Planning Text) and (Business Rezoning);
- (c) Mr Wallace (Urban design);
- (d) Ms Morgan (Residential Rezoning);
- (e) Mr Knott (Heritage Character Urban Design).

The hearing

3.47 The Panel has read all the background material associated with the UIV, including the notified version of the UIV, the s32 Report and the s42A Reports. The Panel has also read all the submissions filed.

3.48 The hearing commenced on 28 July 2025 at the Arrowtown Athenaeum Hall. During that week we heard from:

- (a) the Council (on 28 and 29 July);
- (b) Submitters 70 (and 303), 172, 210, 302 (and 1300), 345 (and 744, 749, 864 and 1307), 376, 391, 445 (and 447), 632, 691, 710 (and 1290), 713, 732 (and 1362), 747, 818, 882, 896, 907, 1052, 1157, 1229, 1261, 1273, 1174 (and 1280);
- (c) Friends of Arrowtown (1076 and 1272), and again we are very grateful to Mr Howie in particular, for combining 258 submissions so well together; and
- (d) Carter Queenstown (776 and 1337) and Centuria (743 and 1361).

3.49 In the week commencing 4 August we sat at the Queenstown Memorial Centre and hear from submitters in relation to the following submissions.

- (a) 220, 265, 281 (581, 655, 1365, 1366 and 1386), 299 (and 1271)380, 384, 404, 413 (and 417, 1299 and 1366), 414, 425, 433 (and 1215), 480, 556, 566, 627, 632, 641 (657 and 1358), 681 (and 1289), 682 (and 1286), 701, 735 (and 817), 762 (763 (and 1347), 764 (and 1346), 769, 771, 773 and 1333), 765 (and 1330), 766 (and 1331), 767 (and 1336), 768, 774, 776 (1337), 779, 780, 803, 878, 943, 951, 1013 (and 1175), 1131 (and 1258), 1167, 1168 (1169, 1170 and 1328), 1250, 1252 (and 1355), 1253, 1254, 1260, 1313, 1332, 1339, 1340, 1341, 1343, 1344, 1345, 1351, 1352, 1359, 1360, 1382 and 1386;
- (b) We are especially grateful for the Multiple Queenstown Submitters⁸⁹ who joined together and instructed Lane Neave, Mr Freeman and Ms Costello to present their case in a co-ordinated and efficient fashion saving considerable hearing time.

3.50 From the 25th to the 27th of August we sat in Wānaka at the Edgewater Resort. We heard from submitters in relation to the following submissions.

- (a) 1050, 1132, 1133, 1134, 12332, 1282, 1319, 1320, 1321, 1322, 1323 all grouped together, and we refer to them as the "Lismore Street Group" and were represented by MacTodd and Mr Vivian) with submission 859 also relating to Lismore Street; and
- (b) 77 (and 1342), 78, 123, 134, 198 228, 360, 449, 450, 617 (1373 and 1374), 658 (660, 662, 663, 1284 and 1327), 704, 571, 711, 822 (and 1355), 848 (and 875), 893, 921, 927, 948, 956, 1029, 1038 (1039 and 1040).

3.51 The Panel sought requests for site visits and received several responses. We visited all the locations requested.

3.52 The Panel walked through Queenstown town centre⁹⁰ (including the PC50 land, Lake, Back Man, Isle and Brecon Streets), the gardens / Park Street and Queenstown Hill to get an understanding of the town centre environment and its surrounds. Separately, all the Panel has driven along the length of Peninsula Road. The Panel drove around:

⁸⁹ Submissions 652, 653, 654, 832, 835, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 983, 984, 985, 986, 987, 991, 997, 998, 999, 1000, 1004, 1006, 1008, 1009 and 1287.

⁹⁰ Including those areas identified in the requests by Submitters 776 / 1337, 743 / 1362, 767 / 1336, 771, 765, and Man and Beach Streets as requested by Submitters 1004 and 972.

- (a) Fernhill (including Dart Place, Lochy Road, Vanda Place and Wynyard Crescent⁹¹ and the various hotels);
- (b) Thompson Street and Lomond Crescent⁹²;
- (c) Park Street, Brisbane Street,⁹³ and Suburb Streets⁹⁴,
- (d) Panorama Terrace, Peregrin Place, Sunset Lane (and observed Sunrise Lane), High View Terrace, St George's Ave;
- (e) 1 and 3 Hansen Road, Frankton;⁹⁵
- (f) 111 Frankton-Ladies Mile Highway;⁹⁶
- (g) Lake Hayes estate (to understand the various housing typologies located there);
- (h) Remarkables Crescent, Riverside Road and Kawarau Place;
- (i) Lake Avenue, Yewlett Crescent, Stewart Street;
- (j) Frankton Road (from the suburban shopping centre by the round-a-bout to the CBD end with its hotels (including 31 Frankton Road and the surrounding blocks⁹⁷ including the area bounded by Melbourne and Beetham Streets, Centennial Drive and Frankton Road and further towards Frankton we viewed from above down into 221 Frankton Road⁹⁸); and
- (k) Gorge Road.

3.53 The Panel also:

- (a) drove and walked through Arthurs Point (including walking in front of 182 Arthurs Point Road⁹⁹); and
- (b) walked and drove through Arrowtown extensively¹⁰⁰ and at different times during the day to see the effects of sun and shading during winter (including 5 visits to Pritchard Place). We also drove through Butel Park (Manse Road, Bush Creek Road and Essex Ave) and along Jopp Street (to view the Queenstown Lakes Community Housing Trust housing); and
- (c) walked and drove through Wānaka including:
 - (i) the CBD (and the grid of Streets behind it being Brownston, Upton, Warren and Tenby Streets (with a particular visit to the end of Warren Street / Chalmers Street¹⁰¹);

⁹¹ As requested by Submitter 681.

⁹² As requested by Submitters 773, 1351, 1348, 1349 and 1350.

⁹³ As requested by Submitter 413 / 1299.

⁹⁴ Including as requested by Submitter 1258.

⁹⁵ As requested by Submitters 775 and 776.

⁹⁶ As requested by Submitter 768 / 1332.

⁹⁷ As requested by Submitter 1344.

⁹⁸ As requested by Submitter 769.

⁹⁹ As requested by Submitter 1260 / 1338.

¹⁰⁰ Including as requested by Submitter 1076 / 1272.

¹⁰¹ As requested by Submitter 198.

- (ii) Lakeside Road, Lismore Street, Plantation Road and Anderson Road (and various surrounding areas);
- (iii) the housing development at Northlake and its surrounds;
- (iv) Three Parks, Meadowstone Drive and West Meadows Drive;
- (v) Albert Town; and
- (vi) Lake Hāwea and Hāwea South (including the lake front, the Hāwea Local Shopping Centre Zone off Capell Avenue¹⁰² and along Cemetery Road and Longview Drive).

3.54 Commissioners Cocks and Munro also have an extensive understanding of the urban environments in the District over many years of living and / or working in the District. All the commissioners have also, independently, visited Kelvin Heights and are generally familiar with the area. The Chair had a good, although steep, walk around Fernhill as well to get a sound understanding of that community.

3.55 These visits, and the Panel's knowledge of the District's urban areas, informed by the evidence and most importantly the submissions, gave us an extensive understanding of the urban environment in Arrowtown and let us understand first-hand the issues being raised.

Information provided during the hearing

3.56 Before presenting we received summary statements from most experts and lay witnesses. We found the summary statements provided a helpful update and enabled a focused hearing.

3.57 We also received numerous lay representations in writing. Again, and as will be clear throughout this decision, we found them helpful during the hearing and have reviewed them all again in coming to our recommendations.

3.58 We received legal submissions on behalf of:

- (a) QLDC (Opening Submissions and QLDC also responded to Minute 4 on 25 July 2025);
- (b) Friends of Arrowtown Village;
- (c) Centuria Property Holdco Limited (Centuria);
- (d) Cater Queenstown 2015 Limited (Cater Group);
- (e) Passion Development Limited;
- (f) Multiple Queenstown Submitters (we thank these parties, and appreciate their efforts, for bringing 19 submissions (a number by the same parties) together to present to us);
- (g) City Impact Church Queenstown Incorporated;
- (h) Coherent Hotel Limited;
- (i) Arthurs Point Land Trust;
- (j) Kelvin Capital Limited;

¹⁰² As requested by Submitter 449.

- (k) Warwick and Marie Osborne;
 - (l) MacFarlane Investments Limited and JL Thompson (**MIL**);¹⁰³
 - (m) Bronwyn Teat;
 - (n) Lismore Street Group (we thank this group for bringing these aligned submitters together);
 - (o) Bush Creek investments Limited;
 - (p) Matt Laming;
 - (q) John O'Shea, Helen Russell, John Russell and Mary-Louise Stiassny;
 - (r) Queenstown Airport Corporation Limited; and
 - (s) Brian Keft and the Wānaka Trust.
- 3.59 Finally, we asked several parties during the hearing to, if they wished, take extra time to consider issues and respond to us in writing. Parties took that opportunity (and provided us with copies of cases) and we are grateful to them for the efforts made to assist us in making our decision and recommendations.
- 3.60 As will be clear given the extensive council evidence, the number of submissions, the number of submitters who attended the hearing (with in varying ways lawyers, experts and lay witnesses) we received and reviewed an enormous volume of material. All relevant material can be found at [QLDC - Urban Intensification Variation](#).
- 3.61 Given the volume of material received we have not referred to everything, nor every submission; it is simply too much.¹⁰⁴ But we have read it all, engaged with all matters raised during the hearing and in deliberations, and thank all parties for the significant efforts made to assist us in making our decision and recommendations.
- 3.62 Finally, the Council provided with its Reply legal submissions, evidence from Ms Bowbyes, Ms Frischknecht, Ms Morgan and Mr Wallace (which also included relevant responses to Minute 6).
- 3.63 The Council team put in a huge amount of work during the process. We are very grateful to Mrs Scott and Ms Norman for managing the hearing process for us so well and being so responsive to submitters and us. The Council planning team put in a huge effort throughout the whole process (especially Ms Bowbyes, Ms Frischknecht and Mr Matthee who took turns attending the whole hearing and talked extensively with submitters) which was, as is evidenced by the decision and our recommendations, a very complex and lengthy one. We are very grateful to them all for their efforts. To those many who submitted, but especially to those submitters who then took the time to turn up and speak to us in person, we are exceptionally grateful. As will be evidenced from this decision while not all submissions have been accepted, they have all helped us in reaching our decisions and recommendations.
- 3.64 On 20 October 2025 we issued Minute 7 closing the hearing.

¹⁰³ Submission 767 included JL Thompson in the submitter name.

¹⁰⁴ And nor does the RMA require it for decisions (CI10(3) of Schedule 1).

The nature of the recommendation

- 3.65 The Panel members are all accredited in accordance with ss 39A and 39B of the RMA. We were appointed by the QLDC to hear submissions on the UIV and to make a **recommendation** to QLDC. It is the Councillors who will make the final decision on whether or not to accept our recommendations.
- 3.66 Given the number of submissions received, solely for efficiency, we have moved reasonably quickly through the submissions. We have read and considered all the relevant material. We apologise where we gloss over a matter of particular interest to a submitter, but we simply cannot efficiently address them all in detail (and for some we simply agree with the s42A report or the authors evidence for the reasons they have provided). That is especially so in relation to where we have not specifically set out the details of all submitters who appeared before us. While we would have liked to have done so that task was simply too great.
- 3.67 We have therefore focused on what we consider to be the key matters. Where we explain our findings, we have taken the same approach. We have not made specific findings on every single matter that we have changed in our recommended provisions. Again, the task is simply too big, and the value has been focusing on the key issues affecting the provisions, not those that are less than minor and/or consequential changes that have occurred.
- 3.68 While separated into sections this decision, s32AA evaluations and our recommendations **must** be read together. The provisions (and maps) as we recommended them to be in **Appendix 1**.
- 3.69 Given the number of submitters, we have not tried to update Appendix B to Ms Bowbyes Reply evidence (Reply Recommended Decisions on Submissions). Rather, we have been clear in a general sense as to the recommendations we have made. The submissions which align with our recommendations in **Appendix 1** are accepted (in whole or part) and those that do not align are rejected (in whole or part).

4. ADMINISTRATIVE, LEGAL AND POLICY MATTERS

- 4.1 During the process three key administrative / legal matters arose being:
- (a) Acceptance of late submissions;
 - (b) Whether numerous submissions were "on" the UIV (on which we received extensive material); and
 - (c) How Policy 5 of the NPS-UD is to be interpreted and applied.
- 4.2 We address each of these matters in turn below.

LATE SUBMISSIONS

- 4.3 As set out above there were 26 late submissions and eight late further submissions. The acceptance of these submissions is set out in Minute 2. In accepting these late submissions, we were satisfied that the interests of any relevant person would not be adversely affected (there is no prejudice) and that accepting them would not cause any delay to the process.

Pages 36-56 omitted

Large Lot Residential Zone

4.90 Several submissions¹⁹² seek changes to the Large Lot Residential A Zone in Hāwea. While a PDP zone, and part of the urban environment, for the reasons set out above in relation to the BCIL submission we do not consider these submissions to be "on" the UIV.¹⁹³ We consider that no status quo to this zoning was proposed and the UIV was targeted to focus on specific PDP zones. We also consider there to be a real risk of people affected by the changes sought being denied an effective response.

Open Space and Recreational Zone - Community Purpose Campground Sub-Zone and Rural Visitor

4.91 Hāwea campground sought the inclusion of its site within the UGB (to recognise its accommodation role, including for temporary workers). Ms Frischknecht notes¹⁹⁴ that the site is also located within an ONL and Wāhi Tūpuna. The site is located some way from the UGB and has recently been subject to an Environment Court Order.

4.92 While a PDP zone for the reasons set out above, we do not consider these submissions to be "on" the UIV. Rather, we consider that no change to the status quo zoning was proposed and the UIV was targeted to focus on specific PDP zones and the urban environment (and not to move the UGB). We also consider there to be a real risk of people affected by the change being denied an effective response.

Conclusion to Category Four

4.93 We therefore reject all submissions within Category Four seeking rezoning of urban PDP land not included within that covered by the notified UIV as they are not "on" the UIV.

POLICY 5 OF THE NPS-UD

4.94 The purpose and meaning of Policy 5 was subject to extensive discussion during the hearing, and in reaching a view on the matter the Panel has had to traverse the entirety of the NPS-UD. We appreciate the assistance provided by counsel for a number of submitters and by the Council in its Reply to us, which included the Council's analysis of the NPS-UD.

4.95 Policy 5 states:

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

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

4.96 Referring to Ms Fairgray's evidence quoted in Section 2 above, the 2021 HBA identified that the combined PDP and ODP land within the District's urban generally already satisfy the needs of NPS-UD Policy 5(b) (noting there is a difference between overall demand and relative demand). The notified UIV provides more capacity again, particularly in terms of attached

¹⁹² Including submissions 483, 754 and 1186.

¹⁹³ We note however that Ms Frischknecht summarised these submissions, despite her position they were out of scope, in her S42A Report (Rezoning: Business and Lake Hāwea Zones) in section 8.

¹⁹⁴ S42A Report (Rezoning: Business and Lake Hāwea Zones) at [8.9].

housing. This position was itself not materially challenged in evidence and we accept it. However, it is fair to say that we find aligning the existing PDP capacity with the needs of NPS-UD Policy 5(b) does not of itself require a major uplift of enabled heights, especially once the land within the District but excluded from the Variation is considered. Our key reason for this is that the main driver of the Council's proposal for additional building heights – especially in the MDRZ - was to provide for 3-storey walk-up apartments. As we discuss later, we found the evidence in support of this to be overly speculative and theoretical. Relative demand for attached housing, which can include 2-storey terraced houses and which the Panel finds much more realistic, can be substantially more enabled through addressing density standards alone and this can address NPS-UD Policy 5(b).

- 4.97 We find that the primary justification for of the UIV's re-zoning (additional building height) proposition is NPS-UD Policy 5(a) and the Council's accessibility analysis (addressed in Sections 2 and 5).
- 4.98 It follows then that the practical emphasis of the UIV's questioning of additional building height is whether clause (a) of NPS-UD Policy 5, and whatever we find may be "commensurate" in a given location, would be "the greater of" what the PDP already enables (or with modifications to density limits where they apply so as to address Policy 5(b)). If so, the Panel is required to enable additional heights (and densities) of urban form appropriate with other relevant plan-making matters set out in the NPS-UD, the relevant planning framework and the RMA. Conversely if the Panel determines that the commensurate heights (and densities) identified to meet Policy 5(a) were less than what the PDP already enables for any relevant part of an urban environment (or with modifications to density limits where they apply so as to address Policy 5(b)), then the UIV is required to maintain the status quo approach to building heights.
- 4.99 We received many submissions and legal submissions¹⁹⁵ challenging the Council's approach to the UIV including what the NPS-UD said and what it required. In summary the key scope or interpretation-related matters put to the Panel for consideration are:
- (a) Whether only "Queenstown" is a Tier 2 urban environment, and if so whether the remainder of the District's settlements (Wānaka, Hāwea, etc.) might not be subject to Policy 5.
 - (b) Whether Policy 5, although being necessarily triggered by a District plan that applies to a tier 2 or 3 urban environment (i.e., where such an urban environment is addressed within the Plan), might then not be limited to urban environments when clauses (a) or (b) are considered and building height and density is enabled. This amounted to a suggestion that Policy 5 could be addressed by way of upzoning land within a District that sat outside of an urban environment.
 - (c) The meaning of "commensurate".
 - (d) The extent to which Policy 1 of the NPS-UD could act as a 'hand-brake' and justify an enablement of heights and density of urban form less than otherwise required by Policy

¹⁹⁵ In particular in responses to questions and discussions during the hearing.

5, on the premise that providing a full 'Policy 5 response' might not be consistent with a well-functioning urban environment.

The Queenstown Tier 2 urban environment

4.100 The NPS-UD identifies "Queenstown" as a Tier 2 urban environment. The NPS-UD also identifies QLDC as a Tier 2 local authority. These are not the same things.

4.101 The NPS-UD has specific policies and Part 3 (Implementation) provisions directing local authorities of differing tiers to undertake certain actions within their District. Some of those are specific to certain urban environments, and others apply to whole Districts. Examples of each are:

- (a) Clause 3.3 - which directs provision of sufficient development capacity within the whole District (not just within relevant urban environments); and
- (b) Clause 3.6, directing production of a "housing bottom line" but only for the Tier 2 urban environment of "Queenstown" (i.e., the housing bottom line is not required for those areas of the District that are not an urban environment, or are urban environments but not part of "Queenstown").

4.102 Because the NPS-UD construct of a 'Tier 2 urban environment' of Queenstown and that of a 'Tier 2 local authority' of QLDC are different things, there is nothing in the NPS-UD that inherently requires all urban environments within the Tier 2 local authority of QLDC to be classified as Tier 2 urban environments. It follows that we were open-minded to the proposition that the Tier 2 Queenstown urban environment could literally be just the singular settlement known as Queenstown and not the settlements of Wānaka, Hāwea, Arrowtown, Arthurs Point, or possibly some of the adjacent urban areas close to Queenstown such as Sunshine Bay or Kelvin Heights.

4.103 However, this did not change the ultimate task ahead of the Panel. Assuming that we were persuaded to treat most of the areas subject to the UIV as not being part of the Tier 2 urban environment of "Queenstown", the terms of the NPS-UD would mean they would instead be classified as Tier 3 urban environments. Put simply, the NPS-UD provides for a local authority of a given tier to have within its District urban environments of different tiers. Regardless of whether Wānaka or Hāwea (and others) were treated as if they were part of the Queenstown Tier 2 urban environment, or non-Queenstown Tier 3 urban environments, both scenarios remain equally subject to Policy 5 and on that basis the UIV applies equally to either.

4.104 We therefore find there is no basis to exclude any of the identified urban environments that are subject to the UIV from it.

4.105 We accept that the proper classification of the various urban environments in the District is important (and may have ramifications for certain NPS-UD requirements). But insofar as it relates to the specific task we have been delegated, nothing turns on it.

4.106 In its Right of Reply, the Council confirmed to us¹⁹⁶ that it has interpreted the Tier 2 "Queenstown" urban environment as meaning all land subject to the UIV, including Wānaka,

¹⁹⁶ Reply Legal Submissions for QLDC, 1 October 2025, Appendix 1.

Hāwea, Arrowtown, Arthurs Point and the various urban areas that extend from and are adjacent to Queenstown. We accept that the Council is entitled to determine that classification and we accept that from the point of view of how we have approached the terms within the NPS-UD.

4.107 In our decision and recommendations, we refer to Queenstown (and surrounds), Wānaka, Arrowtown, Hāwea, and Arthurs Point each as its own urban environment location. That reflects the real-world spatial differentiation and separation between those settlements; the submissions received (which were predominantly written in the context of the settlement or neighbourhood of interest to individuals); and the way we have gone about reaching our findings. When we approached the question of what heights and densities might be commensurate for Arthurs Point, we were not helped by considering the characteristics of Hāwea.

4.108 Although we have not agreed with all respects of her analysis, the Panel nevertheless agrees with the conclusion reached by Ms Bowbyes¹⁹⁷ and rejects submissions seeking changes to the specific areas of land identified as both an urban environment and subject to the Variation.

Is a Policy 5 response limited to Tier 2 (or 3) urban environments?

4.109 Overall, there was acceptance that the NPS-UD applied to at least some parts of the District.

4.110 A proposition put to us was whether the phrase “District plans applying to” in Policy 5 meant something narrow, closer to “only those District plan provisions addressing”, or something wider, closer to “the District plan as a whole including provisions unrelated to urban environments”.

4.111 In other words, although the NPS-UD Policy 5 would only come into play if a relevant urban environment existed within a District, once in-play it may be that the relevant Council could address Policy 5 across any or all of the land covered by its District plan as a whole (i.e., all of the land the District plan applies to), rather than just land within the relevant urban environment(s).

4.112 We find that this issue is in this instance theoretical or hypothetical; if the Council had notified a whole-of-District plan change or variation then the ultimate terms and scope of where Policy 5 could be used to justify changes to the status quo could have been properly tested. But the Council elected to notify a limited variation to its PDP (and not a change to its ODP), that applies only to specified PDP zones within the District (and identified by the Council as being an urban environment).

4.113 We see nothing in the NPS-UD or RMA that would require the Council to only approach implementing the NPS-UD by way of one overarching plan process. That the Council may supplement the UIV with additional Policy 5-based plan changes in the future was as much as admitted to by the Council as it explained its ‘starting point’ and thinking leading up to the UIV to the Panel. The Panel has no doubt that there is land within the District, outside of the PDP urban environment zones subject to the UIV, which will or will very likely qualify for future consideration under Policy 5. The ODP PC50 land in Queenstown town centre is the prime

¹⁹⁷ S42A Report (Strategic Overview) at [at 5.17].

example of that. That land will need to be addressed by way of its own plan change processes, whether public or private, as discussed above.

4.114 We find that for the purpose of the UIV, and our overall scope, Policy 5 and the phrase “District plans applying to” can only be interpreted as being limited to the land that is subject to the UIV. This happens to be the urban-zoned land identified as an urban environment within the PDP, and which as noted earlier the Council has classified as all being part of the Tier 2 urban environment of “Queenstown”.

Commensurate height and density

Commensurate and accessibility

4.115 A key term within Policy 5 is “commensurate”. Many submitters disagreed with the Council’s approach, although concern was substantially focused on building heights and associated assumptions in support of walk-up apartments rather than additional density per se. We find that the issue described by submitters was not so much the meaning of the everyday word “commensurate” (meaning “something being proportionate to something else”), but in a real-world sense what levels of accessibility existed, and what enablement of height or density it might justify.

4.116 Specifically in terms of three-storey walk up apartments, which formed a key justification for the UIV proposed amendments to the MDRZ in particular, much scepticism was expressed by submitters as to whether this was a realistic ‘mainstream’ housing option (noting that by ‘mainstream’ we mean a type of housing in such common demand that it makes sense to directly permit it on the generality of land rather than rely on resource consent applications being made from time to time). We asked many questions of the Council’s witnesses, which confirmed that the relative demand identified was more of a longer-term speculation or theory rather than a shorter-term ‘real’ gap in the PDP.

4.117 In our Minute 6 we asked the Council to clarify how it saw the proposed 3-storey enablement working particularly where relative demand was seen as longer-term and whether that meant in reality land would just be developed in the interim at 2-storeys anyway, or encourage long-term land banking as developers simply waited on vacant sites over potentially many decades. The upshot of this inquiry is that the Panel has not been persuaded that meeting NPS-UD Policy 5(b) requires 3-storey heights to be provided on the basis that there is specific relative demand for walk up apartments, which at this time and for completeness we see as generally a fanciful proposition (outside of the MDRAZ zones we have identified in Sections 6, 9 and 10). Significant additional opportunity to enable attached housing at 2-storeys, which the Panel finds relative demand is in a real-world sense focused around now and for the foreseeable future, can be achieved solely by adjusting density enablements within the framework of existing PDP zone height rules, and this is both more effective and efficient as a planning approach. On this basis, any increase in building heights under the UIV would need to be justified based on a case being made under NPS-UD Policy 5(a), which we will consider next.

4.118 Queenstown Lakes District is very different to most other Districts. It experiences a mix of what we could call big-city social and property market pressures, while at the same time facing many

spatial small-town urban realities. At the outset, we record that we were interested in taking a real-world approach to the task in-front of us. To do this, we considered it was necessary to develop an understanding of how people lived and otherwise recreated across the District's urban environments. We were enriched in this regard by the many submissions and lay-presenters that spoke with us at the hearings. This gave us insight into where, how and why persons might make household decisions across the District's settlements and how they might then go about making the most of their daily lives and allowed us to understand what a centres-based urban form specific to Queenstown Lakes District really meant in lived-in terms, and how to appropriately apply NPS-UD Policy 5(a).

- 4.119 The only comprehensive technical evidence we received on this topic was by Mr Wallace on behalf of the Council (based of his s32 Report "Accessibility and Demand Analysis"¹⁹⁸). Although his approach received criticism by many submitters (and the Council itself in the case of Arrowtown), we did not receive a broader alternative analytical approach that could have been adopted as a substitute.¹⁹⁹ For completeness, having carefully considered it in face of the submissions, we find that Mr Wallace's accessibility work was of a sufficient depth, robustness, and focus to be considered reliable.
- 4.120 However, we also find that clause (a) of NPS-UD Policy 5 is very open-ended, allowing Councils to determine for themselves what "level of accessibility" by existing "or" planned active or public transport and/or what "range" of commercial activities "and" community services might justify different enablements of height and density. In this respect, we find that Mr. Wallace's approach can be challenged in the way it defaulted to (modified) Lower Density Suburban Residential, Medium Density Residential, or High-Density Residential zones as the only enablement options. Although few submissions explicitly addressed this nuance of what discretions the Council had regarding NPS-UD Policy 5 head-on, it was clear to the Panel through the various relief sought, and comments made by submitters during the hearing, that this is what many were focused on.
- 4.121 We asked many submitters about what they considered the accessibility in their area of concern by active or public transport was, and what range of commercial activities and community services they had. We were consistently told stories about the periods of the year subject to inclement weather, slippery slopes, or otherwise year-round limited services. Where bus services did exist (including what is planned), many submitters explained that the service frequencies or range of destinations accessible were insufficient to truly broaden many households' accessibility compared to using private vehicles. Examples we were told of include the incomplete cycle facility connecting Queenstown to Arthurs Point and that bus services must still use the same congested carriageways as private vehicles along key routes. Unlike major metropolitan urban areas, travellers in the District are often required to traverse lengthy 'gaps' between towns and villages through the rural environment. This is not comparable to long-distance purely urban commutes through continuous metropolitan urban

¹⁹⁸ [appendix-3-accessibility-and-demand-analysis-method-statement-b-a \(5\).pdf](#).

¹⁹⁹ We did receive evidence from Mr Harland for submissions 281, 581, 651, 1386 that Mr Wallace accepted in part. Some submitters used the report to argue upzoning was not required do to a lack of accessibility (for example at Arthurs Point and Kelvin Heights).

areas (where a more-or-less continuous expanse of urban form allows many different opportunities for people to locate and undertake their daily activities).

- 4.122 Many submitters also expressed surprise (and disagreement) at the way the Council had approached considerations of accessibility on an almost site-by-site spatial increment. For example, numerous Wānaka-based submitters told us during the hearing that the whole settlement was more-or-less equally accessible based on the scale of the town and how people lived by criss-crossing between its various destinations and opportunities. We were told that people typically lived their daily life across Wānaka, not just in one small area within that, including frequent visits to more than just one of the commercial centre areas on shopping days. The same arose elsewhere, including for Arthurs Point and Arrowtown. We completed the hearings with a clear understanding that submitters in the smaller townships and villages did not generally consider accessibility based on how close their individual house was to a specific bus stop or single set of shops; they perceived and lived-in their settlements as a singular whole. Our site visits, equipped with these experiences, impressed that point on us.
- 4.123 There is a significant difference between Arrowtown or Hāwea and metropolitan suburbs such as (purely for comparison) Bishopdale and Burnside in Christchurch. The latter are much larger and merge continuously into one another (and others) on multiple sides. In the context of metropolitan area-scaled continuous urbanism, recognising the small increments of accessibility at a local (micro) scale, and then enabling building height and density directly aligned with those makes a lot of sense.
- 4.124 But in summary, except for the principal settlement of Queenstown, we are not persuaded that local (micro) accessibility analysis necessarily requires directly corresponding site-by-site or street-by-street up-zoning to achieve NPS-UD Policy 5(a). For the settlements other than Queenstown, we find that the combination of their scale, amenity and character values, and the real-world distribution of commercial activities and community services across them, means that a two-stage process is the most appropriate:
- (a) “What” - identifying additional overall capacity (building height and density) that would be commensurate with the overall level of accessibility available within each settlement for the whole settlement (this was in the first instance a ‘pure’ NPS-UD policy 5(a) investigation); and then in conjunction with any additional demand-related capacity identified via NPS-UD policy 5(b) if it was determined that additional building height and density beyond that enabled in the existing PDP was justified.
 - (b) “How” - identifying the most appropriate spatial means and plan methods of accommodating that building height and density looking at each settlement as a whole and considering that settlement as a whole, including matters of existing amenity and character. This latter consideration included other relevant planning documents, effects on the environment, the interests of submitters, and what might also appropriately serve NPS-UD’s Policy 1’s concept of a well-functioning urban environment.
- 4.125 We recognise that our approach may well only be workable in the urban environment context of small to medium villages and towns that have very clearly defined edges and can be generally traversed by way of active transport ‘in one go’. Given that our focus is solely on the

circumstance and characteristics of urban environments in the District we see no flaw in that. Specifically, the accessibility analysis undertaken by Mr Wallace was a relative accessibility analysis, and in summary it gave site-by-site reporting on how each site was accessible compared to the other assessed sites. We found it particularly helpful. But although NPS-UD Policy 5(b) uses the phrase “relative demand”, it was very important for the Panel to observe that NPS-UD Policy 5(a) only uses the term “accessibility”, not “relative accessibility”. We find that although a relative accessibility / site-by-site approach such as undertaken by Mr Wallace and used by the Council is one acceptable approach to NPS-UD Policy 5(a), it is not the only one and for the reasons above we have interpolated a whole-of-town / whole-of-village approach to accessibility based on Mr Wallace’s work, planned PDP-zoned commercial growth intended to be developed alongside the dwellings that the UIV seeks to enable, and the input of submitters.

- 4.126 Our approach means that, other than for the Queenstown settlement (and its adjacent areas), it is possible to separate an initial question of ‘what’ additional capacity is required from a second question of ‘how’ to most appropriately provide for that. Although the Council’s approach favoured the most upzoning in an orthodox concentric fashion corresponding to proximity from a centre, ours would see that as only being one potential solution, with others possibly better suited to each township also in need of consideration without compromising an overall centres-based urban form (with the “centre” in most cases happening to be the entire town or village rather than a planning zone with the word “centre” in it).
- 4.127 As we will discuss later, this proved very important for those settlements that include large-scale (zoned) greenfield land that was subject to the UIV. It was also a key means by which we were able to address what was at times presented to us as a tension between the different planning documents in play, and submitter concerns that a centralised government direction might override a sensible locally-respectful response (although we do not shy away from acknowledging our duty under this Variation to implement the NPS-UD, even if despite our best efforts that did lead to a change in a location’s existing amenity or character values seen as very adverse by locals).
- 4.128 Starting with Queenstown, we considered Mr Wallace’s assessment, and the submitter experiences we heard from. We then moved through the different towns and villages subject to the UIV and compared them with one another. We lastly considered the Council’s economic evidence as to relative demand in each location and the existing enablement of height and density across the urban environment.

Height and house type

- 4.129 Following on from the above, we also dwelt extensively on the nature of what building heights and densities might enable different specific house types, and how those may in turn relate to different occupant needs. This was helped substantially by Ms Fairgray’s demand analysis provided on behalf of the Council and set out in Section 2. We find that it is not possible to conclude a consideration of accessibility, and what might be commensurate with that, without expressly considering whether different types of living might inherently require different levels of accessibility.

- 4.130 Most relevant to the UIV, and the submissions in opposition to it, we find that the principal difference between enabling 2 and 3 storey residential building heights and densities relates primarily to the opportunity for walk-up apartments (3 storey) rather than detached or terraced houses (mostly but not always 2-storeys in this District). We discussed these with many submitters. It was explained to us that there were many substantial and material differences between living in apartments and non-apartments. Numerous design and lifestyle issues were shared with us, but the most common overall response was that apartment living was just so much more intensive and 'urban' than other types of housing, even quite high-density terraced housing.
- 4.131 We agree that apartment living is a very different way of living to that of even occupying an attached terraced house at a similar net land use density. Although apartments can be very large and spacious, they are in general much smaller than terraced houses and often include less outlook or sunlight (in some cases having only one external wall with windows). Apartments in many cases lack any outdoor living space or at best offer a small balcony, but in almost all cases offer less outdoor space than a terraced or attached dwelling might. Even the act of storing a bicycle for each occupant (or carrying them up several flights of stairs) can be an unviable proposition with apartment living. Many apartments might not have car parking on-site or even near-by or if they do, provide for it in a shared / communal space rather than a lockable private garage suited for storing other possessions.
- 4.132 Apartment living offers and appeals most to a very different way of living to that of detached or attached non-apartment dwelling types, and it entails a very different householder relationship with passenger transport, active transport and commercial activities and community services.
- 4.133 Based on the submitters' information and our observations from the District's urban environments, we find that 3-storey apartment style living, to be "commensurate", requires a substantially greater level of accessibility by active and public transport to a substantially greater range of commercial activities and community services than is the case for generally more spacious and lower-density 2-storey non-apartment development. We liken it to a 'step change' in accessibility rather than one of incremental or slight difference. We do not consider that the Council's approach appropriately reflects this substantial 'step' when allocating PDP residential zones in accordance with Mr Wallace's accessibility analysis results; one which we find to be specifically attributable to the nature of Queenstown Lakes' pattern of small, very well-separated towns and villages in a rugged setting and occasionally very uncomfortable climatic conditions.
- 4.134 This is not to say that the Panel considered that apartments (or only apartments) will be developed in a 3-storey height-equipped zone, or that no apartments might occur within a 2-storey height-equipped zone. There will be a range of dwellings provided in each, and for the most part it could be that the actual densities achieved on land and the housing typologies provided was not height-sensitive (and some submitters made this exact point - that changing a 2-storey zone to a 3-storey one might just deliver the same number of large houses, only made even larger). The nuance is that for the purposes of the UIV, an upzoning from an existing 2-storey height-equipped zone to a 3-storey one is primarily on the basis of the increased capacity for apartments that a 3-storey walk-up model was identified as allowing for. Following

on from that, where the Panel has not been satisfied that apartment living would be commensurate (and therefore not supported by a 3+ storey zoning), that finding is limited to the NPS-UD Policy 5 matters being considered in the UIV. It should not be interpreted as a view on the part of the Panel that no 3+ storey buildings could ever be shown to be appropriate based on non-NPS-UD considerations or via a resource consent.

Height - conclusions

- 4.135 We find that only the towns of Queenstown and Wānaka have the combined level of (existing or planned) accessibility and activity / service range to make 3-storey apartment-styled living “commensurate” with that. For Arrowtown, Hāwea, and Arthurs Point, we find that the “commensurate” height of urban form warranted under NPS-UD Policy 5(a) is limited to 2-storeys. For clarity, where more than 2-storeys might be already enabled in (parts of) those locations, this is an existing planning response that is more than that required to satisfy NPS-UD Policy 5(a) (with us having no basis to enable more height at that location under Policy 5).
- 4.136 For completeness, many submitters expressed objection to potential 3-storey heights based on loss of existing views or amenity (despite NPS-UD Objective 4 and Policy 6). We find that this alone was not a supportable objection including the claim that 3-storey buildings might compromise NPS-UD Policy 1’s goal of a well-functioning urban environment.

Density - conclusions

- 4.137 We have reached a very different view on the matter of density, although we agree it is in part a function of any enabled building height and note that our height conclusions above also include the enhanced densities that additional height would provide for. Our discussions with submitters also regularly identified a willingness to accept higher densities, even where additional building heights were opposed. Consistently across the hearing we were reminded that the sector of the housing market most-in need of additional supply was at the smaller, lower cost, house. Many submitters cautioned us that enabling additional height would just promote even more larger-scaled houses.²⁰⁰ For its part the Council’s approach to smaller and more affordable dwellings could be described as passive; it was to simply assume that with more overall housing capacity available, more of all sorts of houses would be enabled, including more affordable houses. We do not criticise the Council’s position, and it is supported by Ms Fairgray’s evidence, but we see little in the proposed UIV that could be said to be actively making the provision of smaller, lower cost houses more likely than is currently the case. As will be discussed later in the specific case of Arrowtown, there was additional character and amenity values impetus to consider the height / densities of dwellings.
- 4.138 We find that there is substantial potential for higher densities to be achieved than currently provided within the Lower Density Suburban Residential and Medium Density Residential zones and their built form standards, commensurate with the level of accessibility enjoyed across that zone, and that this is a key method to actively enable opportunities for smaller, lower cost, dwellings. This will specifically assist achievement of more attached dwellings.

²⁰⁰ See for just one example the submissions in relation to the Lismore Street area (Section 20).

Overall NPS-UD Policy 5 findings

4.139 We find that the purpose of the UIV, the submissions seeking more housing choice, flexibility and provision of (in particular) lower cost ('affordable') houses, and the directive language of Policy 5 NPS-UD provides us with the scope to make changes to the PDP on the basis that additional density to particularly provide for relative demand for attached housing under Policy 5(b) (generally 2-storeys and not premised on 3-storey walk-up apartments), and for additional building height and density primarily under Policy 5(a) (generally 3+ storeys and that would allow 3-storey walk up apartments along with other housing types and forms) has been justified. We have determined to do so as follows:

- (a) In light of the existing structure of the LDSRZ and MDRZ, and that we wish to make the least-possible changes to Plan text as necessary, we have considered methods that will require the least physical changes to the existing Plan wording.
- (b) We do not agree that an entirely permissive approach to "unlimited" density is appropriate, and we consider there are key practical matters that must be addressed.
- (c) We find that there is no need to remove existing density standards from the LDSRZ or MDRZ, especially where these provide a basis for permitted activities.
- (d) We find that densities greater than the LDSRZ standards should be a non-notified restricted discretionary activity where:
 - (i) all relevant other plan standards are complied with based on a sufficiently sized and shaped net area associated with the residential unit;
 - (ii) the residential unit and its net area have legal access from a public road in accordance with chapter 29 of the PDP; and
 - (iii) the residential unit has at least one off-street small vehicle loading space (compliant with chapter 29 PDP requirements for private car parking spaces).
- (e) Subdivision based on a land use consent as per above should also be enabled where the subdivision application is combined with the land use application or is made after an approved land use consent has been implemented (this is to prevent inappropriately undersized or undevelopable vacant allotments being created).

4.140 The small-vehicle loading bay approach was arrived at after careful consideration of submitter evidence and presentations as to the substantial pressure for on-street parking that day-to-day service-type traffic associated with dwellings in suburban areas has (i.e., those locations where access by motor vehicle is likely to be predominant for the foreseeable future). We were informed about many adverse effects arising from this parking all over what are within the District often already narrow and circuitous and often steep streets. We were also informed about the difficulty of accessing the road and areas in winter when it can be cold, icy and dark. The NPS-UD prohibits the PDP from containing any requirements on car parking and we have been mindful to observe that prohibition (and we find that loading and service functionality is not the same thing as general car parking). For this reason, in our recommended provisions in **Appendix 1** we have included a number of notes to clarify that the small-vehicle loading bay is

not a residential car park, and is to be available for the reasonable needs of dwellings across their lifetime for a range of service access that cannot be plausibly accommodated on streets in the context of the densities we recommend be otherwise enabled. We did not need to consider this for residential units that comply with the permitted density limits on the basis that those lot sizes will inherently already be capable of accommodating loading and service access.

4.141 Because the PDP already generally permits development within the standards in a range of housing forms and styles, we find that adverse effects arising from our Plan amendments will be acceptable. This is because overall adverse effects will be limited by the same combination of built form rules and requirements that apply to the existing situation (if anything our recommendations could lead to less built form in several instances – one large house only needs external yard setbacks and one outdoor living space; two smaller dwellings add internal yards between them (unless attached) and need an outdoor living space each). Although we are excluded from considering residential car parking, we have been able to provide for the management of reasonable loading and service needs that will occur (and the activities permitted in the zone, and we address further in Sections 6, 13 and 14).

4.142 In reaching this conclusion the Panel wishes to be clear that it has considered and appropriately relied on Mr Wallace’s accessibility analysis, which we found sufficiently rigorous and reliable as it related to NPS-UD Policy 5(a). It was in the determinations of what “commensurate” meant in the context of dwelling types, building height and density enablements, and land use zone allocation terms by way of a subsequent response to Mr Wallace’s spatial analysis, that the Panel has had discretion to and has arrived at its own different findings, based on the substantial value provided by the submitters and their frequently very candid answers to our questions. Equally, we found Ms Fairgray’s economic analysis very reliable including in terms of considering relative density under NPS-UD policy 5(b) (and 5(a)), although for the reasons above we were not persuaded in terms of the specific housing type of 3-storey walk up apartments.

4.143 This finding still leaves a need for further detailed determinations for each town and village, which are addressed in Sections 6 to 10.

Sections 6 and 7 of the RMA, Policy 1 and Policy 5 interplay

4.144 It is common ground that the NPS-UD must be read as a whole and in context,²⁰¹ and that NPS-UD Policy 1 applies to the UIV along with the relevant provisions of other NPS, regional planning documents, and the PDP.

4.145 Primarily in relation to Arrowtown, the proposition was put to the Panel that there was a possibility for an outcome strictly-speaking warranted by Policy 5 to be so counter to a Policy 1 well-functioning urban environment, that Policy 1 could be used to down-scale or reduce the initial Policy 5 response. The context of this argument was primarily in terms of existing amenity values, and it also crossed-paths with the meaning of Policy 6, which directly addresses amenity values. Closely related to this was the Council’s s42A approach, and as expressed during the hearing, of “balancing” Policy 5 with existing PDP objectives and policies recognising Arrowtown’s amenity values and historic heritage. This topic then also took in

²⁰¹ *Royal Forest and Bird Protection Society of New Zealand Inc v NZ Transport Agency* [2024 NZSC 26, 1 NZLR 241 at [79].

Pages 69-80 omitted

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 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].

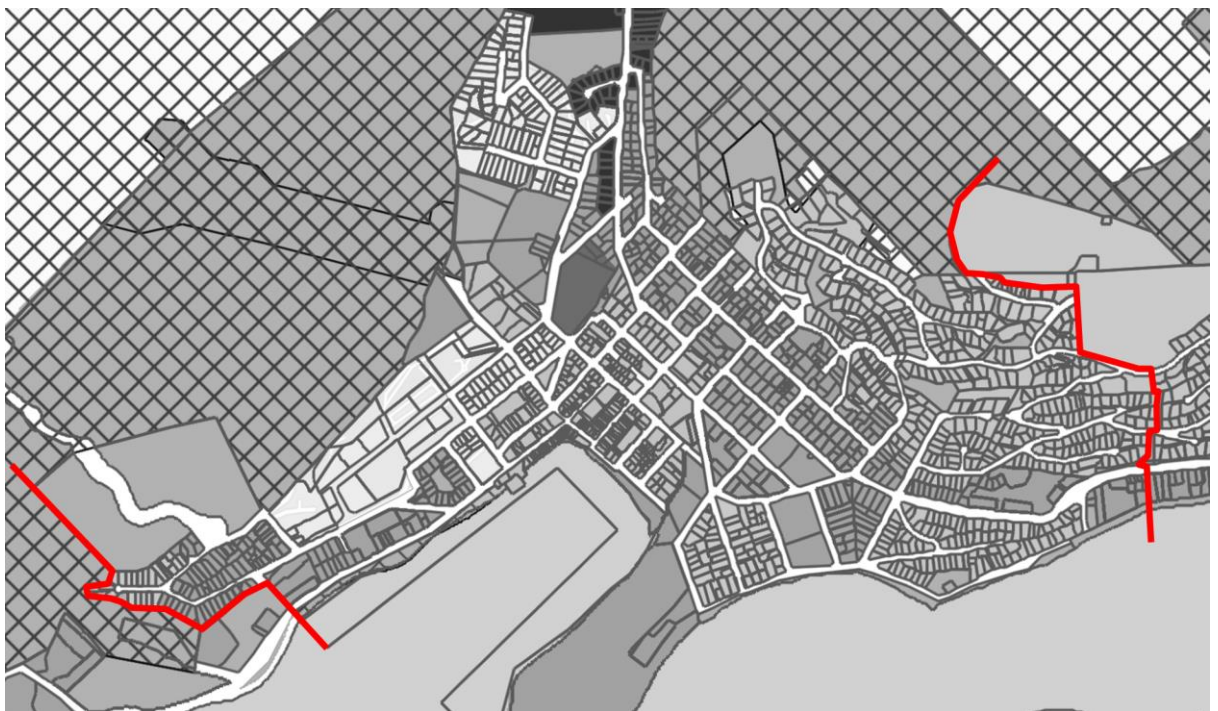
²⁵³ EIC Mr Powell at [5.18] – [5.21].

- (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.

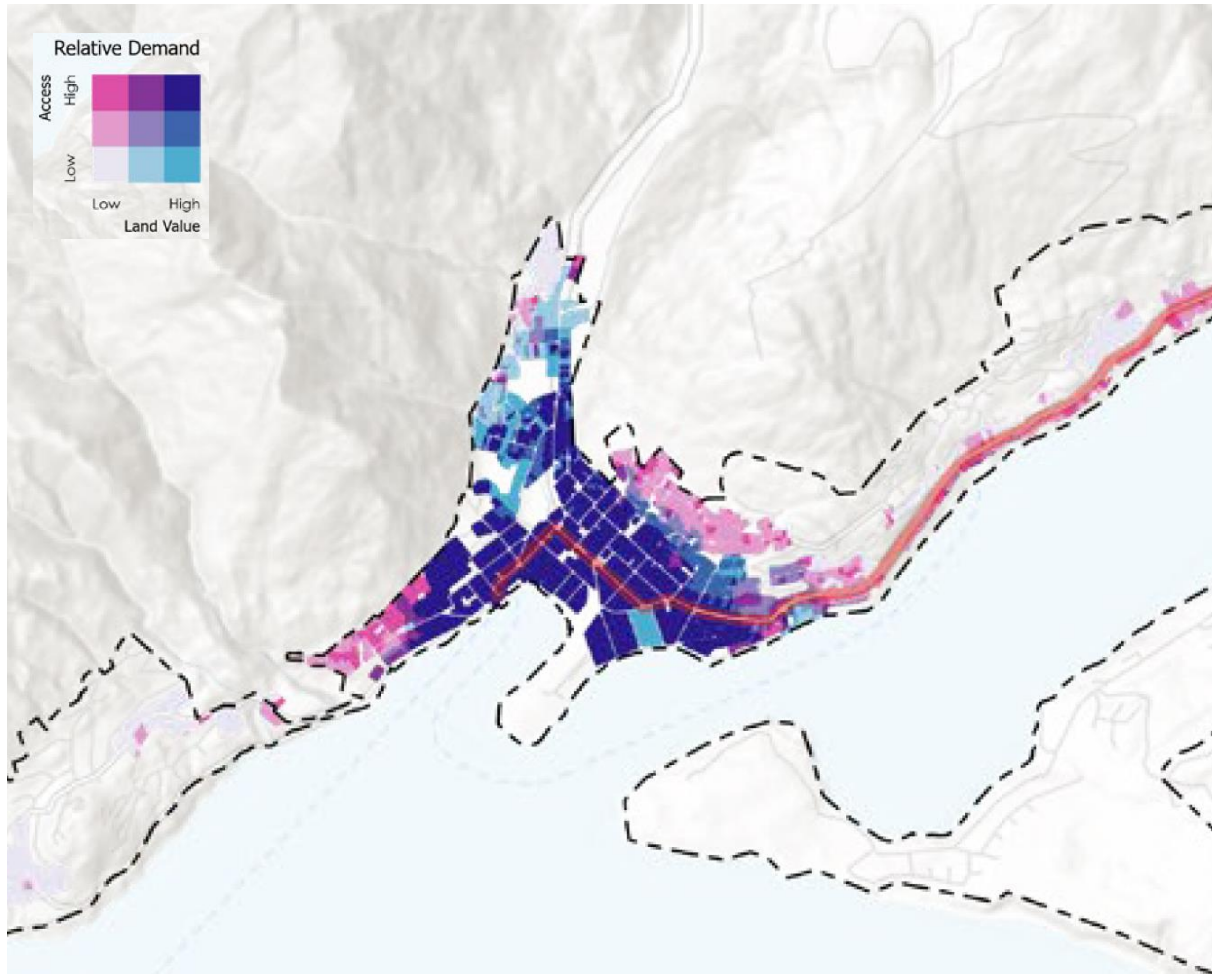
Figure 2 – identification of central Queenstown area within which 3+ storey apartment-style dwellings would be commensurate and appropriate (no scale)



- 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 Matthee, 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].

Pages 89-133 omitted

15. CHAPTERS 9 AND 9A - RECOMMENDED PROVISIONS: BOTH HIGH DENSITY RESIDENTIAL ZONES

- 15.1 Based on the town and village-specific findings set out in Sections 6 to 10, we have worked through the proposed High Density Residential zone. This was the subject of a specific s42A report prepared by Ms Frischknecht and she responded to submitter evidence in her rebuttal and reply evidence.
- 15.2 Our key finding is that most parts of the HDRZ outside of the central Queenstown residential area and generally greenfield land at Wānaka Three Parks should remain based on the existing PDP height limit. Several other amendments are proposed. But this should remain as the HDRZ zone.
- 15.3 Within the central Queenstown residential area and at Wānaka Three Parks, a new HDRAZ is recommended, based on the Council's s42A and reply version for the HDRZ.

CHAPTER 9 - HDRZ

Zone Purpose

- 15.4 We propose minor editorial clarifications only so as to make the chapter integrate with others, and to emphasise the differences between the HDRZ and HDRAZ.

Zone objectives and policies

- 15.5 At Objectives 9.2.2 and 9.2.3, and their policies, we recommend minor changes to the Council's proposal including emphasis that existing amenity values are likely to substantially change within the zone.³⁹² However, because we have found the existing height limits should remain, the overall degree of difference between the PDP and our recommended version are sufficiently limited that continued reference to the Residential Design Guideline can be retained.
- 15.6 For Objective 9.2.6's policies, the Panel has generally not accepted the Council's proposed changes, seeing them unnecessary, except for additional recognition at Policy 9.2.6.6 of network infrastructure given the additional pressure likely because of the increased intensification provided for via the UIV.
- 15.7 At Objective 9.2.10 (and elsewhere in the chapter), the Panel recommends deletion as the subject matter is not part of or relevant to the zone (and in the case of 9.2.10, that area forms part of the proposed HDRAZ addressed below).

Zone rules and other methods

- 15.8 At Rule 9.4.5, we do not agree with most of the amendments proposed by the Council to the restrictions of discretion for 4+ unit developments. The recommended HDRZ is sufficiently similar to the current PDP version that the changes proposed have not been adequately demonstrated as being directly related to or consequential on changes to the status quo required to implement the NPS-UD (and Policy 5 in particular). As described within our explanation of the MDRZ, the changes proposed came too close to using the UIV to promote general "improvement". Notwithstanding this general comment, the Panel has agreed with

³⁹² Aligned with the Statement of Evidence of Mr Edmonds (763, 764, 1344, 1346) at [5.7].

more moderate changes to clarify and generally un-complicate the existing language and bring that into consistency with what has been used in other zones resulting from the UIV.

- 15.9 At Rule 9.5.1 (maximum building height), the Panel recommends simplifying and retaining the PDP limit of generally 12m except where provision for additional height is already within the PDP. The Panel finds that infringements should also be discretionary activities rather than non-complying activities (relevant to Frankton North in rule 9.5.4) considering the increased importance that intensification and site efficiency has in the scheme of the NPS-UD.
- 15.10 At rule 9.5.3 (recession plane), the Panel recommends retaining the rule in its current PDP form.
- 15.11 At proposed rule 9.5.7 and 9.5.8 (building height setback at upper floors, and outlook space), the Panel recommends deleting these new rules on the basis that the recommended heights and related controls are as per the existing PDP. The new rules would if anything remove pre-existing development capacity. Their need or benefits have not been established in that context.
- 15.12 At rule 9.5.9 (waste recycling and storage space), the Panel generally accepts the thrust of the Council's proposal but recommends amendments relating to the importance of confirming that an on-street collection can be physically accommodated without compromising the safety or amenity of the street.
- 15.13 We refer to our overall s32AA analysis in Section 21 for additional reasons that also apply to Chapter 9.
- 15.14 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.

CHAPTER 9A - HDRAZ

Zone Purpose

- 15.15 We propose minor editorial clarifications only to make the Chapter integrate with others, and to emphasise the differences between the HDRZ and HDRAZ.

Zone objectives and policies

- 15.16 At Objective 9A.2.1 and its policies, the Panel recommends clarification-type amendments and, more importantly, introduction of a new policy requiring development to achieve the heights densities practicable at the time of development. Although the genesis of this approach came from submitters based in Wānaka, the Panel finds it is equally appropriate in and around the central Queenstown neighbourhood, including because the new developments the Panel saw on its site visits were all clearly high-density housing (likely reflecting the sheer accessibility and land price factors there). Considering submissions seeking additional height and enablement beyond the notified UIV assessed in Section 5, the Panel finds it has the scope to introduce this key policy and apply it to both areas we recommend be subject to this zone. This aligns with

the Reply Legal Submissions for the Council which, in response to a question in Minute 6, responded:³⁹³

In relation to the second part of the question on scope, for Three Parks Wānaka there are a number of lay submissions³ seeking that more development be enabled (noting that many seek this in conjunction with seeking retention of the status quo in other parts of Wānaka). Additionally, there is considered to be general scope through the Infrastructure Commission (1238) and Ministry of Housing and Urban Development (800) submissions that seek more plan enabled capacity than the notified UIV.

More specific to the HDRZ and BMUZ, Southern Lakes Property Trust Limited (OS1055.3 and 1055.6) sought that the maximum building height in the BMUZ in Three Parks be increased to 20m as a permitted activity and Willowridge Development, Orchard Road Holdings Limited and Three Parks Properties Limited (OS948) support a building height of 20m in the HDRZ at Three Parks. In Paragraph 7.30 of her Rebuttal Evidence, Ms Frischknecht states that submission point 948.9 3 explicitly seeks a building height of 16m, however more general scope for additional height comes from the submissions identified in paragraph 38 above.

15.17 At Objectives 9A.2.2 and 9A.2.3 and their policies, we recommend minor changes to the Council's proposal including emphasis that existing amenity values are likely to substantially change within the zone. Mr Kemp provided planning evidence for Murray & Yvonne Wilson (682) who have a property on Lismore Street. He took issue, fairly, with references to "existing amenity values" in the notified HDRZ purpose statement and Objective 9A.2.3 given the fundamental changes proposed for the zone.³⁹⁴

15.18 Because the extent of additional intensification to be enabled within the zone compared to the PDP HDRZ, the Panel finds that it would not be appropriate to include reference to the Council's Residential Design Guideline.

15.19 For Objective 9A.2.6's policies, the Panel has generally not accepted the Council's proposed changes, seeing them appropriate considering the height and density development being enabled.

15.20 At Objective 9A.2.10 and its policies, the Panel agrees with Ms Frischknecht's recommend deletion of Policy 9A.2.10.2;³⁹⁵ Wānaka Three Parks does not require a specific policy to support its zone height limit given that this will be the standard for the zone.

Zone rules and other methods

15.21 At Rule 9A.4.5, we do not agree with most of the amendments proposed by the Council to the restrictions of discretion for 4+ unit developments, but the Panel has agreed with more moderate changes to clarify and generally uncomplicate the existing language and bring that into consistency with what has been used in other zones resulting from the UIV. The Panel has also added a key restriction requiring development to achieve the highest practical density possible at the time of the application, to remain flexible but also ensure the land is used as efficiently as possible.

³⁹³ Reply Legal Submissions for QLDC, 1 October 2025, at Appendix 1, [38] and [39].

³⁹⁴ Statement of Evidence of Mr Kemp (682), 4 July 2025, at [6.19].

³⁹⁵ Rebuttal Ms Frischknecht at [7.31].

- 15.22 At rule 9.5A, the Panel recommends deletion of the rule referring to use of the Residential Design Guideline. The explanation for this is set out in Sections 8, 9, 13 and 15.
- 15.23 At Rule 9A.5.1 (maximum building height), the Panel recommends a zone height limit of 24m with additional height above that a discretionary rather than non-complying activity. Based on the location of the two zone areas and the Panel's assessment of the localities as well as the evidence presented by experts and submitters supporting more building height the Panel is satisfied that any adverse effects arising from buildings at or around the height limit will be acceptable and well-mitigated by the design and other matters that will apply (all such buildings would require a resource consent).
- 15.24 At Rule 9A.5.3 (recession plane), the Panel agrees with the Council's proposal but has removed a non-complying activity trigger that it sees as inappropriate.
- 15.25 The Panel otherwise generally accepts the Council's proposed rules and has recommended only editorial changes, or removal of provisions relating to land that would sit outside of the HDRAZ.
- 15.26 We refer to our overall s32AA analysis in Section 21 for additional reasons that also apply to Chapter 9A.
- 15.27 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.

16. CHAPTERS 12 AND 13 - TOWN CENTRE ZONES

GENERAL

Heights in town centres

- 16.1 In response to submissions regarding heights in town centres Ms Fairgray considers³⁹⁶ that increased heights increase the feasibility of development, provided there is sufficient market demand to absorb the extra capacity. Ms Fairgray considers that:
- (a) The market for higher density is relatively recent and only a minor portion of the current market;
 - (b) That within the QTC the commercial feasibility of some higher density development by be limited under the UIV in the lowest height areas (due to cost of development) and, correspondingly that commercial feasibility of higher density development in other parts of the QTC may be further increased with greater height allowances;
 - (c) That the notified WTC heights may limit the commercial feasibility of higher density development in that centre.
- 16.2 Overall, Ms Fairgray concludes that it is important that the UIV provisions enable development that is commercially feasible to enable the profit-driven part of the market to deliver. Therefore, it is economically beneficial for the market to deliver a greater number of high-density apartments within the town centres.

³⁹⁶ EIC Ms Fairgray at [5.39].

Pages 138-215 omitted

APPENDIX 1 – REVISED CHAPTER PROVISIONS AND MAPS AS RECOMMENDED BY THE PANEL

[Separate Document]

4 URBAN DEVELOPMENT

4.1 Purpose

The purpose of this Chapter is to elaborate on the strategic direction in Chapter 3 and set out the objectives and policies for managing the spatial location and layout of urban development within the District. This chapter forms part of the strategic intentions of this District Plan and will guide planning and decision making for urban growth and development within the District. This chapter does not address site or location specific physical aspects of urban development (such as built form) - reference to zone and District wide chapters is required for these matters.

This chapter gives effect to the National Policy Statement on Urban Development (NPS-UD), which requires that local authorities provide at least sufficient development capacity to meet the current and future needs of the District's community. This chapter provides the strategic planning framework to achieve effective and efficient urban environments that can meet demand for the development of land for housing and businesses. Provision is made for a range of dwelling types and locations and business environments and for the District's urban areas to development and change over time in response to the changing needs of the District's community.

The District experiences considerable growth pressure and contains high-growth urban areas as defined in the NPS-UDC. Urban growth within the District occurs within an environment that is revered for its natural amenity values, and the District relies, in large part for its social and economic wellbeing on the quality of the landscape, open spaces and the natural and built environment. If not properly controlled, urban growth can result in adverse effects on the quality of the built environment, with flow on effects to the impression and enjoyment of the District by residents and visitors. Uncontrolled urban development can result in the fragmentation of rural land; and poses risks of urban sprawl, disconnected urban settlements and a poorly coordinated infrastructure network. The roading network of the District is under some pressure and more low density residential development located remote from employment and service centres has the potential to exacerbate such problems.

The objectives and policies for Urban Development provide a framework for a managed approach to urban development that utilises land and resources in an efficient manner, and preserves and enhances natural amenity values. The approach seeks to achieve integration between land use, transportation, infrastructure, services, open space networks, community facilities and education; and increases the viability and vibrancy of urban areas.

Urban Growth Boundaries are established for the urban areas of the Wakatipu Basin (including Queenstown, Frankton, Jacks Point and Arrowtown) and Wānaka, and where required around other settlements, providing a tool to manage anticipated growth while protecting the individual roles, heritage and character of these areas. Specific policy direction is provided for these areas, including provision for increased density to contribute to more compact and connected urban forms that achieve the benefits of integration and efficiency and offer a quality environment in which to live, work and play.

4.1.1 Application of this Chapter

Chapter 1 (Introduction) provides an explanation of the structure of the District Plan including the application of the strategic chapters of the District Plan applying across the Queenstown Lakes District, and the two-volume approach consisting of Volume A and Volume B.

Chapter 3 provides overarching strategic direction for the Queenstown Lakes District. The Chapter 3 strategic objectives and policies are further elaborated on in Chapter 4, which provides more detailed objectives and policies for urban development. Chapter 4 applies district wide over Volume A and

Volume B land. The principal role of Chapters 3 to 6 collectively is to provide direction for the more detailed provisions related to zones and specific topics contained elsewhere in the District Plan.

4.1.2 Housing Bottom Lines

• <i>Housing Bottom Lines for Queenstown Lakes urban environment</i>			
<i>Ward</i>	<i>Short-medium term (2020 – 2030)</i>	<i>Long term (2031- 2050)</i>	<i>30 Year Total (2020 – 2050 additional)</i>
<i>Wakatipu</i>	3750	7830	11,580
<i>Wānaka</i>	2470	5150	7,620
Total	6220	12,980	19,200

The housing bottom lines were identified through the Housing Development Capacity Assessment for Queenstown Lakes District 2021 (HBA (housing) 2021) and have been inserted into the District Plan as part of the implementation of the National Policy Statement for Urban Development 2020.

They are intended to represent the amount of feasible and reasonably expected to be realised development capacity that is sufficient to meet the expected housing demand within the urban environment, along with a competitiveness margin. The competitiveness margin is 20% for the short-medium term and 15% for the long term.

Queenstown Lakes District Council is required to enable the development represented in the housing bottom lines through the district plan, structure plans and infrastructure strategies.

The housing bottom lines relate to the Queenstown Lakes urban environment. An urban environment means any area of land that is, or is intended to be, predominantly urban in character and that is, or is intended to be, part of housing and labour market of at least 10,000 people. This definition allows areas identified for future urban development to be included in the defined urban environment. It also allows discrete locations of urban land that have a functional relationship with each other in terms of the housing and labour market to be part of the urban environment, even when they are not contiguous.

The areas included within the Queenstown Lakes District Urban Environment are shown in figure one and two below:

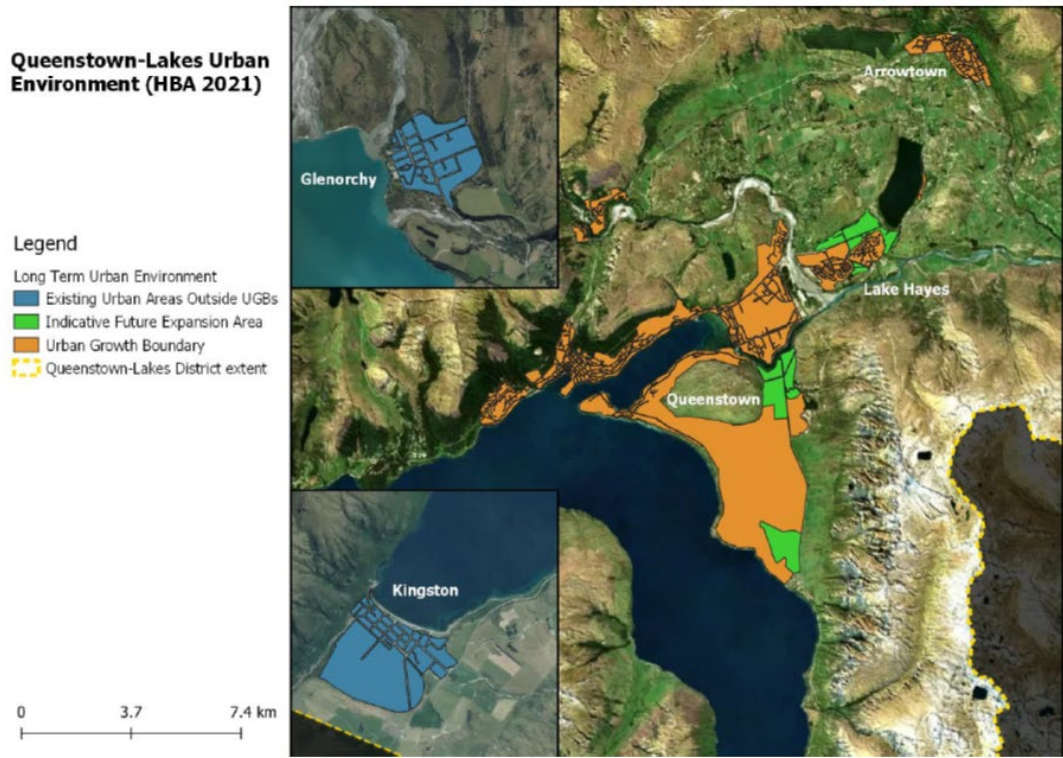


Figure one: Wakatipu Ward

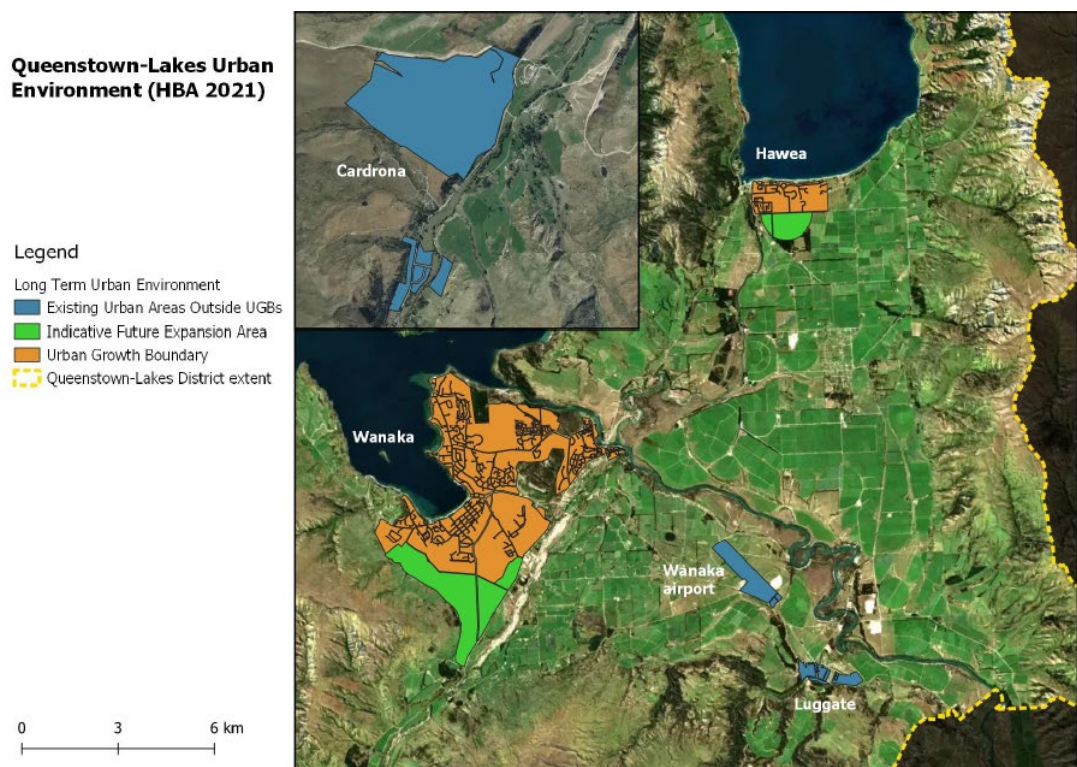


Figure two: Wānaka Ward

4.2 Objectives and Policies

4.2.1 Objective - Urban Growth Boundaries used as a tool to manage the growth of urban areas within distinct and defensible urban edges. (from Policies 3.3.13 and 3.3.14)

Policies

4.2.1.1 Define Urban Growth Boundaries, where required, to identify the areas that are available for the growth of urban settlements.

4.2.1.2 Focus urban development primarily on land within and adjacent to the existing larger urban areas and, to a lesser extent, within and adjacent to smaller urban areas, towns and rural settlements.

4.2.1.3 Ensure that urban development is contained within the defined Urban Growth Boundaries, and that aside from urban development within existing towns and rural settlements, urban development is avoided outside of those boundaries.

4.2.1.4 Ensure Urban Growth Boundaries encompass, at a minimum, sufficient, feasible development capacity and urban development opportunities consistent with:

- a. the anticipated medium term demand for housing and business land within the District assuming a mix of housing densities and form;
- b. ensuring the ongoing availability of a competitive land supply for urban purposes;
- c. the constraints on development of the land such as its topography, its ecological, heritage, cultural or landscape significance; or the risk of natural hazards limiting the ability of the land to accommodate growth;
- d. the need to make provision for the location and efficient operation of infrastructure, commercial and industrial uses, and a range of community activities and facilities;
- e. a compact and efficient urban form;
- f. avoiding sporadic urban development in rural areas;
- g. minimising the loss of the productive potential and soil resource of rural land; and
- h. a future development strategy for the District that is prepared in accordance with the National Policy Statement on Urban Development Capacity.

4.2.1.5 When locating Urban Growth Boundaries or extending towns and rural urban settlements through plan changes, protect the values of Outstanding Natural Features and Outstanding Natural Landscapes.

4.2.1.6 When locating Urban Growth Boundaries or extending towns and rural settlements through plan changes to provide for urban development, have particular regard to minimising significant adverse effects on the values of open rural landscapes.

4.2.1.7 Review and amend Urban Growth Boundaries as required, to address changing community needs, respond to monitoring evidence, or to enable appropriate urban development (having regard to Policy 4.2.1.4).

4.2.1.8 Contain urban development of existing rural settlements that have no defined Urban Growth Boundary within land zoned for that purpose.

4.2.2 A Objective - A compact, integrated and well designed urban form within the Urban Growth Boundaries that:

- (i) is coordinated with the efficient provision, use and operation of infrastructure and services; and
- (ii) is managed to ensure that the Queenstown Airport is not significantly compromised by the adverse effects of incompatible activities.

4.2.2 B Objective - Urban development within Urban Growth Boundaries that maintains and enhances the environment and rural amenity and protects Outstanding Natural Landscapes and Outstanding Natural Features, and areas supporting significant indigenous flora and fauna. (From Policy 3.3.13, 3.3.17, 3.3.29)

- 4.2.2.1 Integrate urban development with existing or proposed infrastructure so that:
- a. Urban development is serviced by infrastructure of sufficient capacity; and
 - b. reverse sensitivity effects of activities on regionally significant infrastructure are minimised; and
 - c. in the case of the National Grid, reverse sensitivity effects avoided to the extent reasonably possible and the operation, maintenance, upgrading and development of the National Grid is not compromised.
- 4.2.2.2 Allocate land within Urban Growth Boundaries into zones which are reflective of the appropriate land use having regard to:
- a. its topography;
 - b. its ecological, heritage, cultural or landscape significance if any;
 - c. any risk of natural hazards, taking into account the effects of climate change;
 - d. connectivity and integration with existing urban development;
 - e. convenient linkages with public transport;
 - f. the need to provide a mix of housing densities and forms within a compact and integrated urban environment;
 - g. the level of existing and future amenity that is sought (including consideration of any identified special character areas);
 - h. the need to make provision for the location and efficient operation of infrastructure and utilities, including regionally significant infrastructure;
 - i. the need to provide open spaces and community facilities that are located and designed to be safe, desirable and accessible;
 - j. the function and role of the town centres and other commercial and industrial areas as provided for in Chapter 3 Strategic Objectives 3.2.1.2 - 3.2.1.5 and associated policies; and
 - k. the need to locate emergency services at strategic locations.
- 4.2.2.3 Enable an increased density of well-designed residential development in close proximity to town centres, public transport routes, community and education facilities, while ensuring development is consistent with any structure plan for the area and responds to the character of its site, the street, open space and surrounding area.

- 4.2.2.4 Encourage urban development that enhances connections to public recreation facilities, reserves, open space and active transport networks.
- 4.2.2.5 Require larger scale development to be comprehensively designed with an integrated and sustainable approach to infrastructure, buildings, street, trail and open space design.
- 4.2.2.6 Promote energy and water efficiency opportunities, waste reduction and sustainable building and subdivision design.
- 4.2.2.7 Explore and encourage innovative approaches to design to assist provision of quality affordable housing.
- 4.2.2.8 In applying plan provisions, have regard to the extent to which the minimum site size, density, height, building coverage and other quality controls have a disproportionate adverse effect on housing affordability.
- 4.2.2.9 Ensure Council-led and private design and development of public spaces and built development maximises public safety by adopting “Crime Prevention Through Environmental Design”.
- 4.2.2.10 Ensure lighting standards for urban development avoid unnecessary adverse effects on views of the night sky.
- 4.2.2.11 Ensure that the location of building platforms in areas of low density development within Urban Growth Boundaries and the capacity of infrastructure servicing such development does not unnecessarily compromise opportunities for future urban development.

Wakatipu Basin Specific Policies

- 4.2.2.12 Define the Urban Growth Boundary for Arrowtown, as shown on the District Plan web mapping application that preserves the existing urban character of Arrowtown and avoids urban sprawl into the adjacent rural areas.
- 4.2.2.13 Define the Urban Growth Boundaries for the balance of the Wakatipu Basin, as shown on the District Plan web mapping application that:
 - a. are based on existing urbanised areas;
 - b. identify sufficient areas of urban development and the potential intensification of existing urban areas to provide for predicted visitor and resident population increases over the planning period;
 - c. enable the logical and sequenced provision of infrastructure to and community facilities in new areas of urban development;
 - d. protect the values of Outstanding Natural Features and Outstanding Natural Landscapes;
 - e. avoid sprawling and sporadic urban development across the rural areas of the Wakatipu Basin.
- 4.2.2.14 Ensure appropriate noise boundaries are established and maintained to enable operations at Queenstown Airport to continue and to expand over time.
- 4.2.2.15 Manage the adverse effects of noise from aircraft on any Activity Sensitive to Aircraft Noise within the airport noise boundaries while at the same time providing for the efficient operation of Queenstown Airport.

- 4.2.2.16 Protect the airport from reverse sensitivity effects of any Activity Sensitive to Aircraft Noise via a range of zoning methods.
- 4.2.2.17 Ensure that Critical Listening Environments of all new buildings and alterations and additions to existing buildings containing an Activity Sensitive to Aircraft Noise within the Queenstown Airport Air Noise boundary or Outer Control boundary are designed and built to achieve appropriate Indoor Design Sound Levels.
- 4.2.2.18 Manage the adverse effects of noise from Queenstown Airport by conditions in Designation 2 including a requirement for a Noise Management Plan and a Queenstown Airport Liaison Committee.
- 4.2.2.19 Ensure that development within the Arrowtown Urban Growth Boundary provides:
- a. an urban form that is sympathetic to the character of Arrowtown, including its scale, density, layout and legibility, guided by the Arrowtown Design Guidelines 2016;
 - b. opportunity for sensitively designed medium density infill development in a contained area closer to the town centre, so as to provide more housing diversity and choice and to help reduce future pressure for urban development adjacent or close to Arrowtown's Urban Growth Boundary;
 - c. a designed urban edge with landscaped gateways that promote or enhance the containment of the town within the landscape, where the development abuts the urban boundary for Arrowtown;
 - d. for Feehley's Hill and land along the margins of Bush Creek and the Arrow River to be retained as reserve areas as part of Arrowtown's recreation and amenity resource;
 - e. recognition of the importance of the open space pattern that is created by the inter-connections between the golf courses and other Rural Zone land.
- 4.2.2.20 Rural land outside of the Urban Growth Boundaries is not used for urban development until a change to the Plan amends the urban Growth boundary and zones additional land for urban development purposes.

Upper Clutha Basin Specific Policies

- 4.2.2.21 Define the Urban Growth Boundaries for Wānaka and Lake Hāwea Settlement, as shown on the District Plan web mapping application that:
- a. are based on existing urbanised areas;
 - b. identify sufficient areas of urban development and the potential intensification of existing urban areas to provide for predicted visitor and resident population increases in the Upper Clutha Basin over the planning period;
 - c. have community support as expressed through strategic community planning processes;
 - d. utilise the Clutha and Cardrona Rivers and the lower slopes of Mt. Alpha as natural boundaries to the growth of Wānaka; and
 - e. avoid sprawling and sporadic urban development across the rural areas of the Upper Clutha Basin.

- 4.2.2.22 Rural land outside of the Urban Growth Boundaries is not used for urban development until a change to the Plan amends the Urban Growth Boundary and zones additional land for urban development purposes.

9 High Density Residential

9.1 Zone Purpose

The High Density Residential Zone provides for efficient use of land within close proximity to town centres and Arthurs Point that is easily accessible by public transport, cycle and walk ways. In conjunction with the Medium Density Residential [and Medium Density Residential A Zones](#), the zone plays a key planning role in minimising urban sprawl and consolidating growth in existing urban areas.

In Queenstown ([excluding the High Density Residential A Zone](#)), the High Density Residential zone enables taller buildings than in the other residential zones, subject to high design quality. In Wānaka ([excluding Three Parks Wānaka](#)), lower building heights are anticipated, accounting for its distinctive urban character, however relatively high densities are still achievable. Such development will result in a greater diversity of housing supply, help support the function and vibrancy of town centres, and reduce reliance on private transport. Over time, ~~low-rise~~ apartments and terraced housing are envisaged to become commonplace within the zone.

[The High Density Residential A zone complements the High Density Residential zone by providing for even greater building heights and densities adjacent to the Queenstown Town Centre and at Three Parks Wānaka.](#)

~~The High Density Residential Zone at Three Parks Wānaka provides for a distinctive urban character at the entranceway to Wānaka through taller buildings and landscaped areas adjacent to State Highway 84.~~

Development in the zone will facilitate effective non-vehicular connections and access to high quality public open space.

Development controls provide minimum protections for existing amenity values, and are otherwise prioritised towards enabling the community's wellbeing by promoting growth and development. Given the focus on intensification, moderate to substantial change is anticipated including to both public and private views as the character of land within the zone develops into one that is characteristically urban.

Small scale commercial activities are enabled, either to support larger residential developments, or to provide low impact local services.

Small scale community facilities are anticipated, given the need for community activities within residential areas. However, large scale community facilities are not anticipated as this will reduce the effectiveness of the zone at its primary purpose of accommodating housing.

Visitor accommodation, residential visitor accommodation and homestays are anticipated and enabled in this zone, which is located near the town centres and within Arthurs Point, to respond to projected growth in visitor numbers, provided that adverse effects on the residential amenity values of nearby residents is avoided, remedied or mitigated.

9.2 Objectives and Policies

9.2.1 Objective – High density **housing development occurs in urban areas close to town centres, to provide greater housing diversity and respond to expected population growth.**

Policies

9.2.1.1 Provide sufficient high density zoned land that enables diverse housing supply and visitor accommodation close to town centres.

9.2.1.2 Promote high density development close to town centres to reduce private vehicle movements, maximise walking, cycling and public transport patronage and reduce the need for capital expenditure on infrastructure.

9.2.2 Objective - ~~High density residential d~~Development provides a positive contribution to the environment through quality urban design.

Policies

9.2.2.1 Require that development within the zone responds to its context, ~~site topography and orientation,~~ with a particular emphasis on the following essential built form outcomes:

- a. achieving high levels of visual interest and avoiding blank or unarticulated walls or facades;
- b. achieving well-overlooked, activated streets and public open spaces, including by not visually or spatially dominating street edges with garaging, parking or access ways;
- c. achieving a variation and modulation in building mass, including roof forms;
- d. use landscaped areas to provide permeable surface areas for stormwater disposal and to add to the visual amenity values of the development for on-site residents or visitors, neighbours, and the wider public.; and
- e. providing a high level of amenity that meets the day-to-day needs of occupants on the development site.

9.2.2.2 Support greater building height than the zone rule where development is designed to achieve an exemplary standard of quality, including its environmental sustainability.

9.2.2.3 Promote a distinct streetscape for the Arthurs Point High Density Residential neighbourhood that is based upon a shared and integrated public realm.

9.2.2.4 Require consideration of the relevant design elements identified in the Residential Zone Design Guide ~~2023~~ 2021.

9.2.2.5 Apply lower permitted building heights in Arthurs Point to achieve visual integration with the adjoining Medium Density Residential Zone building heights.

9.2.3 Objective – High density residential dDevelopment maintains ~~an appropriate minimum~~ level of existing amenity values for neighbouring sites as part of positively contributing to the urban amenity values sought within the zone.

Policies

9.2.3.1 Apply recession plane, building height, height setback at upper floors, yard setback and site coverage controls as the primary means of ensuring an appropriate minimum level of neighbours' outlook space, sunshine and light access, and privacy ~~is provided for will be maintained,~~ while acknowledging that through an application for land use consent an

outcome superior to that likely to result from strict compliance with the controls may well be identified.

9.2.3.2 Ensure the amenity values of neighbours are adequately maintained.

9.2.3.2~~3~~ Ensure built form achieves privacy for occupants of the subject site and neighbouring residential sites and units, including through the use of building setbacks, offsetting habitable windows from one another, screening, or other means.

9.2.4 Objective – Small-scale community activities are provided for where they are best located in a residential environment close to residents.

Policies

9.2.4.1 Enable the establishment of small-scale community activities where adverse effects on residential amenity values such as noise, traffic and visual impact can be avoided or mitigated.

9.2.5 Objective – Commercial development is small-scale and generates minimal amenity value impacts.

Policies

9.2.5.1 Ensure that any commercial development is of low scale and intensity, and does not undermine the local transport network or availability of on-street vehicle parking for non-commercial use.

9.2.5.2 Ensure that any commercial development is of a design, scale and appearance compatible with its surrounding context.

9.2.6 Objective - High-density residential development will efficiently utilise existing infrastructure and minimise impacts on infrastructure and roading networks.

Policies

9.2.6.1 Require development to provide or enhance connections to public places, [public transport](#) and active transport networks (walkways, trails and cycleways) where appropriate.

9.2.6.2 Require development to provide facilities to encourage walking and cycling where appropriate.

9.2.6.3 Ensure access and parking is located and designed to optimise the connectivity, efficiency and safety of the district's transport networks, including [encouraging the consideration of a reduction in required car parking provision to where it can help be facilitate modal shift, demonstrated that this is appropriate.](#)

9.2.6.4 Require the site layout and design of development provides low impact approaches to stormwater management through providing permeable surface areas on site and the use of a variety of stormwater management measures.

9.2.6.5 [A reduction in parking provision requirements may be is encouraged considered in Queenstown and Wānaka where a site is located within 800m of a bus stop or the edge of a Town Centre Zone including to help facilitate modal shift.](#)

- 9.2.6.6 Ensure development is designed consistent with the capacity of existing and/or planned infrastructure networks or upgrades for potable water, stormwater and wastewater services, and where practicable, incorporates low impact approaches to stormwater management and efficient use of potable water.
- 9.2.7 Objective – Manage the development of land within noise affected environments to ensure mitigation of noise and reverse sensitivity effects.**
- 9.2.7.1 Require as necessary all new and altered buildings for Activities Sensitive to Road Noise located close to any State Highway to be designed to provide protection from sleep disturbance and to otherwise maintain reasonable amenity values for occupants.
- 9.2.8 Objective – Visitor accommodation, residential visitor accommodation and homestays are enabled in urban areas close to town centres to respond to strong projected growth in visitor numbers, whilst ensuring that adverse effects on residential amenity values and traffic safety are avoided, remedied or mitigated.**
- 9.2.8.1 Provide sufficient high density zoned land to enable a range of accommodation options for visitors to establish close to town centres.
- 9.2.8.2 Enable a range of accommodation options which positively contribute to residential amenity values by ensuring that adverse effects on residential amenity values are avoided, remedied or mitigated.
- 9.2.8.3 Ensure that visitor accommodation development utilises existing infrastructure and minimise impacts on infrastructure and roading networks.
- 9.2.8.4 Ensure that the design of buildings for visitor accommodation contributes positively to the visual quality of the environment through the use of connection to the street, interesting built forms, landscaping, and response to site context.
- 9.2.9 Objective – High quality residential development of the land on the northern side of State Highway 6 at Frankton, that is integrated with a primary road that connects State Highway 6 at Hawthorne Drive to Quail Rise, pedestrian and cycle access, and appropriate servicing.**
- 9.2.9.1 Ensure subdivision and development at Frankton North is undertaken in accordance with the Frankton North Structure Plan (Schedule 27.13.9) to promote integration and provision of access to and throughout Frankton North.
- 9.2.9.2 Ensure safe transport connections by:
- a. avoiding any new access to State Highway 6;
 - b. limiting new access to the land at Frankton North to: Hawthorne Drive/SH6 roundabout, Hansen Road and Ferry Hill Drive;
 - c. providing the primary road connection between State Highway 6 at Hawthorne Drive and Quail Rise;
 - d. providing access to the primary road connection from all sites within Frankton North; and
 - e. providing internal road, pedestrian and cycle connections that are of a form that accounts for long-term traffic demand for the area between Hansen Road and Ferry Hill Drive without the need for subsequent retrofitting or upgrade.

- f. ensuring that road frontages are not dominated by vehicular access and parking; and
- g. integrating with the pedestrian and cycle path and the road network and public transport routes on the southern side of State Highway 6, including pedestrian and cycle access across State Highway 6.

9.2.9.3 Encourage low impact stormwater design that utilises on-site treatment and storage | dispersal approaches.

9.2.9.4 Avoid the impacts of stormwater discharges on the State Highway network.

Note: Attention is drawn to the need to consult with the New Zealand Transport Agency (NZTA) prior to determining an internal and external road network design under these policies.

Note: Attention is drawn to the need to obtain a Section 93 notice from the NZ Transport Agency for all subdivisions on adjoining State Highways which are declared Limited Access Roads. The NZ Transport Agency should be consulted and a request made for a notice under Section 93 of the Government Roding Powers Act 1989.

9.2.10 ~~Objective – The High Density Residential Zone at Three Parks Wānaka contributes to a quality environment at the entranceway to Wānaka.~~

9.2.10.1 ~~Avoid buildings within the Building Restriction Area so as to:~~

- a. ~~minimise adverse effects of road noise on residential amenity; and~~
- b. ~~ensure the land adjacent to State Highway 84 be landscaped so as to provide a high amenity sense of arrival into Wānaka.~~

9.2.10.2 ~~Enable buildings up to 20m heights in the Three Parks Wanaka in situations when:~~

- a. ~~the outcome is of high quality design; and~~
- b. ~~the additional height would not result in shading that would adversely impact on adjoining Residential zone and/or public space or does not dominate the streetscape.~~

9.3 Other Provisions and Rules

9.3.1 District Wide

Attention is drawn to the following District Wide chapters.

1 Introduction	2 Definitions	3 Strategic Direction
4 Urban Development	5 Tangata Whenua	6 Landscapes and Rural Character
25 Earthworks	26 Historic Heritage	27 Subdivision
28 Natural Hazards	29 Transport	30 Energy and Utilities
31 Signs	32 Protected Trees	33 Indigenous Vegetation
34 Wilding Exotic Trees	35 Temporary Activities and Relocated Buildings	36 Noise

37 Designations	District Plan web mapping application	
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9.3.2 Interpreting and Applying the Rules

9.3.2.1 A permitted activity must comply with all the rules listed in the Activity and Standards tables, and any relevant district wide rules, otherwise a resource consent will be required.

9.3.2.2 Where an activity does not comply with a Standard listed in the Standards tables, the activity status identified by the 'Non- Compliance Status' column shall apply.

9.3.2.3 Where an activity breaches more than one Standard, the most restrictive status shall apply to the Activity.

9.3.2.4 Each residential unit may include a single residential flat and any other accessory buildings.

9.3.2.5 The status of any Plantation Forestry will be determined by the Resource Management (National Environmental Standards for Plantation Forestry) Regulations 2017.

9.3.2.6 The following abbreviations are used within this Chapter.

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

9.3.2.6A Compliance with the New Zealand Electrical Code of Practice for Electrical Safe Distances ("NZECP34:2001") is mandatory under the Electricity Act 1992. All activities, such as buildings, earthworks and conductive fences regulated by NZECP34: 2001, including any activities that are otherwise permitted by the District Plan must comply with this legislation. Chapter 30 Energy and Utilities part 30.3.3.2.c has additional information in relation to activities and obligations under NZECP34:2001.

9.4 Rules - Activities

	Activities located in the High Density Residential Zone	Activity status
9.4.1	<p>Commercial activities comprising no more than 100m² of gross floor area</p> <p>At 158, 164, 170 and 172 Arthurs Point Road, Commercial Activities comprising between 101m² and 200m² gross floor area.</p> <p>Discretion is restricted to:</p> <ol style="list-style-type: none"> a. Economic impact on the Queenstown town centre; b. Effects on residential amenity; c. Hours of operation; d. Traffic generation and access; e. Location, design, scale and appearance. 	<p>P</p> <p>RD</p>
9.4.2	Home Occupation	P
9.4.3	Residential Unit comprising three (3) or less per site	P
9.4.4	Residential Visitor Accommodation and Homestays	P
9.4.5	<p>Residential Unit comprising four (4) or more per site</p> <p>Discretion is restricted to:</p> <ol style="list-style-type: none"> a. whether the built form provides a high level of residential amenity for occupants of the subject site and neighbouring properties, through consideration of: <ol style="list-style-type: none"> i. provision for outlook, sunlight and privacy through the site layout, orientation and internal layout of residential units; ii. directly connects any private outdoor spaces to the living spaces within the residential units; iii. ensures any communal private open spaces are accessible, usable and attractive for the residents of the residential units; iv. ensures a balance between privacy and passive surveillance of public spaces, and communal spaces within the site, including surveillance from ground floor level, is achieved; v. includes tree and garden planting particularly relating to the street frontage, outlook areas, boundaries, access ways, common spaces, and parking areas. b. location, external appearance, site layout and design of buildings and fences and how the development addresses its context, including site 	RD

	Activities located in the High Density Residential Zone	Activity status
	<p>topography and orientation and to <u>contributes</u> positively to the <u>planned urban form and</u> character of the area;</p> <p>c. building dominance <u>and sunlight access</u> relative to neighbouring properties and public spaces including roads;</p> <p>d. how the design advances housing diversity, <u>including through providing a range of unit sizes and typologies;</u></p> <p>e. and <u>how the design</u> promotes sustainability either through construction methods, design or function;</p> <p>f. <u>privacy for occupants of the subject site and neighbouring sites;</u></p> <p>g. <u>street activation;</u></p> <p>h. parking and access layout: safety, efficiency and impacts on on-street parking and neighbours;</p> <p>i. design and integration of landscaping;</p> <p>j. <u>capacity of existing or planned infrastructure</u>/<u>servicing for potable water, stormwater and wastewater services;</u></p> <p>k. <u>low impact stormwater design;</u></p> <p>l. <u>waste and recycling storage space and collection;</u></p> <p>m. <u>providing visual connection with the street through the inclusion of windows, outdoor living areas, low profile fencing or landscaping;</u></p> <p>n. <u>the location and visibility of garages and parking from public spaces including roads;</u></p> <p>o. <u>providing a clearly visible pedestrian entrance from the road frontage;</u></p> <p>p. <u>orientation of indoor and outdoor living spaces to maximise access to sunlight and / or vistas throughout the year and minimising direct line of sight between living areas of different units on the same site;</u></p> <p>q. <u>Private or shared storage space;</u></p> <p>r. where a site is subject to any natural hazard and the proposal results in an increase in gross floor area:</p> <ul style="list-style-type: none"> a. the nature and degree of risk the hazard(s) pose to people and property; b. whether the proposal will alter the risk to any site; and c. the extent to which such risk can be avoided or sufficiently mitigated. 	

	Activities located in the High Density Residential Zone	Activity status
	<ul style="list-style-type: none"> s. The location, size, access, design and screening of waste and recycling storage space; and t. Consistency with the Residential Zone Design Guide 2023 2021. u. Where Electricity Sub-transmission Infrastructure or Significant Electricity Distribution Infrastructure as shown on the District Plan web mapping application is located within the adjacent road and any proposed building is located within 9.5 meters of that road boundary, any adverse effects on that infrastructure. 	
9.4.6	<p>Visitor Accommodation including licensed premises within a visitor accommodation development</p> <p>Discretion is restricted to:</p> <ul style="list-style-type: none"> a. The location, nature and scale of activities; b. Parking and access; c. Landscaping; d. Noise; e. Hours of operation, including in respect of ancillary activities; and f. The external appearance of buildings. 	RD
9.4.7	Commercial recreation	D
9.4.8	Community activities	D
9.4.9	Retirement village	D
9.4.10	Activities which are not listed in this table	NC
9.4.11	Commercial activities not otherwise identified	NC
9.4.12	Panel beating, spray painting, motor vehicle repair or dismantling, fibre glassing, sheet metal work, bottle or scrap storage, motor body building.	PR
9.4.13	Manufacturing and/or product assembling activities	PR
9.4.14	Mining	PR
9.4.15	Factory Farming	PR
9.4.16	Fish or meat processing	PR

	Activities located in the High Density Residential Zone	Activity status
9.4.17	Forestry activities, except for Plantation Forestry where the Resource Management (National Environmental Standard for Plantation Forestry) Regulation 2017 prevails.	PR
9.4.18	Any activity requiring an Offensive Trade License under the Health Act 1956	PR
9.4.19	Airports other than the use of land and water for emergency landings, rescues and fire fighting	PR
9.4.20	Bulk material storage	PR

9.5A Rules – Standards for Restricted Discretionary and Discretionary Activities under Rules 9.4 and 9.5

	Standards for activities in the High Density Residential Zone	Non-compliance status
9.5A.1	For all restricted discretionary and discretionary activities under Rules 9.4 and 9.5, applications for resource consent shall include a statement confirming that the relevant design elements from the Residential Zone Design Guide 2023 <u>2021</u> have been considered, including a summary of any particular aspects of the proposal that have resulted from that consideration.	NC

9.5 Rules – Standards

	Standards for activities located in the High Density Residential Zone	Non-compliance status
9.5.1	<p>Building Height – Flat Sites in Queenstown and Arthurs Point</p> <p>9.5.1.1 All sites, a height of up to 16.52 metres, including at Frankton North and Wānaka (Three Parks), except where specified in Rules 9.5.1.2, or 9.5.1.3 9.5.1.4 or 9.5.1.6.</p>	<p>RD</p> <p>Discretion is restricted to:</p> <ol style="list-style-type: none"> building design and appearance, including roof form articulation and the avoidance of large, monolithic building forms; building dominance and sunlight access relative to neighbouring properties and public spaces including roads;

	Standards for activities located in the High Density Residential Zone	Non-compliance status
	<p data-bbox="437 1010 970 1115"><u>9.5.1.2b All sites, height above 15m except where specified in Rules 9.5.1.2, or 9.5.1.3</u></p> <p data-bbox="437 1144 970 1570">9.5.1.2 In the High Density Residential Zone immediately west of the Kawarau Falls Bridge the maximum building height shall be 10m provided that in addition no building shall protrude above a horizontal line orientated due north commencing 7m above any given point along the required boundary setbacks at the southern zone boundary.</p> <p data-bbox="437 1608 970 1921">9.5.1.3 Within the area specified on the District Plan web mapping application on the south side of Frankton Road (SH6A), the highest point of any building shall not exceed the height above sea level of the nearest point of the road carriageway centreline.</p> <p data-bbox="437 1960 970 2065">9.5.1.4 Maximum building height of 15m. In Wānaka (excluding Three Parks) and Arthurs Point</p>	<p data-bbox="995 264 1453 936">c. how the design advances housing diversity, <u>including size and typology</u>; and d. promotion of es sustainability either through construction methods, design or function; e. privacy <u>and outlook</u> for occupants of the subject site and neighbouring sites; f. effects on significant public views (based on an assessment of public views undertaken at the time of the proposal, in addition to any specified significant public views identified within the District Plan); g. the positive effects of enabling additional development intensity within close proximity to town centres.</p> <p data-bbox="995 1014 1018 1046"><u>D</u></p> <p data-bbox="995 1227 1018 1258">D</p> <p data-bbox="995 1693 1018 1724">D</p> <p data-bbox="995 1980 1018 2011"><u>D</u></p>

	Standards for activities located in the High Density Residential Zone	Non-compliance status
	<p>the maximum building height shall be 12m.</p> <p>9.5.1.5 Rules 9.5.1.1 to 9.5.1.4 do not apply to the land at Frankton North. the maximum building height shall be 20m.</p> <p>9.5.1.6 In Arthurs Point the maximum building height shall be 12m.</p>	<p>NC</p> <p>RD</p> <p>Discretion is restricted to:</p> <p>a. building design and appearance, including roof form articulation and the avoidance of large, monolithic building forms;</p> <p>b. building dominance and sunlight access relative to neighbouring properties and public spaces including roads;</p> <p>c. how the design advances housing diversity, including size and typology;</p> <p>d. promotion of sustainability either through construction methods, design or function;</p> <p>e. privacy and outlook for occupants of the subject site and neighbouring sites;</p> <p>f. effects on significant public views (based on an assessment of public views undertaken at the time of the proposal, in addition to any specified significant public views identified within the District Plan);</p> <p>g. effects of greater height on directly adjoining Medium Density Residential Zone;</p>
<p><u>9.5.2</u></p>	<p><u>Building Height – Flat Sites in Wānaka</u></p> <p>9.5.1.7 <u>A height of up to 8m except where specified in Rule 9.5.2.2 and 9.5.2.3.</u></p>	<p>RD</p> <p>Discretion is restricted to:</p> <p>a. building design and appearance, including roof form articulation and the avoidance of large, monolithic building forms;</p> <p>b. building dominance and sunlight access relative to neighbouring properties and public spaces including roads;</p> <p>c. how the design advances housing diversity and promotes sustainability either through construction methods, design or function;</p>

	Standards for activities located in the High Density Residential Zone	Non-compliance status
	<p>9.5.1.8 <u>Maximum building height above 10m.</u></p> <p>In Three Parks Wānaka the maximum building height shall be 12m</p>	<p>d. privacy for occupants of the subject site and neighbouring sites;</p> <p>e. effects on significant public views, in particular from Lismore Park (based on an assessment of public views undertaken at the time of the proposal, in addition to any specified significant public views identified within the District Plan);</p> <p>f. the positive effects of enabling additional development intensity within close proximity to town centres.</p> <p><u>D</u></p>
<p>9.5.3</p>	<p><u>Building Height – Sloping Sites in Queenstown and Wānaka all locations</u></p> <p>9.5.1.9 <u>A height of 7m, except as specified in Rules 9.5.3.2, 9.5.3.3 and 9.5.3.4</u></p>	<p><u>RD</u></p> <p><u>Discretion is restricted to:</u></p> <p>a. <u>building design and appearance, including roof form articulation and the avoidance of large, monolithic building forms;</u></p> <p>b. <u>building dominance and sunlight access relative to neighbouring properties and public spaces including roads;</u></p> <p>c. <u>how the design advances housing diversity and promotes sustainability either through construction methods, design or function;</u></p> <p>d. <u>how the design responds to the sloping landform so as to integrate with it;</u></p> <p>e. <u>privacy for occupants of the subject site and neighbouring sites;</u></p> <p>f. <u>effects on significant public views, in particular from Lismore Park (based on an assessment of public views undertaken at the time of the proposal, in addition to any specified significant public views identified within the District Plan);</u></p>

	Standards for activities located in the High Density Residential Zone	Non-compliance status
	<p>9.5.1.10 <u>Immediately west of the Kawarau Falls Bridge the maximum building height shall be 10m provided that in addition no building shall protrude above a horizontal line orientated due north commencing 7m above any given point along the required boundary setbacks at the southern zone boundary.</u></p> <p>9.5.1.11 <u>Within the area specified on the District Plan web mapping application on the south side of Frankton Road (SH6A), the highest point of any building shall not exceed the height above sea level of the nearest point of the road carriageway centreline</u></p> <p>9.5.1.12 <u>Maximum building height of 10m.</u></p> <p>9.5.1.13 <u>Rules 9.5.3.1 to 9.5.3.4 do not apply to the land at Frankton North.</u></p>	<p><u>g. the positive effects of enabling additional development intensity within close proximity to town centres.</u></p> <p><u>D</u></p> <p><u>D</u></p> <p><u>D</u></p>
<p>9.4.4</p>	<p>Building Height - Frankton North</p> <p>9.5.1.14 Building height of 12m.</p>	<p>RD</p> <p>Discretion is restricted to:</p> <ul style="list-style-type: none"> a. building design and appearance, including roof form articulation and the avoidance of large, monolithic building forms; b. building dominance and sunlight access relative to neighbouring properties and public spaces including roads; c. how the design advances housing diversity and promotes sustainability either through construction methods, design or function;

	Standards for activities located in the High Density Residential Zone	Non-compliance status
	9.5.1.15 Maximum building height of 20m.	<p>d. privacy and outlook for occupants of the subject site and neighbouring sites;</p> <p>e. Crime Prevention Through Environmental Design considerations;</p> <p>f. the positive effects of enabling additional development intensity within close proximity to town centres;</p> <p><u>NC</u></p>
9.5.25	<p>Building Coverage</p> <p>9.5.25.1 A maximum of 70% site coverage</p> <p>9.5.25.2 Within Frankton North a maximum of 75% building coverage.</p> <p>Exclusions:</p> <p>g. building coverage does not include any veranda over public space and does not apply to underground structures, which are not visible from ground level and which are landscaped to appear as recreational or planted (including grassed) areas.</p>	NC
9.5.36	<p>Recession plane (applicable to all buildings, including accessory buildings)</p> <p>9.5.36.1 For Flat Sites from 82.5 metres above ground level a 60-45 degree recession plane applies to all boundaries, other than the northern southern boundary of the site where a 45-55 degree recession plane applies.</p> <p>Exclusions:</p>	<p>RD – for boundaries where the High Density Residential zone applies on each side of the boundary.</p> <p>Discretion is restricted to:</p> <p>a. any sunlight, shading or privacy effects created by the proposal on adjacent sites and/or their occupants;</p> <p>b. effects on any significant public views (based on an assessment of public views undertaken at the time of the proposal, in addition to any specified significant public</p>

	Standards for activities located in the High Density Residential Zone	Non-compliance status
	<p>a. gable end roofs may penetrate the building recession plane by no more than one third of the gable height;</p> <p>b. recession planes do not apply to site boundaries adjoining a Town Centre Zone, <u>Business Mixed Use Zone</u>, fronting a road, or adjoining a park or reserve.</p> <p style="text-align: center;">No recession plane for sloping sites</p> <p>9.5.36.2 Rules 9.5.6.1 and 9.5.6.2.3.1 does not apply at Frankton North.</p> <p>9.5.36.3 At Frankton North all buildings, including accessory buildings, along the northern boundary of the zone where it adjoins the Rural Zone, Open Space Zone and Quail Rise Special Zone: For flat and sloping sites from 3 metres above ground a 45 degree recession plane applies.</p>	<p>views identified within the District Plan);</p> <p>c. external appearance, location and visual dominance of the building(s) as viewed from the street(s) and adjacent properties.</p> <p>d. Where Electricity Sub-transmission Infrastructure or Significant Electricity Distribution Infrastructure as shown on the District Plan web mapping application is located within the adjacent road and any proposed building is located within 9.5 meters of that road boundary, any adverse effects on that infrastructure.</p> <p>NC – for boundaries where there is a change of zone other than as specified in the exclusions.</p>
<p>9.5. 47</p>	<p>Landscaped permeable surface coverage</p> <p>At least 20% of site area shall comprise landscaped (permeable) surface.</p>	<p>NC</p>
<p>9.5. 58</p>	<p>Building Length</p> <p>The length of any building facade above the ground floor level shall not exceed 30m.</p> <p>Rule 9.5.8 does not apply at Frankton North.</p>	<p>RD</p> <p>Discretion is restricted to the following:</p> <p>a. external appearance, location and visual dominance of the building(s) as viewed from the street(s) and adjacent properties.</p>
<p>9.5. 69</p>	<p>Minimum Boundary Setbacks</p> <p>9.5.96.1 All boundaries 1.52 metres except for State Highway road</p>	<p>RD</p> <p>Discretion is restricted to:</p> <p>a. external appearance, location and visual dominance of the building(s) as viewed from the street(s) and adjacent properties;</p>

	Standards for activities located in the High Density Residential Zone	Non-compliance status
	<p>boundaries where the minimum setback shall be 4.5m.</p> <p>9.5.96.2 Garages shall be at least 4.5m back from a road boundary.</p> <p>9.5.96.3 Rules 9.5.69.1 and 9.5.69.2 do not apply at Frankton North.</p> <p>Exceptions to setback requirements other than any road boundary setbacks:</p> <p>Accessory buildings for residential activities may be located within the setback distances, where they do not exceed 7.5m in length, there are no windows or openings (other than for carports) along any walls within 1.5m of an internal boundary, and comply with rules for Building Height and Recession Plane.</p>	<p>b. streetscape character and amenity;</p> <p>c. any sunlight, shading or privacy effects created by the proposal on adjacent sites and/or their occupants;</p> <p>d. effects on any significant public views (based on an assessment of public views undertaken at the time of the proposal, in addition to any specified significant public views identified within the District Plan).</p> <p>e. Where Electricity Sub-transmission Infrastructure or Significant Electricity Distribution Infrastructure as shown on the District Plan web mapping application is located within the adjacent road and any proposed building is located within 9.5 meters of that road boundary, any adverse effects on that infrastructure.</p>
<p><u>9.5.7</u></p>	<p><u>Building height setback at upper floors</u></p> <p><u>9.5.7.1 An additional 2 metre setback from all boundaries, in addition to the required minimum boundary setbacks in 9.5.6, shall apply to the area of buildings that exceed a height of 10m from the ground level.</u></p> <p><u>9.5.7.2 Rule 9.5.7.1 does not apply at Frankton North or along State Highway Road boundaries, only when the 4.5m setback in Rule 9.5.6.1 is complied with.</u></p>	<p><u>RD</u></p> <p><u>Discretion is restricted to:</u></p> <p>a. <u>external appearance and visual dominance of the building(s) as viewed from the street(s) and adjacent properties;</u></p> <p>b. <u>streetscape character and amenity;</u></p> <p>c. <u>any sunlight or shading effects created by the proposal on adjacent sites and/or their occupants.</u></p>
<p><u>9.5.8</u></p>	<p><u>Outlook Space (per unit)</u></p> <p><u>The principal main dimensions for the required outlook space for each</u></p>	<p><u>RD</u></p> <p><u>Discretion is restricted to:</u></p>

	Standards for activities located in the High Density Residential Zone	Non-compliance status
	<p>residential or visitor accommodation unit are as follow:</p> <p>a. A principal living room/space must have an outlook space with a minimum dimension of 4m in depth and 4m in width; and</p> <p>b. All other habitable rooms must have an outlook space with a minimum dimension of 1m in depth and 1m in width and;</p> <p>c. If there is more than one window or glass door in a room, its outlook space is measured from the largest one.</p>	<p>a. Effects on amenity values for future occupants of buildings on the site;</p> <p>b. The extent to which the breach is necessary to enable the provision of housing diversity and options for smaller units on the site.</p>
9.5.910	<p>Waste and Recycling Storage Space</p> <p>9.5.910.1 Each residential unit Residential activities of three units or less shall provide, a minimum of 2m² waste and recycling storage per residential unit or flat.</p> <p>9.5.910.2 Waste and recycling bins shall be:</p> <p>a. Located where it is easy to manoeuvre for kerbside collections and avoid impeding vehicle movements within and through the site; and</p> <p>b. Not directly visible from adjacent sites, roads and public spaces; or</p> <p>c. Screened with materials that are in keeping with the design of the building.</p> <p>d. <u>Subject to a communal or private collection arrangement, where the number of bins required by a development cannot be accommodated within the available kerbside space in front of the development site, including not impeding the footpath.</u></p>	<p>RD</p> <p>Discretion is restricted to:</p> <p>a. Effects on amenity values;</p> <p>b. Size, location and access of waste and recycling storage space;</p> <p>c. <u>Whether there is sufficient space for safe kerbside collection to occur;</u></p> <p>d. <u>Whether a suitable communal or other alternative waste and recycling storage and collection solution is available;</u> and</p> <p>e. Consistency with the Residential Zone Design Guide 2023 <u>2021</u>.</p>

	Standards for activities located in the High Density Residential Zone	Non-compliance status
9.5.101	<p>Lighting and Glare</p> <p>9.5.101.1 All exterior lighting shall be directed downward and away from adjacent sites and roads.</p> <p>9.5.101.2 No activity on any site shall result in greater than a 3.0 lux spill (horizontal or vertical) of lights onto any other site measured at any point inside the boundary of the other site.</p>	<p>RD</p> <p>Discretion is restricted to the effects of lighting and glare on:</p> <p>a. amenity values of adjoining sites; b. the safety of the Transport Network; c. the night sky; and d. the navigational safety of passenger carrying vessels operating at night.</p>
9.5.112	<p>Sound Insulation and Mechanical Ventilation</p> <p>For buildings located within 80m of a State Highway.</p> <p>Any residential buildings, or buildings containing an Activity Sensitive to Road Noise, and located within 80m of a State Highway shall be designed to achieve an Indoor Design Sound Level of 40dB LAeq24h.</p> <p>Compliance with this rule can be demonstrated by submitting a certificate to Council from a person suitably qualified in acoustics stating that the proposed construction will achieve the internal design sound level.</p>	NC
9.5.123	<p>Building Restriction Area</p> <p>No building shall be located within a building restriction area as identified on the District Plan web mapping application.</p>	NC
9.5.134	<p>Flood Risk</p> <p>The construction or relocation of buildings with a gross floor area greater than 20m² and having a ground floor level less than:</p> <p>9.5.134.1 RL 312.0 masl at Queenstown and Frankton.</p> <p>9.5.134.2 RL 281.9 masl at Wānaka.</p>	PR

	Standards for activities located in the High Density Residential Zone	Non-compliance status
<p>9.5.145</p>	<p>Residential Visitor Accommodation where:</p> <p>9.5.145.1 The total nights of occupation by paying guests on a site do not exceed a cumulative total of 90 nights per annum from the date of initial registration.</p> <p>9.5.145.2 The number of guests must not exceed 2 adults per bedroom and the total number of adults and children must not exceed:</p> <ul style="list-style-type: none"> • 3 in a one-bedroom residential unit; • 6 in a two-bedroom residential unit; and • 9 in a three-bedroom or more residential unit. <p>9.5.145.3 No vehicle movements by a passenger service vehicle capable of carrying more than 12 people are generated.</p> <p>9.5.145.4 The activity is registered with Council prior to commencement.</p> <p>9.5.145.5 Up to date records of the Residential Visitor Accommodation activity must be kept including a record of the date and duration of guest stays and the number of guests staying per night, and in a form that can be made available for inspection by Council with 24 hours' notice.</p> <p>Note: The Council may request that records are made available to the Council for inspection at 24 hours' notice, in order to</p>	<p>RD</p> <p>Discretion is restricted to:</p> <ol style="list-style-type: none"> a. The location, nature and scale of activities; b. Vehicle access and parking; c. Privacy and overlooking; d. Outdoor lighting; e. The management of noise, rubbish, recycling and outdoor activities; f. Guest management and complaints procedures; g. The keeping of records of the Residential Visitor Accommodation use, and availability of records for Council inspection; and h. Monitoring requirements, including imposition of an annual monitoring charge.

	Standards for activities located in the High Density Residential Zone	Non-compliance status
	monitor compliance with rules 9.5.145.1 to 9.5.145.5.	
9.5.156	<p>Homestay</p> <p>9.5.156.1 The total number of paying guests on a site does not exceed five per night.</p> <p>9.5.156.2 No vehicle movements by a passenger service vehicle capable of carrying more than 12 people are generated.</p> <p>9.5.156.3 Council is notified in writing prior to the commencement of a Homestay activity.</p> <p>9.5.156.4 Up to date records of the Homestay activity are kept, including a record of the number of guests staying per night, and in a form that can be made available for inspection by the Council at 24 hours' notice.</p> <p>Note: The Council may request that records are made available to the Council for inspection at 24 hours' notice, in order to monitor compliance with rules 9.5.156.1 to 9.5.156.4.</p>	<p>RD</p> <p>Discretion is restricted to:</p> <ol style="list-style-type: none"> The location, nature and scale of activities; Privacy and overlooking; The management of noise, rubbish, recycling and outdoor activities; The keeping of records of Homestay use, and availability of records for Council inspection; and Monitoring requirements, including imposition of an annual monitoring charge; and Vehicle access and parking.
9.5.167	<p>Development on land at Frankton North shall be undertaken in accordance with the Frankton North Structure Plan (Schedule 27.13.9), including:</p> <ol style="list-style-type: none"> Providing for a primary road that links State Highway 6 to Quail Rise; Providing for internal connections from the primary road that ensure vehicle access to all sites; Precluding any new vehicular access to the State Highway network; and 	NC

	Standards for activities located in the High Density Residential Zone	Non-compliance status
	d. Providing for a pedestrian and cycle path along the boundary with State Highway 6. This is intended to provide a minimum path width of 2.5 metres, within the existing State Highway corridor, or where there is insufficient land within the State Highway corridor, within adjacent private land.	

9.6 Rules - Non-Notification of Applications

9.6.1 The following Restricted Discretionary activities shall not require the written approval of affected persons and shall not be notified or limited notified except where vehicle crossing or right of way access on or off a State Highway is sought:

9.6.1.1 Residential development involving the development of 4 or more residential units where the standards in Rule 9.5 are complied with.

9.6.1.2 Building Heights between 16.52m and 20m at Frankton North as identified in Rule 9.5.4.1.1.1

9.6.2 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:

9.6.2.1 Restricted Discretionary building height setback at upper floors, building height (except at Frankton North as identified in Rule 9.6.1.2) and recession plane contraventions.

9.6.2.2 Boundary setback contraventions of up to 0.6m into the required setback depth of the yard (for unlimited length of the boundary).

9.6.2.3 Visitor accommodation and residential visitor accommodation.

9.6.2.4 Where the matters of discretion include effects on the Electricity Sub-transmission Infrastructure or Significant Electricity Distribution Infrastructure, Council will give specific consideration to Aurora Energy Limited as an affected person for the purposes of section 95E of the Act.

9A. High Density Residential A

9A.1 Zone Purpose

The High Density Residential A Zone provides for efficient use of land within close proximity to Queenstown Town Centre and Three Parks Wanaka town centres and Arthurs Point that is easily accessible by public transport, cycle and walk ways, and that has the capacity to accommodate significant urban growth. In conjunction with the High Density Residential, Medium Density Residential A, and Medium Density Residential Zones, the zone plays a key planning role in minimising urban sprawl and consolidating growth in existing urban areas.

In Queenstown, the High Density Residential A zone enables taller buildings than in the other residential zones, subject to high design quality. The High Density Residential A Zone at Three Parks Wānaka provides for a distinctive urban character at the entranceway to Wānaka including through taller buildings and landscaped areas adjacent to State Highway 84. In Wānaka, lower building heights are anticipated, accounting for its distinctive urban character, however relatively high densities are still achievable. Such development will result in a greater diversity of housing supply, help support the function and vibrancy of town centres, and reduce reliance on private transport. Over time, ~~low-rise~~ apartments and terraced housing are envisaged to become commonplace within the zone.

~~The High Density Residential Zone at Three Parks Wānaka provides for a distinctive urban character at the entranceway to Wānaka through taller buildings and landscaped areas adjacent to State Highway 84.~~

Development in the zone will facilitate effective non-vehicular connections and access to high quality public open space.

Development controls provide minimum protections for existing amenity values, and are otherwise prioritised towards enabling the community's wellbeing by promoting growth and development. Given the focus on intensification, moderate to substantial change is anticipated including to both public and private views as the character of land within the zone develops into one that is characteristically urban.

Small scale commercial activities are enabled, either to support larger residential developments, or to provide low impact local services.

Small scale community facilities are anticipated, given the need for community activities within residential areas. However, large scale community facilities are not anticipated as this will reduce the effectiveness of the zone at its primary purpose of accommodating housing.

Visitor accommodation, residential visitor accommodation and homestays are anticipated and enabled in this zone, which is located near the town centres and within Arthurs Point, to respond to projected growth in visitor numbers, provided that adverse effects on the residential amenity values of nearby residents is avoided, remedied or mitigated.

9A.2 Objectives and Policies

9A.2.1 Objective – High density ~~housing~~ development occurs in urban areas close to town centres, to provide greater housing diversity and respond to expected population growth.

Policies

9A.2.1.1 Provide sufficient high density zoned land that enables diverse housing supply and visitor accommodation close to town centres.

9A.2.1.2 Promote high density development close to town centres to reduce private vehicle movements, maximise walking, cycling and public transport patronage and reduce the need for capital expenditure on infrastructure.

9A.2.1.3 Require development to achieve the highest densities practicable at the time of development.

9A.2.2 Objective - ~~High density residential dD~~ development provides a positive contribution to the environment through quality urban design.

Policies

9A.2.2.1 Require that development within the zone responds to its context, site topography and orientation, with a particular emphasis on the following essential built form outcomes:

- a. achieving high levels of visual interest and avoiding blank or unarticulated walls or facades;
- b. achieving well-overlooked, activated streets and public open spaces, including by not visually or spatially dominating street edges with garaging, parking or access ways;
- c. achieving a variation and modulation in building mass, including roof forms;
- d. use landscaped areas to provide permeable surface areas for stormwater disposal and to add to the visual amenity values of the development for on-site residents or visitors, neighbours, and the wider public; and
- e. providing a high level of amenity that meets the day-to-day needs of occupants on the development site.

9A.2.2.2 Support greater building height than the zone rule where development is designed to achieve an exemplary standard of quality, including its environmental sustainability.

9A.2.2.3 Promote a distinct streetscape for the Arthurs Point High Density Residential neighbourhood that is based upon a shared and integrated public realm.

9A.2.2.4 Require consideration of the relevant design elements identified in the Residential Zone Design Guide 2023~~1~~ 2021.

9A.2.2.5 Apply lower permitted building heights in Arthurs Point to achieve visual integration with the adjoining Medium Density Residential Zone building heights.

9A.2.3 Objective – ~~High density residential dD~~ development maintains an appropriate minimum level of ~~existing~~ amenity ~~values~~ for neighbouring sites as part of positively contributing to the urban amenity values sought within the zone.

Policies

9A.2.3.1 Apply recession plane, building height, height setback at upper floors, yard setback and site coverage controls as the primary means of ensuring an appropriate minimum level

of neighbours' outlook space, sunshine and light access, and privacy is provided for will be maintained, while acknowledging that through an application for land use consent an outcome superior to that likely to result from strict compliance with the controls may well be identified.

9A.2.3.2 ~~Ensure the amenity values of neighbours are adequately maintained.~~

9A.2.3.23— Ensure built form achieves privacy for occupants of the subject site and neighbouring residential sites and units, including through the use of building setbacks, offsetting habitable windows from one another, screening, or other means.

9A.2.4 Objective – Small-scale community activities are provided for where they are best located in a residential environment close to residents.

Policies

9A.2.4.1 Enable the establishment of small-scale community activities where adverse effects on residential amenity values such as noise, traffic and visual impact can be avoided or mitigated.

9A.2.5 Objective – Commercial development is small-scale and generates minimal amenity value impacts.

Policies

9A.2.5.1 Ensure that any commercial development is of low scale and intensity, and does not undermine the local transport network or availability of on-street vehicle parking for non-commercial use.

9A.2.5.2 Ensure that any commercial development is of a design, scale and appearance compatible with its surrounding context.

9A.2.6 Objective - High-density residential development will efficiently utilise existing infrastructure and minimise impacts on infrastructure and roading networks.

Policies

9A.2.6.1 Require development to provide or enhance connections to public places, public transport and active transport networks (walkways, trails and cycleways) where appropriate.

9A.2.6.2 Require development to provide facilities to encourage walking and cycling where appropriate.

9A.2.6.3 Ensure access and parking is located and designed to optimise the connectivity, efficiency and safety of the district's transport networks, including encouraging the consideration of a reduction in required car parking provision to where it can help be facilitate modal shift. ~~demonstrated that this is appropriate.~~

9A.2.6.4 Require the site layout and design of development provides low impact approaches to stormwater management through providing permeable surface areas on site and the use of a variety of stormwater management measures.

9A.2.6.5 A reduction in parking provision requirements may be is encouraged considered in Queenstown and Wānaka where a site is located within 800m of a bus stop or the edge of a Town Centre Zone including to help facilitate modal shift.

- 9A.2.6.6 Ensure development is designed consistent with the capacity of existing and/or planned infrastructure networks or upgrades for potable water, stormwater and wastewater services, and where practicable, incorporates low impact approaches to stormwater management and efficient use of potable water.
- 9A.2.7 Objective – Manage the development of land within noise affected environments to ensure mitigation of noise and reverse sensitivity effects.**
- 9A.2.7.1 Require as necessary all new and altered buildings for Activities Sensitive to Road Noise located close to any State Highway to be designed to provide protection from sleep disturbance and to otherwise maintain reasonable amenity values for occupants.
- 9A.2.8 Objective – Visitor accommodation, residential visitor accommodation and homestays are enabled in urban areas close to town centres to respond to strong projected growth in visitor numbers, whilst ensuring that adverse effects on residential amenity values and traffic safety are avoided, remedied or mitigated.**
- 9A.2.8.1 Provide sufficient high density zoned land to enable a range of accommodation options for visitors to establish close to town centres.
- 9A.2.8.2 Enable a range of accommodation options which positively contribute to residential amenity values by ensuring that adverse effects on residential amenity values are avoided, remedied or mitigated.
- 9A.2.8.3 Ensure that visitor accommodation development utilises existing infrastructure and minimise impacts on infrastructure and roading networks.
- 9A.2.8.4 Ensure that the design of buildings for visitor accommodation contributes positively to the visual quality of the environment through the use of connection to the street, interesting built forms, landscaping, and response to site context.
- ~~**9A.2.9 Objective – High quality residential development of the land on the northern side of State Highway 6 at Frankton, that is integrated with a primary road that connects State Highway 6 at Hawthorne Drive to Quail Rise, pedestrian and cycle access, and appropriate servicing.**~~
- 9A.2.9.1 ~~Ensure subdivision and development at Frankton North is undertaken in accordance with the Frankton North Structure Plan (Schedule 27.13.9) to promote integration and provision of access to and throughout Frankton North.~~
- 9A.2.9.2 ~~Ensure safe transport connections by:~~
- ~~a. avoiding any new access to State Highway 6;~~
 - ~~b. limiting new access to the land at Frankton North to: Hawthorne Drive/SH6 roundabout, Hansen Road and Ferry Hill Drive;~~
 - ~~c. providing the primary road connection between State Highway 6 at Hawthorne Drive and Quail Rise;~~
 - ~~d. providing access to the primary road connection from all sites within Frankton North; and~~
 - ~~e. providing internal road, pedestrian and cycle connections that are of a form that accounts for long term traffic demand for the area between Hansen Road and Ferry Hill Drive without the need for subsequent retrofitting or upgrade.~~

- ~~f.—ensuring that road frontages are not dominated by vehicular access and parking; and~~
- ~~g.—integrating with the pedestrian and cycle path and the road network and public transport routes on the southern side of State Highway 6, including pedestrian and cycle access across State Highway 6.~~

9A.2.9.3 ~~Encourage low impact stormwater design that utilises on-site treatment and storage+ dispersal approaches.~~

9A.2.9.4 ~~Avoid the impacts of stormwater discharges on the State Highway network.~~

~~Note: Attention is drawn to the need to consult with the New Zealand Transport Agency (NZTA) prior to determining an internal and external road network design under these policies.~~

~~Note: Attention is drawn to the need to obtain a Section 93 notice from the NZ Transport Agency for all subdivisions on adjoining State Highways which are declared Limited Access Roads. The NZ Transport Agency should be consulted and a request made for a notice under Section 93 of the Government Roadings Powers Act 1989.~~

9A.2.10 Objective – The High Density Residential A Zone at Three Parks Wānaka contributes to a quality environment at the entranceway to Wānaka.

9A.2.10.1 Avoid buildings within the Building Restriction Area so as to:

- a. minimise adverse effects of road noise on residential amenity; and
- b. ensure the land adjacent to State Highway 84 be landscaped so as to provide a high amenity sense of arrival into Wānaka.

9A.2.10.2 ~~Enable buildings up to 20m heights in the Three Parks Wanaka in situations when:~~

- a. ~~the outcome is of high quality design; and~~
- b. ~~the additional height would not result in shading that would adversely impact on adjoining Residential zone and/or public space or does not dominate the streetscape.~~

9A.3 Other Provisions and Rules

9A.3.1 District Wide

Attention is drawn to the following District Wide chapters.

1 Introduction	2 Definitions	3 Strategic Direction
4 Urban Development	5 Tangata Whenua	6 Landscapes and Rural Character
25 Earthworks	26 Historic Heritage	27 Subdivision
28 Natural Hazards	29 Transport	30 Energy and Utilities
31 Signs	32 Protected Trees	33 Indigenous Vegetation
34 Wilding Exotic Trees	35 Temporary Activities and Relocated Buildings	36 Noise

37 Designations	District Plan web mapping application	
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9A.3.2 Interpreting and Applying the Rules

9A.3.2.1 A permitted activity must comply with all the rules listed in the Activity and Standards tables, and any relevant district wide rules, otherwise a resource consent will be required.

9A.3.2.2 Where an activity does not comply with a Standard listed in the Standards tables, the activity status identified by the 'Non- Compliance Status' column shall apply.

9A.3.2.3 Where an activity breaches more than one Standard, the most restrictive status shall apply to the Activity.

9A.3.2.4 Each residential unit may include a single residential flat and any other accessory buildings.

9A.3.2.5 The status of any Plantation Forestry will be determined by the Resource Management (National Environmental Standards for Plantation Forestry) Regulations 2017.

9A.3.2.6 The following abbreviations are used within this Chapter.

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

9A.3.2.6A Compliance with the New Zealand Electrical Code of Practice for Electrical Safe Distances ("NZECP34:2001") is mandatory under the Electricity Act 1992. All activities, such as buildings, earthworks and conductive fences regulated by NZECP34: 2001, including any activities that are otherwise permitted by the District Plan must comply with this legislation. Chapter 30 Energy and Utilities part 30.3.3.2.c has additional information in relation to activities and obligations under NZECP34:2001.

9A.4 Rules - Activities

	Activities located in the High Density Residential <u>A</u> Zone	Activity status
9A.4.1	<p>Commercial activities comprising no more than 100m² of gross floor area</p> <p>At 158, 164, 170 and 172 Arthurs Point Road, Commercial Activities comprising between 101m² and 200m² gross floor area.</p> <p>Discretion is restricted to:</p> <ul style="list-style-type: none"> a. Economic impact on the Queenstown town centre; b. Effects on residential amenity; c. Hours of operation; d. Traffic generation and access; e. Location, design, scale and appearance. 	P RD
9A.4.2	Home Occupation	P
9A.4.3	Residential Unit comprising three (3) or less per site	P
9A.4.4	Residential Visitor Accommodation and Homestays	P
9A.4.5	<p>Residential Unit comprising four (4) or more per site</p> <p>Discretion is restricted to:</p> <ul style="list-style-type: none"> a. Achieving the highest density that is practicable at the time of the application (where “practicable” means the development is both technically achievable and financially viable) whether the built form provides a high level of residential amenity for occupants of the subject site and neighbouring properties, through consideration of: <ul style="list-style-type: none"> i. provision for outlook, sunlight and privacy through the site layout, orientation and internal layout of residential units; ii. directly connects any private outdoor spaces to the living spaces within the residential units; iii. ensures any communal private open spaces are accessible, usable and attractive for the residents of the residential units; iv. ensures a balance between privacy and passive surveillance of public spaces, and communal spaces within the site, including surveillance from ground floor level, is achieved; v. includes tree and garden planting particularly relating to the street frontage, outlook areas, boundaries, access ways, common spaces, and parking areas. 	RD

	Activities located in the High Density Residential <u>A</u> Zone	Activity status
	<ul style="list-style-type: none"> b. location, external appearance, site layout and design of buildings and fences and how the development addresses its context, <u>including site topography and orientation connections to public space and public transport, and to contribute positively to the planned urban form and character of the area;</u> c. building dominance and sunlight access relative to neighbouring properties and public spaces including roads; d. <u>residential amenity values for occupants of buildings on the site;</u> e. how the design advances housing diversity, <u>including through providing a range of unit sizes and typologies;</u> f. and <u>how the design</u> promotes sustainability either through construction methods, design or function; g. <u>privacy for occupants of the subject site and neighbouring sites;</u> h. <u>well-overlooked public spaces including roads, and visual dominance of roads by garages of car parking areas;</u> <u>street activation;</u> i. parking and access layout: safety, efficiency and impacts on on-street parking and neighbours; j. design and integration of landscaping; k. <u>capacity of existing or planned infrastructure/ servicing for potable water, stormwater and wastewater services;</u> l. <u>low impact stormwater design;</u> m. <u>waste and recycling storage space and collection;</u> n. <u>providing visual connection with the street through the inclusion of windows, outdoor living areas, low profile fencing or landscaping;</u> o. <u>the location and visibility of garages and parking from public spaces including roads;</u> p. <u>providing a clearly visible pedestrian entrance from the road frontage;</u> q. <u>orientation of indoor and outdoor living spaces to maximise access to sunlight and / or vistas throughout the year and minimising direct line of sight between living areas of different units on the same site;</u> r. <u>Private or shared storage space;</u> s. where a site is subject to any natural hazard and the proposal results in an increase in gross floor area: 	

	Activities located in the High Density Residential <u>A</u> Zone	Activity status
	<ul style="list-style-type: none"> a. the nature and degree of risk the hazard(s) pose to people and property; b. whether the proposal will alter the risk to any site; and c. the extent to which such risk can be avoided or sufficiently mitigated. t. The location, size, access, design and screening of waste and recycling storage space; and u. Consistency with the Residential Zone Design Guide 20231 2021. v. Where Electricity Sub-transmission Infrastructure or Significant Electricity Distribution Infrastructure as shown on the District Plan web mapping application is located within the adjacent road and any proposed building is located within 9.5 meters of that road boundary, any adverse effects on that infrastructure. 	
9A.4.6	<p>Visitor Accommodation including licensed premises within a visitor accommodation development</p> <p>Discretion is restricted to:</p> <ul style="list-style-type: none"> a. The location, nature and scale of activities; b. Parking and access; c. Landscaping; d. Noise; e. Hours of operation, including in respect of ancillary activities; and f. The external appearance of buildings. 	RD
9A.4.7	Commercial recreation	D
9A.4.8	Community activities	D
9A.4.9	Retirement village	D
9A.4.10	Activities which are not listed in this table	NC
9A.4.11	Commercial activities not otherwise identified	NC
9A.4.12	Panel beating, spray painting, motor vehicle repair or dismantling, fibre glassing, sheet metal work, bottle or scrap storage, motor body building.	PR
9A.4.13	Manufacturing and/or product assembling activities	PR

	Activities located in the High Density Residential <u>A</u> Zone	Activity status
9A.4.14	Mining	PR
9A.4.15	Factory Farming	PR
9A.4.16	Fish or meat processing	PR
9A.4.17	Forestry activities, except for Plantation Forestry where the Resource Management (National Environmental Standard for Plantation Forestry) Regulation 2017 prevails.	PR
9A.4.18	Any activity requiring an Offensive Trade License under the Health Act 1956	PR
9A.4.19	Airports other than the use of land and water for emergency landings, rescues and fire fighting	PR
9A.4.20	Bulk material storage	PR

~~9.5A — Rules — Standards for Restricted Discretionary and Discretionary Activities under Rules 9.4 and 9.5~~

	Standards for activities in the High Density Residential Zone	Non-compliance status
9.5A.1	For all restricted discretionary and discretionary activities under Rules 9.4 and 9.5, applications for resource consent shall include a statement confirming that the relevant design elements from the Residential Zone Design Guide 20231 2021 have been considered, including a summary of any particular aspects of the proposal that have resulted from that consideration.	NC

9A.5 Rules – Standards

	Standards for activities located in the High Density Residential A Zone	Non-compliance status
9A.5.1	Building Height – Flat Sites in Queenstown 9A.5.1.1 A height of <u>up to 16.52</u> metres is permitted, <u>with height between 16.5m and 24m a restricted</u>	RD Discretion is restricted to: a. building design and appearance, including roof form articulation

	Standards for activities located in the High Density Residential A Zone	Non-compliance status
	<p>discretionary activity including at Frankton North and Wānaka (Three Parks), except where specified in Rules 9.5.1.2, 9.5.1.3 or 9.5.1.4 or 9.5.1.6.</p> <p>9A.5.1.2 Building height above 24m in the High Density Residential Zone immediately west of the Kawarau Falls Bridge the maximum building height shall be 10m provided that in addition no building shall protrude above a horizontal line orientated due north commencing 7m above any given point along the required boundary setbacks at the southern zone boundary.</p> <p>9A.5.1.3 Within the area specified on the District Plan web mapping application on the south side of Frankton Road (SH6A), the highest point of any building shall not exceed the height above sea level of the nearest point of the road carriageway centreline.</p>	<p>and the avoidance of large, monolithic building forms;</p> <p>b. building dominance and sunlight access relative to neighbouring properties and public spaces including roads;</p> <p>c. how the design advances housing diversity, <u>including size and typology</u>; and</p> <p>d. promotion of es sustainability either through construction methods, design or function;</p> <p>e. privacy <u>and outlook</u> for occupants of the subject site and neighbouring sites;</p> <p>f. effects on significant public views (based on an assessment of public views undertaken at the time of the proposal, in addition to any specified significant public views identified within the District Plan);</p> <p>g. the positive effects of enabling additional development intensity within close proximity to town <u>centresthe zone</u>.</p> <p>D</p> <p>D</p>

	Standards for activities located in the High Density Residential A Zone	Non-compliance status
	<p>9A.5.1.4 Maximum building height of 15m. In Wānaka (excluding Three Parks) and Arthurs Point the maximum building height shall be 12m.</p> <p>9A.5.1.5 Rules 9.5.1.1 to 9.5.1.4 do not apply to the land at Frankton North. the maximum building height shall be 20m.</p> <p>9A.5.1.6 In Arthurs Point the maximum building height shall be 12m.</p>	<p>D</p> <p>NC</p> <p>RD Discretion is restricted to:</p> <p>a. building design and appearance, including roof form articulation and the avoidance of large, monolithic building forms;</p> <p>b. building dominance and sunlight access relative to neighbouring properties and public spaces including roads;</p> <p>c. how the design advances housing diversity, including size and typology;</p> <p>d. promotion of sustainability either through construction methods, design or function;</p> <p>e. privacy and outlook for occupants of the subject site and neighbouring sites;</p> <p>f. effects on significant public views (based on an assessment of public views undertaken at the time of the proposal, in addition to any specified significant public views identified within the District Plan);</p> <p>g. effects of greater height on directly adjoining Medium Density Residential Zone;</p>
9.5.2	<p>Building Height – Flat Sites in Wānaka</p> <p>9A.5.1.7 A height of 8m except where specified in Rule 9.5.2.2 and 9.5.2.3.</p>	<p>RD Discretion is restricted to:</p> <p>a. building design and appearance, including roof form articulation and the avoidance of large, monolithic building forms;</p> <p>b. building dominance and sunlight access relative to neighbouring properties and public spaces including roads;</p>

	Standards for activities located in the High Density Residential A Zone	Non-compliance status
	<p>9A.5.1.8 Maximum building height of 10m.</p> <p>In Three Parks Wānaka the maximum building height shall be 12m</p>	<p>e. how the design advances housing diversity and promotes sustainability either through construction methods, design or function;</p> <p>d. privacy for occupants of the subject site and neighbouring sites;</p> <p>e. effects on significant public views, in particular from Lismore Park (based on an assessment of public views undertaken at the time of the proposal, in addition to any specified significant public views identified within the District Plan);</p> <p>f. the positive effects of enabling additional development intensity within close proximity to town centres.</p> <p>D</p>
<p>9.5.3</p>	<p>Building Height – Sloping Sites in Queenstown and Wānaka</p> <p>9A.5.1.9 A height of 7m, except as specified in Rules 9.5.3.2, 9.5.3.3 and 9.5.3.4</p>	<p>RD</p> <p>Discretion is restricted to:</p> <p>a. building design and appearance, including roof form articulation and the avoidance of large, monolithic building forms;</p> <p>b. building dominance and sunlight access relative to neighbouring properties and public spaces including roads;</p> <p>e. how the design advances housing diversity and promotes sustainability either through construction methods, design or function;</p> <p>d. how the design responds to the sloping landform so as to integrate with it;</p> <p>e. privacy for occupants of the subject site and neighbouring sites;</p> <p>f. effects on significant public views, in particular from Lismore Park (based on an assessment of public</p>

	Standards for activities located in the High Density Residential A Zone	Non-compliance status
	<p>9A.5.1.10 Immediately west of the Kawarau Falls Bridge the maximum building height shall be 10m provided that in addition no building shall protrude above a horizontal line orientated due north commencing 7m above any given point along the required boundary setbacks at the southern zone boundary.</p> <p>9A.5.1.11 Within the area specified on the District Plan web mapping application on the south side of Frankton Road (SH6A), the highest point of any building shall not exceed the height above sea level of the nearest point of the road carriageway centreline</p> <p>9A.5.1.12 Maximum building height of 10m.</p> <p>9A.5.1.13 Rules 9.5.3.1 to 9.5.3.4 do not apply to the land at Frankton North.</p>	<p>views undertaken at the time of the proposal, in addition to any specified significant public views identified within the District Plan);</p> <p>g. the positive effects of enabling additional development intensity within close proximity to town centres.</p> <p>⌀</p> <p>⌀</p> <p>⌀</p>
<p>9.4.4</p>	<p>Building Height – Frankton North</p> <p>9A.5.1.14 Building height of 12m.</p>	<p>RD</p> <p>Discretion is restricted to:</p> <p>a. building design and appearance, including roof form articulation and the avoidance of large, monolithic building forms;</p> <p>b. building dominance and sunlight access relative to neighbouring properties and public spaces including roads;</p>

	Standards for activities located in the High Density Residential A Zone	Non-compliance status
	<p>9A.5.1.15 Maximum building height of 20m.</p>	<p>c. how the design advances housing diversity and promotes sustainability either through construction methods, design or function;</p> <p>d. privacy and outlook for occupants of the subject site and neighbouring sites;</p> <p>e. Crime Prevention Through Environmental Design considerations;</p> <p>f. the positive effects of enabling additional development intensity within close proximity to town centres;</p> <p>NC</p>
<p>9A.5.25</p>	<p>Building Coverage</p> <p>9A.5.52.1 A maximum of 70% site coverage</p> <p>9.5.52.2 Within Frankton North a maximum of 75% building coverage.</p> <p>Exclusions:</p> <p>a. building coverage does not include any veranda over public space and does not apply to underground structures, which are not visible from ground level and which are landscaped to appear as recreational or planted (including grassed) areas.</p>	<p>NC</p>
<p>9A.5.36</p>	<p>Recession plane (applicable to all buildings, including accessory buildings)</p> <p>9A.5.36.1 For Flat Sites from 82.5 metres above ground level a 60 45 degree recession plane applies to all boundaries, other than the northern <u>southern</u> boundary of the site where a 45 55 degree recession plane applies.</p>	<p>RD – for boundaries where the High Density Residential <u>A</u> zone applies on each side of the boundary.</p> <p>Discretion is restricted to:</p> <p>a. any sunlight, shading or privacy effects created by the proposal on adjacent sites and/or their occupants;</p> <p>b. effects on any significant public views (based on an assessment of public views undertaken at the time of the proposal, in addition to</p>

	Standards for activities located in the High Density Residential A Zone	Non-compliance status
	<p>Exclusions:</p> <p>a. gable end roofs may penetrate the building recession plane by no more than one third of the gable height;</p> <p>b. recession planes do not apply to site boundaries adjoining a Town Centre Zone, <u>Business Mixed Use Zone</u>, fronting a road, or adjoining a park or reserve.</p> <p style="text-align: center;">No recession plane for sloping sites</p> <p style="text-align: center;">9.5.36.2 — Rules 9.5.6.1 and 9.5.6.2.3.1 does not apply at Frankton North.</p> <p style="text-align: center;">9.5.36.3 — At Frankton North all buildings, including accessory buildings, along the northern boundary of the zone where it adjoins the Rural Zone, Open Space Zone and Quail Rise Special Zone: For flat and sloping sites from 3 metres above ground a 45 degree recession plane applies.</p>	<p>any specified significant public views identified within the District Plan);</p> <p>c. external appearance, location and visual dominance of the building(s) as viewed from the street(s) and adjacent properties.</p> <p>d. Where Electricity Sub-transmission Infrastructure or Significant Electricity Distribution Infrastructure as shown on the District Plan web mapping application is located within the adjacent road and any proposed building is located within 9.5 meters of that road boundary, any adverse effects on that infrastructure.</p> <p>NC — for boundaries where there is a change of zone other than as specified in the exclusions.</p>
9A.5.47	<p>Landscaped permeable surface coverage</p> <p>At least 20% of site area shall comprise landscaped (permeable) surface.</p>	NC
9A.5.58	<p>Building Length</p> <p>The length of any building facade above the ground floor level shall not exceed 30m.</p> <p>Rule 9.5.8 does not apply at Frankton North.</p>	<p>RD</p> <p>Discretion is restricted to the following:</p> <p>a. external appearance, location and visual dominance of the building(s) as viewed from the street(s) and adjacent properties.</p>
9A.5.69	<p>Minimum Boundary Setbacks</p> <p style="text-align: center;">9A.5.96.1 All boundaries <u>1.52</u> metres except for State Highway road boundaries where the</p>	<p>RD</p> <p>Discretion is restricted to:</p> <p>a. external appearance, location and visual dominance of the building(s) as viewed from the street(s) and adjacent properties;</p> <p>b. streetscape character and amenity;</p>

	Standards for activities located in the High Density Residential A Zone	Non-compliance status
	<p>minimum setback shall be 4.5m.</p> <p>9A.5.96.2 Garages shall be at least 4.5m back from a road boundary.</p> <p>9A.5.96.3 Rules 9A.5.69.1 and 9A.5.69.2 do not apply at Frankton North.</p> <p>Exceptions to setback requirements other than any road boundary setbacks:</p> <p>Accessory buildings for residential activities may be located within the setback distances, where they do not exceed 7.5m in length, there are no windows or openings (other than for carports) along any walls within 1.5m of an internal boundary, and comply with rules for Building Height and Recession Plane.</p>	<p>c. any sunlight, shading or privacy effects created by the proposal on adjacent sites and/or their occupants;</p> <p>d. effects on any significant public views (based on an assessment of public views undertaken at the time of the proposal, in addition to any specified significant public views identified within the District Plan).</p> <p>e. Where Electricity Sub-transmission Infrastructure or Significant Electricity Distribution Infrastructure as shown on the District Plan web mapping application is located within the adjacent road and any proposed building is located within 9.5 meters of that road boundary, any adverse effects on that infrastructure.</p>
<p>9A.5.7</p>	<p><u>Building height setback at upper floors</u></p> <p>9A.5.7.1 <u>An additional 2 metre setback from all boundaries, in addition to the required minimum boundary setbacks in 9.5.6, shall apply to the area of buildings that exceed a height of 10m from the ground level.</u></p> <p>9A.5.7.2 <u>Rule 9A.5.7.1 does not apply at Frankton North or along State Highway Road boundaries, only when the 4.5m setback in Rule 9.5.6.1 is complied with.</u></p>	<p><u>RD</u></p> <p><u>Discretion is restricted to:</u></p> <p>a. <u>external appearance and visual dominance of the building(s) as viewed from the street(s) and adjacent properties;</u></p> <p>b. <u>streetscape character and amenity;</u></p> <p>c. <u>any sunlight or shading effects created by the proposal on adjacent sites and/or their occupants.</u></p>
<p>9A.5.8</p>	<p><u>Outlook Space (per unit)</u></p> <p>The principal <u>main</u> dimensions for the required outlook space for each residential or visitor accommodation unit are as follow:</p> <p>a. <u>A principal living room/space must have an outlook space with a</u></p>	<p><u>RD</u></p> <p><u>Discretion is restricted to:</u></p> <p>a. <u>Effects on amenity values for future occupants of buildings on the sitePrivacy, and access to sun and daylight;</u></p>

	Standards for activities located in the High Density Residential A Zone	Non-compliance status
	<p><u>minimum dimension of 4m in depth and 4m in width; and</u></p> <p>b. <u>All other habitable rooms must have an outlook space with a minimum dimension of 1m in depth and 1m in width and;</u></p> <p>c. <u>If there is more than one window or glass door in a room, the outlook space is measured from the largest one.</u></p>	<p>b. <u>The extent to which the breach is necessarily to enable the provision of housing diversity and options for smaller units on the site.</u></p>
9A.5.910	<p>Waste and Recycling Storage Space</p> <p>9A.5.910.1 Residential activities of three units or less shall provide, a minimum of 2m² waste and recycling storage per residential unit or flat.</p> <p>9A.5.910.2 Waste and recycling bins shall be:</p> <p>a. Located where it is easy to manoeuvre for kerbside collections and avoid impeding vehicle movements within and through the site; and</p> <p>b. Not directly visible from adjacent sites, roads and public spaces; or</p> <p>c. Screened with materials that are in keeping with the design of the building.</p>	<p>RD</p> <p>Discretion is restricted to:</p> <p>a. Effects on amenity values;</p> <p>b. Size, location and access of waste and recycling storage space; and</p> <p>c. Consistency with the Residential Zone Design Guide 20231 2021.</p>
9A.5.101	<p>Lighting and Glare</p> <p>9A.5.101.1 All exterior lighting shall be directed downward and away from adjacent sites and roads.</p> <p>9A.5.101.2 No activity on any site shall result in greater than a 3.0 lux spill (horizontal or vertical) of lights onto any other site measured at any point inside the boundary of the other site.</p>	<p>RD</p> <p>Discretion is restricted to the effects of lighting and glare on:</p> <p>a. amenity values of adjoining sites;</p> <p>b. the safety of the Transport Network;</p> <p>c. the night sky; and</p> <p>d. the navigational safety of passenger carrying vessels operating at night.</p>

	Standards for activities located in the High Density Residential A Zone	Non-compliance status
9A.5.112	<p>Sound Insulation and Mechanical Ventilation</p> <p>For buildings located within 80m of a State Highway.</p> <p>Any residential buildings, or buildings containing an Activity Sensitive to Road Noise, and located within 80m of a State Highway shall be designed to achieve an Indoor Design Sound Level of 40dB LAeq24h.</p> <p>Compliance with this rule can be demonstrated by submitting a certificate to Council from a person suitably qualified in acoustics stating that the proposed construction will achieve the internal design sound level.</p>	NC
9A.5.123	<p>Building Restriction Area</p> <p>No building shall be located within a building restriction area as identified on the District Plan web mapping application.</p>	NC
9A.5.134	<p>Flood Risk</p> <p>The construction or relocation of buildings with a gross floor area greater than 20m² and having a ground floor level less than:</p> <p style="padding-left: 40px;">9A.5.134.1 RL 312.0 masl at Queenstown and Frankton.</p> <p style="padding-left: 40px;">9A.5.134.2 RL 281.9 masl at Wānaka.</p>	PR
9A.5.145	<p>Residential Visitor Accommodation where:</p> <p style="padding-left: 40px;">9A.5.145.1 The total nights of occupation by paying guests on a site do not exceed a cumulative total of 90 nights per annum from the date of initial registration.</p> <p style="padding-left: 40px;">9A.5.145.2 The number of guests must not exceed 2 adults per bedroom and the total number of adults and children must not exceed:</p>	<p>RD</p> <p>Discretion is restricted to:</p> <ol style="list-style-type: none"> a. The location, nature and scale of activities; b. Vehicle access and parking; c. Privacy and overlooking; d. Outdoor lighting; e. The management of noise, rubbish, recycling and outdoor activities; f. Guest management and complaints procedures; g. The keeping of records of the Residential Visitor Accommodation use, and

	Standards for activities located in the High Density Residential A Zone	Non-compliance status
	<ul style="list-style-type: none"> • 3 in a one-bedroom residential unit; • 6 in a two-bedroom residential unit; and • 9 in a three-bedroom or more residential unit. <p>9A.5.145.3 No vehicle movements by a passenger service vehicle capable of carrying more than 12 people are generated.</p> <p>9A.5.145.4 The activity is registered with Council prior to commencement.</p> <p>9A.5.145.5 Up to date records of the Residential Visitor Accommodation activity must be kept including a record of the date and duration of guest stays and the number of guests staying per night, and in a form that can be made available for inspection by Council with 24 hours’ notice.</p> <p>Note: The Council may request that records are made available to the Council for inspection at 24 hours’ notice, in order to monitor compliance with rules 9A.5.145.1 to 9A.5.145.5.</p>	<p>availability of records for Council inspection; and</p> <p>h. Monitoring requirements, including imposition of an annual monitoring charge.</p>
<p>9A.5.156</p>	<p>Homestay</p> <p>9A.5.156.1 The total number of paying guests on a site does not exceed five per night.</p> <p>9A.5.156.2 No vehicle movements by a passenger service vehicle capable of carrying more than 12 people are generated.</p> <p>9A.5.156.3 Council is notified in writing prior to the</p>	<p>RD</p> <p>Discretion is restricted to:</p> <ul style="list-style-type: none"> a. The location, nature and scale of activities; b. Privacy and overlooking; c. The management of noise, rubbish, recycling and outdoor activities; d. The keeping of records of Homestay use, and availability of records for Council inspection; and

	Standards for activities located in the High Density Residential A Zone	Non-compliance status
	<p>commencement of a Homestay activity.</p> <p>9A.5.156.4 Up to date records of the Homestay activity are kept, including a record of the number of guests staying per night, and in a form that can be made available for inspection by the Council at 24 hours' notice.</p> <p>Note: The Council may request that records are made available to the Council for inspection at 24 hours' notice, in order to monitor compliance with rules 9A.5.156.1 to 9A.5.156.4.</p>	<p>e. Monitoring requirements, including imposition of an annual monitoring charge; and</p> <p>f. Vehicle access and parking.</p>
9A.5.167	<p><u>A building or structure located within the Wānaka Substation Building Restriction Area as shown on the District Plan web mapping application and Three Parks Structure Plan (27.13.12).</u></p> <p><u>The Building Restriction Area and this standard do not apply if Designation 337 is removed from the District Plan.</u></p> <p><u>Development on land at Frankton North shall be undertaken in accordance with the Frankton North Structure Plan (Schedule 27.13.9), including:</u></p> <ul style="list-style-type: none"> <u>a. Providing for a primary road that links State Highway 6 to Quail Rise;</u> <u>b. Providing for internal connections from the primary road that ensure vehicle access to all sites;</u> <u>c. Precluding any new vehicular access to the State Highway network; and</u> <u>d. Providing for a pedestrian and cycle path along the boundary with State Highway 6. This is intended to provide a minimum path width of 2.5 metres, within the existing State Highway corridor, or where there is insufficient land within the State Highway corridor, within adjacent private land.</u> 	NC

9A.6 Rules - Non-Notification of Applications

9A.6.1 The following Restricted Discretionary activities shall not require the written approval of affected persons and shall not be notified or limited notified except where vehicle crossing or right of way access on or off a State Highway is sought:

9A.6.1.1 Residential development involving the development of 4 or more residential units where the standards in Rule 9A.5 are complied with.

9A.6.1.2 ~~Building Heights between 16.52m and 20m at Frankton North as identified in Rule 9.5.4.1.1.1~~

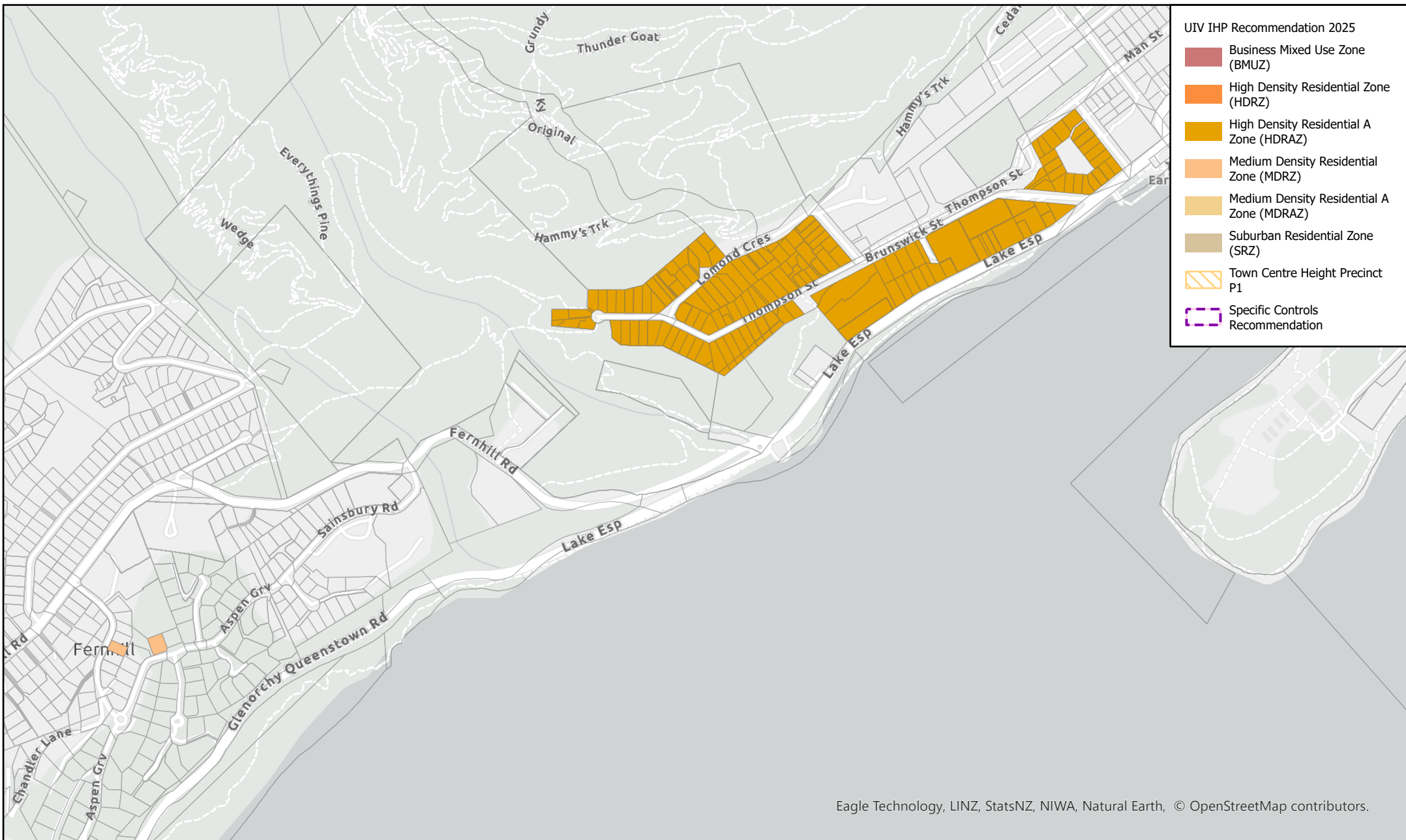
9A.6.2 The following Restricted Discretionary activities will not be publicly notified but notice will be served on those persons considered to be adversely affected if those persons have not given their written approval:

9A.6.2.1 Restricted Discretionary building height setback at upper floors, building height ~~(except at Frankton North as identified in Rule 9.6.1.2)~~ and recession plane contraventions.

9A.6.2.2 Boundary setback contraventions of up to 0.6m into the required setback depth of the yard (for unlimited length of the boundary).

9A.6.2.3 Visitor accommodation and residential visitor accommodation.

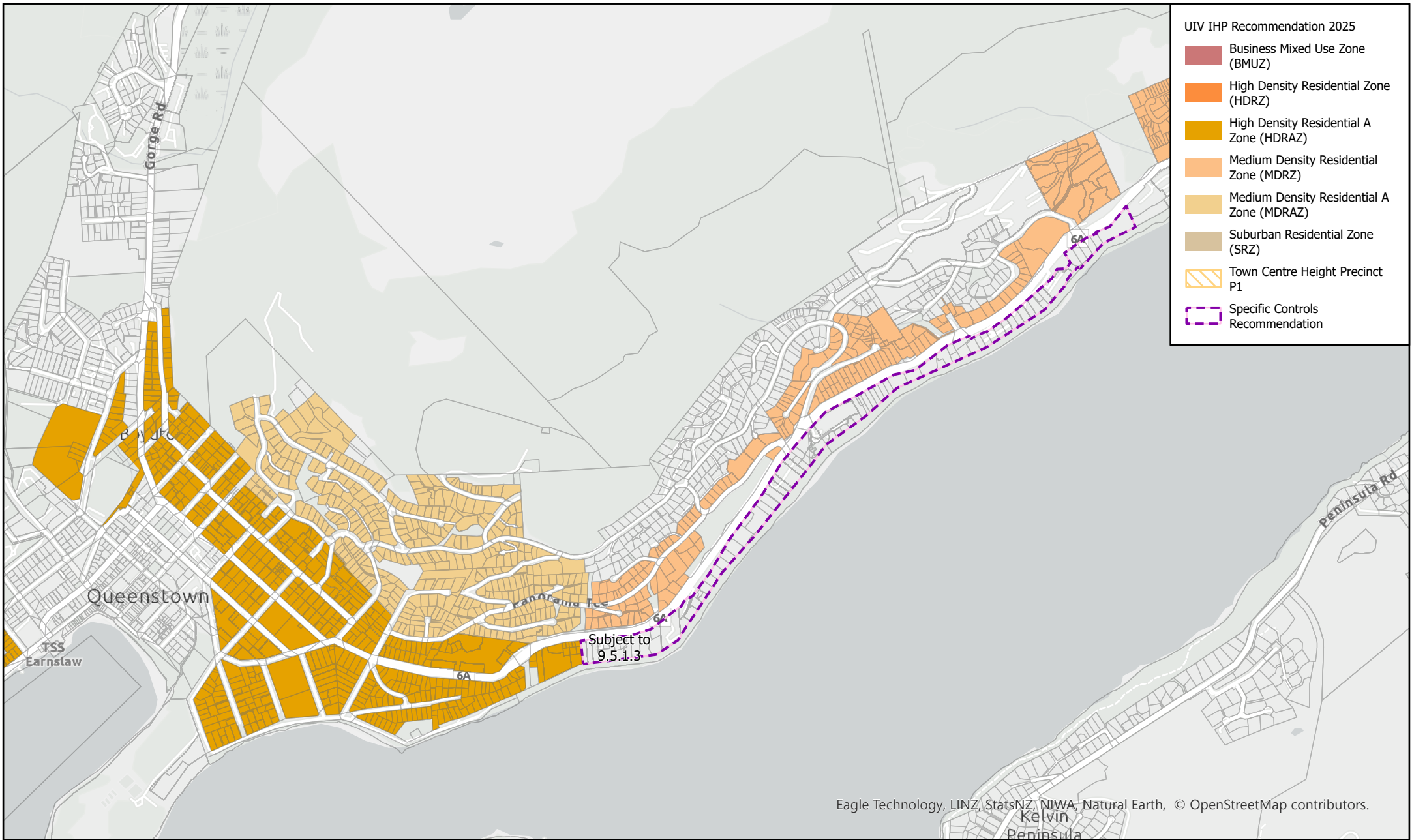
9A.6.2.4 Where the matters of discretion include effects on the Electricity Sub-transmission Infrastructure or Significant Electricity Distribution Infrastructure, Council will give specific consideration to Aurora Energy Limited as an affected person for the purposes of section 95E of the Act.



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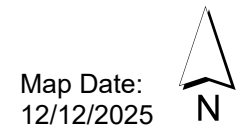
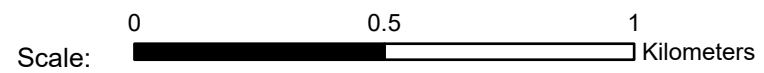


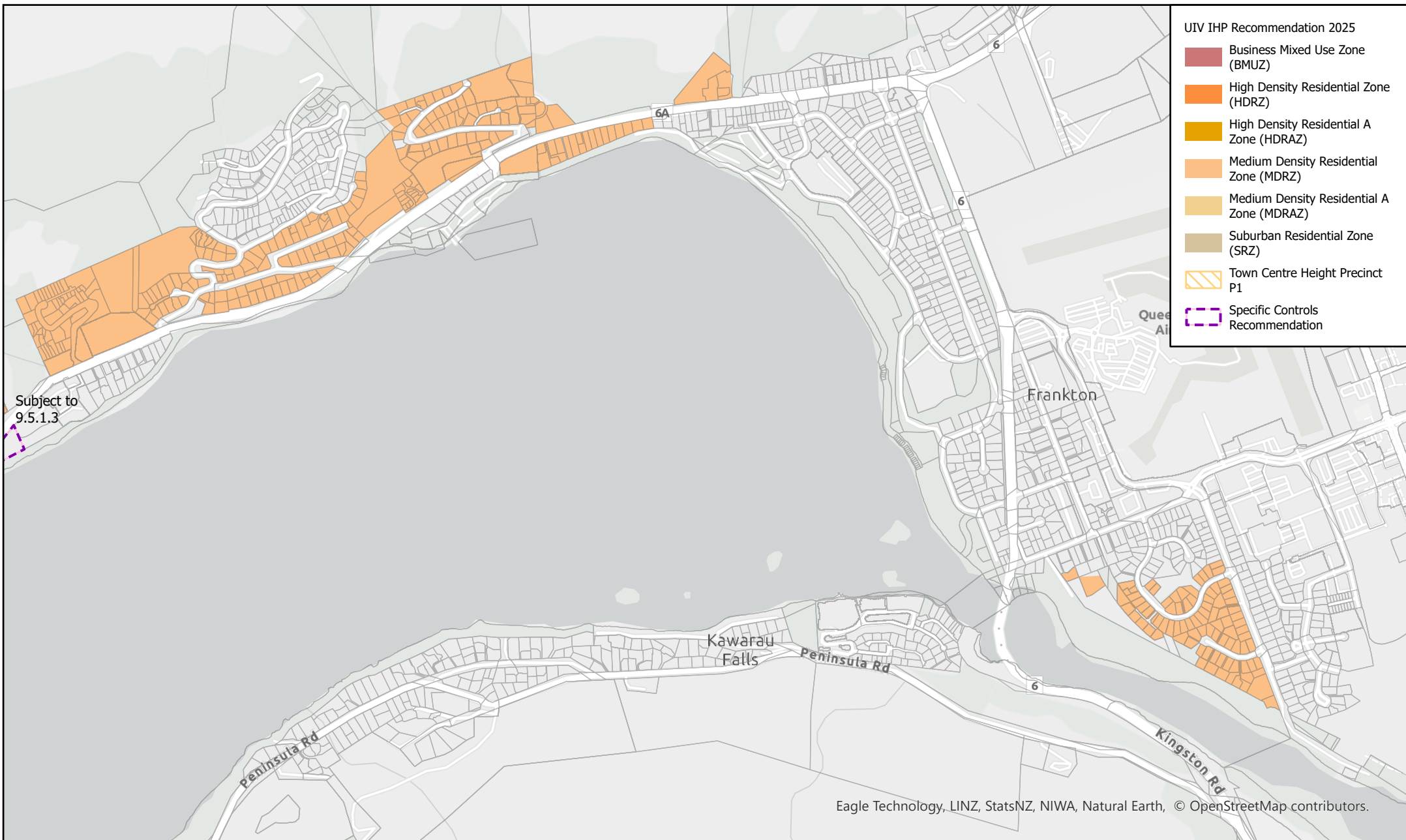


- UV IHP Recommendation 2025
- Business Mixed Use Zone (BMUZ)
 - High Density Residential Zone (HDRZ)
 - High Density Residential A Zone (HDRAZ)
 - Medium Density Residential Zone (MDRZ)
 - Medium Density Residential A Zone (MDRAZ)
 - Suburban Residential Zone (SRZ)
 - Town Centre Height Precinct P1
 - Specific Controls Recommendation

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