



IN THE ENVIRONMENT COURT  
CHRISTCHURCH REGISTRY

**SCANNED**

(APPEAL ONLY)

IN THE MATTER of the Resource Management Act 1991  
AND  
IN THE MATTER an appeal under clause 14 of the First Schedule  
BETWEEN TROJAN HOLDINGS LIMITED  
Appellant  
AND QUEENSTOWN LAKES DISTRICT COUNCIL  
Respondent

**NOTICE OF APPEAL TO ENVIRONMENT COURT AGAINST A  
DECISION ON PROPOSED PLAN CHANGE 19 TO THE PARTIALLY  
OPERATIVE QUEENSTOWN LAKES DISTRICT PLAN**  
DATED: 17 NOVEMBER 2009

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To: The Registrar  
Environment Court  
Christchurch

1. **TROJAN HOLDINGS LIMITED (THL)** appeals against part of a decision made by the **QUEENSTOWN LAKES DISTRICT COUNCIL (Council)** on Proposed Plan Change 19 to the Proposed Queenstown Lakes District Plan (**PPC 19**).
2.
  - 2.1 THL made an original submission on PPC 19 dated 2 August 2007 (copy **attached** marked **A**).
  - 2.2 THL made a number of further submissions on PPC 19 dated 30 October 2007 (copy **attached** marked **B**).
3. THL received the Council's decision on 5 October 2009 (copy of the decision **attached** marked **C**).
4. The decision was made by a Commissioner acting under delegated authority from the Council.
5. The part of the decision that THL is appealing is:
  - 5.1. The entire decision.
6. The reasons for the appeal are as follows:
  - 6.1. The Respondent erred in deciding that PPC 19 is an appropriate planning and policy framework for development in the Frankton Flats Special Zone B (**FFSZ B**) zone, in that:
    - 6.1.1. The section 32 analysis undertaken in respect of PPC 19 does not disclose a level of anticipated adverse effects sufficient to justify the regime decided upon by the Respondent;
    - 6.1.2. The level of restriction imposed by the Respondent on development cannot be justified in terms of the consequential social and economic effects on people and communities;
    - 6.1.3. The policy direction of PPC 19 does not meet the purpose and principles of the Act and therefore ought to be deleted or amended so that restrictions on development are minimised;

- 6.1.4. The extensive changes proposed to the Plan by way of the objectives, policies, rules and other methods comprised in the Plan Change are not the most appropriate means of achieving the purpose of the Act nor are they the most appropriate means of exercising the Council's function having regard to their efficiency and effectiveness relative to other means; and
- 6.1.5. The proposed site and zone standards significantly restrict the use of certain activity areas.
- 6.2. The Respondents decision does not adequately address reverse sensitivity effects arising from other adjoining or nearby activities that might also be provided for under the Plan Change.
- 6.3. The Respondent erred in deciding that Activity Areas D and E should not be consolidated into one Industrial Activity Area D as the evidence presented supports the amalgamation of all business land into one Activity Area managed by the provisions of the existing General Industrial Zone.
- 6.4. The Respondent erred in its proposed Structure Plan by not combining each of Activity Areas D and E into one area identified as Activity Area D on the basis that one zone with one set of relevant provisions will satisfactorily manage the diverse range of business activities that could appropriately locate within the FFSZ B.
- 6.5. The Respondent erred in deciding that the FFSZ B boundary should proceed as proposed on the Notified Structure Plan, notwithstanding the possible development challenges this leads to on proposed Lot 15, Glenda Drive.
- 6.6. The Respondent erred in its decision to retain the proposed Rules and Assessment matters as they apply to Activity Areas D and E on the basis that the evidence provided did not support a continuation of the business development patterns that have eventuated in Glenda Drive under the General Industrial Provisions which apply there.
- 6.7. The Respondent erred in deciding that a 50m acoustic buffer proposed along the interface of Activity Area C2 and Activity Area

D will satisfactorily address any potential compatibility issues between land uses.

- 6.8. The Respondent erred in deciding that an Outline Development Plan (ODP) be required in Activity Areas C1, C2 and E2. Reliance on an ODP as a means of ensuring compatibility of design objectives and to manage effects at the interface of the Activity Areas as and when individual consent applications are made would be too impractical to work.
- 6.9. The Respondent erred in deciding that Outdoor Living Space associated with residential units does not require at least a 100m separation from the boundary of Activity Area D.
- 6.10. The Respondent erred in deciding that no acoustic insulation is required beyond the 50m buffer area of Activity Area C adjacent to Activity Area D and the OCB.
- 6.11. The Respondent erred in deciding that subdivision in Activity Areas D and E1 be retained as Limited Discretionary to ensure that integrated and coordinated outcomes eventuate through the consenting process.
- 6.12. The Respondent erred in deciding that suitable land uses for the FFSZ B zone include those justifying the retention of Activity Areas A, C1, C2, E1, and E2, with specific building height limits for each.
- 6.13. The Respondent erred in deciding that the maximum building coverage in Activity Areas (E1 and E2) and (D) shall be no more than 55% and 30% respectively in each site. The Plan Change should enable maximum building densities within these areas to make the most efficient and effective use of the available resources.
- 6.14. The Respondent erred in deciding that the landscaped permeable surface requirements will help effectively separate and buildings and structures, enabling landscaping, and otherwise facilitate setbacks and other appropriate outcomes.

6.15. **Eastern Access Road (EAR)**

6.15.1. As part of the hearing process an amended location of the EAR was agreed by the surrounding landowners including THL, the Council and the New Zealand Transport Authority (NZTA);

6.15.2. The decision locates the EAR in a different position, which is contrary to the parties agreed position and fails to achieve the purpose of the Act.

6.15.3. In addition, the location of the EAR should be positioned so as to be integrated with zoning outcomes provided by an appropriate Structure Plan.

6.16. The Respondent's decision fails to fulfil its functions under section 31 of the Act and its duty under section 32. It will not achieve the sustainable management or the efficient use or development of the natural and physical resources of the Frankton Area.

6.17. The Plan Change fails to consider and is otherwise contrary to the provisions of the Partially Operative Queenstown Lakes District Plan.

7. THL seeks the following relief:

7.1. Rejection of PPC 19 in its entirety including all policies, objectives, explanations, environmental results anticipated, rules, reasons for rules and assessment matters.

In the alternative (but not limiting this appeal), if the relief sought in paragraph 7.1 above can not be had:

7.2. To Modify the Plan Change by:

7.2.1. **Amending** the Plan Change provisions as outlined below, or in any other manner that will give effect to the submissions set out in paragraphs 1.0 to 7.0 of this submission, including but not limited to the following modifications;

7.2.2. **Amending** the FFSZ B Zone issues, objectives and policies in accordance with the changes set out in Appendix D to this

submission or in any other manner intended to give effect to the relief sought in this submission including in accordance with Appendix D of this appeal.

**7.2.3. Amending the Frankton Flats (B) Plan Change Structure Plan to:**

- (a) Combine each of Activity Areas D and E into one area identified as "Activity Area D".
- (b) Change the boundaries of Activity Area D to take in all of the land owned by Grant Road Properties Limited (thereby removing the effect of Activity Area C) and include all of the area of Lot 15 Glenda Drive in accordance with the changes to the Structure Plan set out in Appendix E of THL's original submissions or in any other manner to give effect to the relief set out within this submission.

**7.2.4. Amend Rule 12.20.5.1(ii) Outdoor Living Space and associated assessment matters to ensure that no outdoor living space associated with a residential unit is located within 100m of the boundary of Activity Area D.**

**7.2.5. Amend Rule 12.20.5.1(iv) Setback from Internal Boundaries and Associated Assessment matters, to ensure residential, retail, commercial, educational or visitor accommodation activities that may establish within activity area C be set back at least 100m from the boundary with the consolidated Activity Area D.**

**7.2.6. Delete Rule 12.20.5.2(xvi) Outline Development Plan entirely.**

**7.2.7. Delete the proposed rules and assessment matters entirely as they apply to Activity Areas D and E and replace them with the rules and assessment matters of Part 11.3 and 11.4 of the Partially Operative District Plan (Industrial Zone) operative as at the date of the notification of the Plan Change and in accordance with the amendments to those provisions set out in Appendix D.**

7.2.8. **Delete** the addition to Rule 15.2.6.3(h) requiring subdivision within Activity Area E to result in an arrangement of lots, cross lease and company lease capable of accommodating buildings and uses in accordance with the permitted and controlled activity rules and site and zone standards for the particular zone, and the requirements of Section 14 – Transport.

7.2.9. **Delete** the minimum allotment size of 3,000 m<sup>2</sup> for subdivision within Activity Area D introduced into Rule 15.2.6.3 – Lot Sizes and Dimensions so that there is no minimum allotment size for subdivision within Activity Area D.

7.2.10. **Delete** Rule 12.20.5.1i(a) and **replace** with the following or similar clause:

(a) *"In Activity Area D, the maximum building coverage shall be to a maximum of 90%."*

7.2.11. **Delete** Rule 12.20.5.1i(b) and **replace** with the following or similar clause:

(a) *"In Activity Area D, the maximum building coverage shall be to a maximum of 90%."*

#### **Eastern Access Road**

7.2.12. **Amend** the location of the EAR on the Structure Plan for the Zone so it is consistent with the location shown on the Plan **attached as Annexure E**;

7.2.13. **Amend** the Structure Plan and move Activity Areas so they are consistent with the amended location of the EAR;

7.2.14. **Amend** the policies, objectives, explanations and reasons, environmental results anticipated, rules, reasons for rules and assessment matters to provide for future development where appropriate and to manage the same through an assessment of environmental impacts rather than the current focus on regulating industrial development.

7.2.15. Such other consequential and incidental amendments, deletions or additions (including consistent paragraph numbering) to the objectives and policies, the explanation and reasons, and any other part of the Plan as may be necessary or expedient to give effect to the purpose and intent of the relief sought in the above paragraphs.

8. THL attaches the following documents to this notice:

- 8.1. THL's original submission marked **A**.
- 8.2. THL's further submissions marked **B**.
- 8.3. The Commissioner's decision marked **C**.
- 8.4. THL's proposed amendments marked **D**.
- 8.5. Plan showing parties agreed position of the EAR marked **E**.
- 8.6. List of names and addresses of persons to be served with this notice marked **F**.

**DATED** 17 November 2009.

**TROJAN HOLDINGS LIMITED** by its solicitors  
and authorised agents **LANE NEAVE**

Per:



JR Castiglione

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## **Advice to recipients of copy of notice of appeal**

### *How to become party to proceedings*

You may be a party to the appeal if you made a submission on the matter of this appeal and you lodge a notice of your wish to be a party to the proceedings (in form 33) with the Environment Court within 30 working days after this notice was lodged with the Environment Court.

You may apply to the Environment Court under section 281 of the Resource Management Act 1991 for a waiver of the above timing requirements (see form 38).

### *How to obtain copies of documents relating to appeal*

The copy of this notice served on you does not attach copies of the documents referred to in paragraph 8 of the appeal. These documents may be obtained, on request, from the appellant.

### *Advice*

If you have any questions about this notice, contact the Environment Court Unit of the Department for Courts in Christchurch.

## 12.19 Frankton Flats Special Zone (B)

### 12.19.1 Resources and Values

The Frankton Flats Special Zone (B) is located on the Frankton Flats, south of the State Highway and between the Events Centre to the west and the Industrial Zone to the east and the airport runway to the south. This Zone is a large greenfields development site consisting of approximately 69 hectares located within close proximity to Queenstown's existing developed urban area. It is adjacent to the main entrance to Queenstown and is surrounded by a backdrop of outstanding natural landscapes. For these reasons, the quality of development within the Zone must enhance the visual amenity of the entrance to Queenstown and the appreciation of the surrounding landscapes from both within the site and from public places. The relationship of development within the Zone and the State Highway is important. The requirements of the airport also have a formative effect and raise issues of reverse sensitivity, which must be taken into account. The Zone seeks to provide for significant areas of industrial land that is important for the economic wellbeing of the district.

Frankton Flats Special Zone (B) is adjacent to an international airport and as such is a strategic asset for the District, its importance to the economy is acknowledged and its functioning is supported by this Zone.

### 12.19.2 Resource Management Issues

#### (i) Visual Amenity

Frankton Flats is located in a wider area of high landscape value. Development of Frankton Flats must enhance the amenity of the approach to Queenstown as well as accommodating the Frankton community. The operational needs of the airport, the future needs of the events centre, and the projected land use requirements of the wider community are very important and should be facilitated through this zone.

#### Explanation

The Frankton Flats area is located within the foreground to Queenstown iconic mountain range, the Remarkables. It is also the foreground to Peninsula Hill and Walter and Cecil Peaks. Views from within the site also include the Crown Range and Ferry Hill. These land features are all regarded as having outstanding natural qualities in terms of Section 6(a) of the Resource Management Act and it is important that any development in this location is considered in relation to these qualities. Iconic views from within the development should be protected and enhanced through urban design, placement of roads and reserve areas.

Deleted: It is important that development within the Frankton Flats Zone appears subservient to the landscape.

#### (ii) Sustainable Development

The primary goal of the Frankton Flats Special Zone (B) is to enhance the sustainable development of Queenstown. To ensure the resulting development meets this goal a comprehensive structure plan for the zone will guide future development. Development of this zone will require noise mitigation to protect users of the zone from the effects of noise in connection with the Airport and industrial activities.

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#### Explanation

Frankton Flats is located adjacent to key transport links – the airport and State Highway 6. Any development within this area needs to recognise the importance of maintaining their functions into the future while allowing the development of a Frankton Flats area as a mixed use zone.

The mixed use development enabled in this Zone will complement existing and proposed land uses and, accordingly, produce an integrated and coherent built environment with significant economic and social benefits for the District. Furthermore, the development proposed for the Frankton Flats Zone is appropriate within its environmental context with controls for areas subject to airport and industrial activities.

Effective management of adverse effects on the state highway resource is a further development requirement. Also important is the management of

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reverse sensitivity issues (such as noise and vibration) in relation to the State Highway, the Airport and industrial activities.

Development must provide for and manage demand for travel by private vehicles and it is important not to compromise the safety or effectiveness of the existing land transport system.

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## (iii) High Quality Urban Environment

In keeping with the primary goal of sustainability, development must create a liveable community characterised by high quality urban design to include:

- compact residential neighbourhoods containing a mix of housing types and sizes, adequate open space, affordable housing and ready access to public transportation
- commercial districts with shops for residents and visitors
- business and industrial areas to provide employment for locals
- educational facilities
- a range of visitor accommodation facilities that add to the life of the community but do not intrude into residential neighbourhoods.

Provided such activities' effects are avoided, remedied or mitigated so that reverse sensitivity effects are not created in respect of the continued operation of the Airport and aim to provide significant additional land for industrial activities.

## (v) Transport Networks

Efficient transport networks are important to sustainability of the Frankton Flats Zone and require careful management both internally and externally.

### Explanation

Frankton Flats is located adjacent to key transport links – the airport and State Highway 6. Any development within this area needs to recognise the importance of maintaining their functions into the future while allowing the development of a Frankton Flats area as a mixed-use zone. The primary road transportation system beyond the site is nearing capacity and any improvements for private vehicle traffic are likely to be focused on safety rather than providing additional road space. In planning for the development of the zone and for all modes of travel there is a need to ensure that there are good connections within the site, to the wider Frankton Flats area, to Queensdown and the remainder of the District.

In addition limiting unrestrained private vehicle use including the provision of parking and promoting alternatives to the car must be addressed.

## Explanation and Principal Reasons for Adoption

The creation of a mixed use zone requires appropriate design of buildings and the space between buildings to create cohesion within the development. The overall urban design within zone is very important within this zone.

## (iv) Integrating land use with transportation

## 12.19.3 Objectives and Policies

### Objective 1

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Connection to the Surrounding Landscape.

### Policies

- 1.1 To ensure a buffer area is maintained between SH6 and any built development so that views are maintained. To give primacy to the

protection of the significant landscape values and views of the landscape as they relate to this land.

- 1.2 To position the built form and open space areas in such a way that views to the Remarkables, Cecil and Walter Peaks and Peninsula Hill area are maintained from the State Highway and from within the zone.
- 1.3 To ensure that the nature and location of landscaping proposed to soften development does not itself adversely affect background vistas or viewshafts to the Remarkables.
- 1.4 To soften the effects of buildings heights and bulk through screening by landscape planting.

#### Explanation and Principal Reasons for Adoption

Frankton Flats Special Zone (B) is located at the entrance to Queenstown, and as such provide a first impression of the Queenstown urban environment. The Frankton Flats area also adjoins the airport, the events centre, the Frankton Flats Special Zone, the industrial zone and, to the south of the airport runway, the Remarkables Park Zone and land to the north of State Highway 6.

It is recognised that any further development on the Frankton Flats must maintain and enhance the amenity of the approach to Frankton as well as accommodating the operational needs of the airport, the future needs of the events centre, and the projected land use requirements of the wider community.

To mitigate adverse effects on the amenities of the Frankton Flats, it is necessary to retain some areas of open space free from structures so that landscaping and tree planting can soften the views of the Frankton Flats Special Zone (B) development.

Objective 1 and the associated policies seek to preserve the important views of the outstanding natural landscapes surrounding the Frankton area, including The Remarkables, Peninsula Hill, the Crown Range, Walter Peak, Cecil Peak and landscapes to the east, when viewed primarily from

the State Highway and the Events Centre. Any development will be subject to appropriate controls to ensure that all development is assessed on an integrated basis and incorporates significant landscaping of a type and scale appropriate to the built and natural environment to which it is related. It is also important that development and does not impede views to these outstanding natural landscapes.

#### Objective 2

To enable the creation of a sustainable zone utilising a Structure Plan and related provisions to ensure high quality and comprehensive development.

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Development Plan process  
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#### Policies

- 2.1 To ensure that development to be undertaken in accordance with a Structure Plan so that a wide range of activities can be accommodated within the Zone while ensuring that incompatible uses are located so that they can function without causing reverse sensitivity issues;
- 2.2 To enable a range of residential housing with an emphasis on relatively high amenity and high density living environments;
- 2.3 To provide for a mixture of residential dwelling types and densities including affordable community housing;
- 2.4 To provide for a suitable range of local services and business activities including retailing, visitor accommodation, residential, tertiary education and associated commercial and short term residential uses, affordable housing, mixed live/work units, business, and both light and heavy industrial uses which provides for projected land use requirements;
- 2.5 To ensure that the Zone remains predominantly industrial with clear separation between residential and visitor accommodation and the services supporting and complementing these primary uses;

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educational uses

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## Policies

- 2.6 To require in building and site design, compliance with performance standards to achieve specified acoustic and vibration insulation;
- 2.7 To ensure that development is complementary to the operational capability of Queenstown Airport;
- 2.8 To establish a buffer between the airport, Activity Area D, the Glenda Drive Industrial Zone and noise-sensitive activities in the Frankton Flats Special Zone (B);
- 2.9 To establish a buffer and set backs between the state highway and noise sensitive activities in the Frankton Flats Special Zone (B);
- 2.10 To ensure that commercial signage avoids adverse effects of visual clutter on the State Highway and traffic safety is not compromised.
- 2.11 To require all development to adopt energy efficient design

## Explanation and Principle Reasons for Adoption

The Frankton Flats Special Zone (B) provides the opportunity for a wide range of activities to co-exist within a relatively dense urban environment. The close proximity to the airport, industrial activities, and the State Highway needs to be incorporated into the Structure Plan for the Zone to ensure they can continue to function effectively, while enabling the mixed use Zone to establish and succeed as a high quality urban environment for the future. It is important that care is taken to ensure adjacent activities can co-exist and avoid any issues of reverse sensitivity where possible.

The zone seeks to develop an environment which is flexible and adaptable to changing activities and needs.

## Objective 3

To ensure that the Zone is connected to the surrounding community.

3.1 To provide for a landscaped road carriageway along the arterial routes shown on the structure plan that is effective in maintaining an attractive amenity and streetscape, mitigating the effects of the industrial activities on that street;

3.2 To require that the open space alongside State Highway 6 is developed prior to any construction within the Zone;

3.3 To ensure the establishment of a network of well located and well-designed open spaces and connections within and between Activity Areas that complement surrounding activities, support the mitigation of reserve sensitivity effects relating to industrial areas activities and the continued operation of the Airport and any activity that fails to comply with Rule 11.3.5.2 (iv) Building Height support pedestrian activity that facilitates physical and visual connections through the Zone. In particular, good visual connections should be provided through different parts of the Zone to the Events Centre;

3.4 To provide a movement network which is highly permeable and provides a choice of routes and transport modes.

3.5 To provide cycle and pedestrian routes that provide linkages within Frankton Flats Special Zones, and between the Frankton Flats and Remarkables Park Zone, Queenstown, Kelvin Heights, Arrowtown and the Wakatipu Basin;

3.6 To require the establishment of landscaping, open space and recreation activities where required in any of the Activity Areas;

3.7 To ensure that reserves of quality, quantity, and function are provided in convenient locations to meet the active and passive recreational needs of the resident, working, and visiting community;

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3.8 To require that a mix of open spaces, reserves, community facilities, and recreational facilities be developed in a staged manner that keeps pace with development.

### Explanation and Principle Reasons for Adoption

There is significant opportunity to secure appropriate reserve land for public open space and recreation, providing amenity to those living and working within the Zone, and protecting and enhancing the views and landscape both from within and outside of the Zone.

It is important to ensure that transportation, land use and public access are fully integrated within the Zone and also with the State Highway and other urban centres such as central Queenstown, Frankton Village, Remarkables Park Shopping Centre, Arrowtown and proposed commercial centres within the District. A new urbanism approach for this development requires attractive pedestrian and cycle ways to promote non-vehicle movement within the Zone.



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## Objective 4

To achieve a high quality urban environment.

### Policies

- 4.1 To ensure a high standard of building design, urban planning, and landscape treatment;
- 4.2 To encourage variations in building height in order to create interesting streetscapes and variety in form, scale and height of buildings;
- 4.3 To encourage underground car parking in order to contribute to the visual amenity of the zone;
- 4.4 To ensure that subdivision design and the location of buildings on the sites is undertaken to maximise views, solar aspect and enhance street frontage, street presence, and amenity;
- 4.5 To encourage the use of colours and materials that are complementary to the surrounding landscape character;
- 4.6 To ensure that crime prevention techniques are incorporated in the design of buildings (including parking areas), public and semi-public spaces, landscaping, and in the location of compatible uses;
- 4.7 To ensure that in building and site design, that there is compliance with performance standards to achieve specified acoustic and vibration insulation.
- 4.8 To attain benchmark energy efficiency goals throughout the entire development
- 4.9 To design for flexible reuse of buildings and spaces

- 4.10 To provide for a range of public outdoor activities to occur in open spaces, including places to meet, to shelter, to sit and to rest.

### Explanation and Principle Reasons for Adoption

Building coverage and landscaping may require some car parking to be located underground.

The urban area within the zone is to be built to such a standard that it is visually interesting and provides varied urban form. Factors such as building height, form, subdivision design, materials and comprehensive urban planning will contribute to an area that is attractive, usable, safe and vibrant.

### Objective 5 - Design and Implementation of Infrastructure and Utility Services

To connect streets, and locate and design public utilities in a manner that is efficient, and reinforces the function and amenity of the street.

#### Policies

- 5.1 To provide a safe and pleasant street environment for residents and other users of adjoining properties;
- 5.2 To provide safe, sustainable and integrated connections to and from the State Highway in two locations agreed to with Transit New Zealand;
- 5.2 To encourage the majority of the heavy traffic entering the site to utilise Glenda Drive while allowing use of Grants Road according to good traffic design measures.
- 5.3 To minimise the visual impact of carriageways on residents while accommodating public utility services and drainage systems;

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- 5.4 To ensure that the design of the relevant street environment takes into account the operational requirements of providing for public transport infrastructure.
- 5.5 To promote an effective connection between Frankton Flats Special Zones and the Remarkables Park Special Zone.
- 5.6 To ensure that carparking is only of a number necessary to service the development and the reasonable needs of future residents.
- 5.7 To require the provision of landscaping as an integral part of street network design;
- 5.8 To design street layout in order to retain important views;
- 5.9 To provide for a transport node/terminal, which can provide a linkage for private and public transport between rural areas, Frankton and Queenstown;
- 5.10 To provide suitable and convenient, safe and accessible areas for car parking on site rather than on the street;
- 5.11 To ensure businesses provide safe and functional loading zones on site to ensure the effects of trucks unloading do not compromise the effective functioning of the road network;
- 5.12 To provide a network of streets and accessways, appropriately orientated and integrated with the State Highway with physical distinctions between each, based on function, convenience, traffic volumes, vehicle speeds, public safety and amenity.
- 5.13 To ensure through appropriate road network design, that the impact of commercial traffic on other activity areas within the Zone is minimised.

#### Explanation and Principle Reasons for Adoption

The objective and policies recognise the need to integrate development and to seek imaginative and attractive designs that not only provide for the proper functioning of the street or utility but also have regard to visual impact, surrounding activities and alternative functions. The design of the street network should reflect its function in order to ensure the network better relates to other activities and amenities. Landscaping is an important element in street design. While a general high level of pedestrian and cycleway connectivity within the Zone is encouraged, it is recognised that appropriate road network design will discourage some movement of commercial vehicles travelling to and from the industrial activity area on non-arterial roads within the Zone. In particular through site design it is important that access to the site by heavy vehicles is primarily from Glenda Drive. The Proposed Eastern Arterial Route will be an important link to the Remarkables Park Area through a primarily industrial and commercial area, a wide and attractive landscaping border lining this street will be attractive and mitigate the effects of these activities on the amenity of the area.

As the Frankton Flats Zone is developed it will be beneficial to create a transport node to encourage and promote public transport within the area providing linkage between the Wakatipu Basin and Frankton and Central Queenstown.

#### Objective 6

##### Open Space Buffer - Activity Area A

To create an area of open space adjacent to the State Highway for landscaping and a buffer to the development

#### Policies

- 6.1 To provide an attractive landscaped buffer between the State Highway and the developed areas of the zone;
- 6.2 To create an area that provides a landscaped buffer that is free from built form to act as a balance to the intensity of the zoning beyond;



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6.3 To provide a setback to the development to allow views of the Remarkables Range, Peninsula Hill, and Walter and Cecil Peaks.

**Explanation and Principal Reasons for Adoption**

The Open Space buffer includes most of the land within 50 m of the state highway (along the State Highway). The area will remain free of buildings and will be landscaped to provide an area of open space that ensures buildings within the Zone do not dominate one's appreciation of the short, medium, and longer views of the wider landscape from the state highway. The purpose is not to screen the built development but, rather, to ensure that it appears as a part of the wider landscape.

### Objective 7

#### Activity Area B – Limited Development Buffer

To create an area of limited development between the State Highway and intensive development within Frankton Flats

provisions include a setback area, height, coverage and landscape controls.

### Policies

7.1 To control development within Activity Area B to provide for a transition zone between the State Highway open space buffer and the high density development beyond.

7.2 To require landscaping and quality urban design for the limited scale of development allowed within this buffer zone;

7.3 To ensure that the design, placement, and bulk of any buildings located within the limited development (Activity Area B) buffer is such that effects on the State Highway are avoided, and the amenity of the entrance to Queenstown is enhanced and the short, medium, and long range views of the mountains beyond are not compromised;

7.4 To require appropriate set back areas and buffer zones from the State Highway that are compatible with the posted speed environment.

### Explanation and Principal Reasons for Adoption.

Activity Area B occupies the land adjacent to the State Highway, and the Open Space Area Development within this area is required to be very low scale and low density to provide a suitable transition between the open space buffer and the dense built environment within the Zone and to protect views of the outstanding natural landscapes in the background when viewed from the State Highway. Rather than create a hard edge to the built environment, it is envisaged that buildings will punctuate into this Activity Area, creating a transition to the Zone itself. Accordingly the

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## Objective 8

To create an area to act as a village centre comprising commercial, educational and residential and visitor accommodation while providing high amenity and usable and liveable public realm (Activity Area C)

## Policies

- 8.1 Within Activity Area C to enable commercial activities of all scales but predominately small to medium format retail, residential, visitor accommodation (above street level) educational activities and offices to provide a relatively high density mixed use "core" for the Zone;
- 8.2 To require a cohesive system of public realm spaces (the space between buildings owned by the community), the public realm shall be orientated to capture sun and avoid prevalent southerly winds.
- 8.3 Public realm spaces must reinforce the activities of the local community and provide focal elements that encourage a strong sense of identity (i.e libraries, child care centres, fire stations) and are to be located at central points of the Activity Area in highly visible locations.
- 8.4 In addition to the public realm spaces referred to in Policy 8.3, a network or neighbourhood reserves commensurate with densities will be required in Activity Area A, and linked by an open space network providing pedestrian and cycle linkages to Activity Areas A, B, D and E and adjacent zonings and the Events Centre.
- 8.5 To encourage the area to develop as a "mainstreet" village environment and the design of any large format retail to achieve this;
- 8.6 To encourage active street frontages by using windows and entrances to gain interest at ground level;

8.7 To incorporate landscaping within the streetscape to create a high amenity urban environment;

8.8 To require facade design of large format retail uses to mitigate its visual effects.

8.9 To encourage educational activities, with associated residential activities and short term (visitor) accommodation in close proximity to the Events Centre, in order to create an integrated sports and education precinct;

8.10 To enable the development of new education facilities and other associated non-residential activities.

8.11 To require additional levels of insulation than what is normally required within residential and business zones to avoid the adverse effects of noise generated from industrial activities, the State Highway and the Airport

8.12 To prevent residential and visitor accommodation activities from occurring within 100 metres of Activity Area D as these activities are not compatible with industrial activities.

8.13 To control development to avoid the potential adverse effects of noise generating activities (such as industrial activities) on noise sensitive activities

8.14 To encourage active street frontages by requiring that residential and visitor accommodation are not located at street level.

## Explanation and Principal Reasons for Adoption

Activity Area C is intended to be a true mixed use higher density village environment. There is a higher expectation in terms of the quality of design of the buildings and the space between buildings. The building forms proposed for part of this area will secure a number of resource

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management outcomes including provision for higher density residential, commercial and office activities. This will enable close proximity for a significant number of residents to the village centre and other activities within the wider Frankton locality.

The provisions for Activity Area C enable education facilities (schools and/or a tertiary institution) in the western part of the Zone close to the Events Centre and areas identified for future expansion of the Events Centre. There are considerable synergies in the co-location of these activities. Higher density residential activities are also enabled in this area given its proximity and walk accessibility to the Events Centre, education facilities and the mixed use residential and shopping precinct.

## Objective 9

### Industrial and yard based activities

To provide an area dedicated to industrial and yard based activities to meet the needs of future generations and maintain the economic viability of these activities within the District - Activity Area D

## Policies

9.1 To provide specific areas for industrial activities that will be needed to support economic growth within the Queenstown District

9.2 To enable the establishment of heavy and light industrial, yard based, showroom and service activities as well as low intensity commercial and retail activities that require extensive land areas, such as bulk goods retailing.

9.3 To require all parking, loading and turning of vehicles that are based in, or service, industrial areas to be contained internally within each industrial site

9.4 To promote high quality design and layout of all sites within this activity area.

9.5 To exclude retailing of goods unless manufactured on site or directly connected to the industrial use of the site

9.6 To exclude activities (such as residential activities, custodial units and visitor accommodation) that conflict with the activities of the intended uses in the zone.

9.7 To ensure land is used for its intended purpose within this activity area, any office space must be ancillary to the principal use of the site.

## Explanation and Principle Reasons for Adoption

The District is extremely short on industrial land and land dedicated to undertake yard based activities. This shortage of land places pressure on existing land resources, pushing up prices and may force some of these activities out of the District. Because of the nature of activities occurring on these sites any form of residential or visitor accommodation zoning is inappropriate. Industrial land is the best type of neighbour for the Queenstown Airport.

## Objective 10

### Amenity within Industrial and Yard Based Activity Area D

Areas of industrial activities which have a standard of amenity pleasant to visit and work within while recognising their function.

## Policies

10.1 To enhance the industrial areas by minimising the adverse effects created by activities as a result of street appearance, noise, glare, traffic and dust within the activity area

**Deleted:** ¶  
<#> To ensure that the use of business areas is maximised by requiring large minimum lot sizes and excluding further subdivision. ¶

**Deleted:** <#> To require buildings design to allow for future adaptive reuse and to ensure office spaces are insulated from noise from both industrial activities and the Airport. ¶

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**Deleted:** <#> To utilise Activity Area D for the promotion of transportation and distribution activities. ¶  
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- 10.2 By ensuring sites for industrial activity provide an attractive frontage to streets, public places and neighbours.
- 10.3 To ensure provision is made for adequate road access and on-site loading zones, for heavy vehicles and ensure that there is always sufficient area within all sites for large vehicles (truck and trailer) units to exit the site forwards.
- 10.4 To promote high quality design and layout of new business areas (consistent with the principles of comprehensive development) in a manner that is sensitive to the amenity of neighbouring activities.
- 10.5 To have regard to visual amenity (design and landscaping) of industrial sites which are within the Frankton Flats Special Zone (B).
- 10.6 To promote high quality design and layout of new business areas to ensure the adequate provision of public/employee car parking for all of the future uses within the Zone.
- 10.7 To promote pedestrian connections into adjacent activity areas and reserve areas

### Explanation and Principle Reasons for Adoption

Industrial zoning can also contribute to the amenity of the area, with appropriate landscaping and control over buildings. Amenity and environmental quality are important in business areas. Environmental effects of concern are traffic generation, parking congestion, pedestrian generation and visual impact. For this reason the Council has determined the locations in which this type of business activity can be established and has identified acceptable levels of effects that may arise from activities within those areas through a generally permissive regime. It is important that business areas are situated where they have direct access to main traffic routes because of the nature and volumes of traffic generated by these activities.

**Deleted:** Concerns regarding the effects of traffic and pedestrians are addressed through location.



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## Objective 12.

To enable comprehensive mixed use development within the Zone while providing for restraint on single occupancy private car use.

### Policies

- 12.1 To provide a movement network which is highly permeable and provides a choice of routes and transport modes.
- 12.2 To ensure the layout of the Zone and urban blocks that make up the zone are attractive, landscaped and facilitate walking and cycling.
- 12.3 To promote and develop physical opportunities for better public transport within the development and between the development and Queenstown Town Centre.
- 12.4 To provide a safe, convenient network of transport routes.
- 12.5 To accommodate efficient and economic public utility services which are unobtrusive, and integrate with adjoining sites and development.
- 12.6 To provide for convenient and well located park and ride facilities for visitors to Queenstown.
- 12.7 To ensure that carparking is available consistent with a reduced reliance on the private car for travel.
- 12.8 To provide for methods of influencing travel behaviour change through non-infrastructure measures.

### Explanation and reasons for adoption

While the Frankton Flats zone provides the opportunity for large scale mixed use development, there needs to be methods to promote travel by modes other than the private motor vehicle. Site design, parking provisions and travel demand management measures are necessary to ensure that

this objective can be fulfilled while providing for a range of development opportunities.

## Objective 13

To ensure that the Zone is integrated with the surrounding uses and other Queenstown urban areas in terms of land use, public access, and transportation.

### Policies

- 13.1 To provide for a landscaped road carriageway for the Eastern Arterial route through the development that is effective in maintaining an attractive amenity and streetscape, mitigating the effects of the industrial activities on that street;
- 13.2 To require that the open space alongside State Highway 6 (Activity Area A) in front of Activity Area C is developed prior to any construction within the Zone;
- 13.3 To require that safe and effective connections to the site from State Highway 6 are in place prior to any construction within the Zone.
- 13.4 To ensure the establishment of a network of well located and well-designed open spaces and connections within and between Activity Areas that complement surrounding activities, support pedestrian activity that facilitates physical and visual connections through the zone. In particular, good visual connections should be provided through different parts of the Zone to the Events Centre where possible;
- 13.5 To provide cycle and pedestrian routes that provide linkages within Frankton Flats, and between the Frankton Flats and Remarkables Park Zone, Queenstown, Kelvin Heights and the Wakatipu Basin;

## Deleted: Objective 11

To create additional industry zoning for light industry within the Frankton Flats Special Zone (B) (Activity Area E)

### Policies

- 11.1 To enable predominantly industrial and trade service activities within Activity Area E;
- 11.2 To enable the establishment of light industrial, showroom and service activities as well as low intensity commercial activities that require extensive land areas, such as bulk goods retailing;
- 11.3 To provide for additional business zoned land in areas that will not adversely affect existing business activities, consistent with maintaining the standard of amenities in the area;
- 11.4 To ensure provision is made for adequate road access and on-site loading zones, particularly for heavy vehicles;
- 11.5 By ensuring sites for business activity, provide an attractive frontage to streets, public places and neighbours;
- 11.6 To exclude activities (such as residential activities and visitor accommodation) that conflict with the activities of the intended uses in the Zone;
- 11.7 To ensure that th

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- ### Explanation and Principle Reasons for Adoption

There is significant opportunity to secure appropriate reserve land for public open space and recreation, providing amenity to those living and working within the Zone, and protecting and enhancing the views and landscape both from within and outside of the Zone.

It is important to ensure that transportation, land use and public access are fully integrated within the Zone and also with the State Highway and other urban centres such as central Queensstown, Frankton Village, Remarkables Park Shopping Centre, Arrowtown and proposed commercial centres within the District. A new urbanism approach for this development requires attractive pedestrian and cycle ways as well as effective public transport infrastructure to promote non-vehicle movement within the Zone.

To ensure that the development of the Zone protects ongoing functioning of the Airport and industrial and service activities that may establish in Activity Area D.

**14.1** To ensure that noise sensitive activities such as residential, visitor accommodation, community facilities, live/work units and educational establishments are located within Activity Area C with sufficient separation between those activities and industrial activities in Activity Area D.

- 14.2 To ensure that buildings standards are high and protect against the effects of aircraft noise and from activities in Activity Area D.
- 14.3 To ensure outdoor open space areas are designed in such a way as to mitigate users from the effects of aircraft noise and the visual and acoustic impacts of activities being undertaken in Activity Area D.

**The Objectives and Policies will be implemented through:**

(a) Rules, including the use of an Outline Development Plan to be submitted and granted before individual resource consents are applied for

- (b) Assessment Matters

- **Design guidelines:**

**Deleted:** <=> The Urban Design Panel shall be used to evaluate proposals for development exceeding the specified height limits (site standard) against the relevant assessment criteria, prior to lodgement of a resource consent application. The Outline Development Plans and all buildings within Activity Areas B and C will all be the subject to assessment by the Urban Design Panel. The structure and protocol of ... [2]

- The Queenstown Entrances Study 2002;
- Council's Reserve's Management Plan and Reserve's Plan;
- Council's development contributions policy under the Local Government Act 2002 for the provision of reserves and community infrastructure.
- Southern Light – Lighting Strategy for the Queenstown Lakes District Council
- Travel Demand management measures including but not limited to the implementation of a travel demand management plan, as described in the definitions.

### 12.19.4 Environmental Results Anticipated

Implementation of the policies and methods for management relating to the Zone will result in:

- An environment which has a strong village core that is interesting, convenient, and attractive for the community's use and enjoyment that provides for a range of activities, particularly industrial activities and avoids, remedies or mitigates effects, including reverse sensitivity effects in respect of industrial activities and the continued operations of the Queenstown Airport;
- A high quality of urban design throughout the Zone;
- A range of building types and forms that are flexible to changes in use over time and which will promote social and cultural diversity;

- High quality reserves throughout the Zone to meet the needs of its residents, workers and visitors to the area;
- Compatible mixed use, live work environment, which does not result in reverse sensitivity issues within the Zone nor with the airport, or State Highway;
- To ensure a high quality living and working environment is achieved despite the presence of the airport, because suitable insulation standards and other design methodologies are employed to ensure that amenity values on the site are not impinged by noise from the airport.
- An emphasis on travel options including walking and cycling;
- The encouragement of 24 hour use/ habitation of part of the zone;
- The provision of a transport node(s) to encourage integration of private and public transport;
- A high quality urban environment that does not detract from the surrounding landscape especially as viewed from State Highway.
- The Queenstown economy not being constrained by the supply of industrial land
- A highly permeable environment and built form that encourages pedestrian, cycle and vehicle access with visual links between the focal points and open space
- A development that meets the District Plan's principal objectives and policies in respect of landscape protection, urban growth and services

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**Objective 11**

*To create additional industrial zoning for light industry within the Frankton Flats Special Zone (B) (Activity Area E)*

**Policies**

- 11.1 *To enable predominantly industrial and trade service activities within Activity Area E;*
- 11.2 *To enable the establishment of light industrial, showroom and service activities as well as low intensity commercial activities that require extensive land areas, such as bulk goods retailing*
- 11.3 *To provide for additional business zoned land in areas that will not adversely affect existing business activities, consistent with maintaining the standard of amenities in the area.*
- 11.4 *To ensure provision is made for adequate road access and on-site loading zones, particularly for heavy vehicles.*
- 11.5 *By ensuring sites for business activity, provide an attractive frontage to streets, public places and neighbours.*
- 11.6 To exclude activities (such as residential activities and visitor accommodation) that conflict with the activities of the intended uses in the Zone.
- 11.7 To ensure that the use of business areas is maximised by ensuring adequate minimum lot sizes and building design to allow for future adaptive reuse.
- 11.8 *To ensure provision is made for adequate employee and public car parking in the Business and Industrial Zones in the design and layout of new business areas as well as at the time of development.*
- 11.9 *To promote high quality design and layout of new business areas (consistent with the principles of comprehensive development) sensitive to the amenity of neighbouring activities.*
- 11.10 *To ensure the provision of adequate loading zones in the design and layout of new business areas as well as on site loading at the time of development.*

**Explanation and Principal reasons for Adoption**

This activity area adjoins the Industrial Zone to the east, the airport to the south and is located to the south of other activity areas so that visibility of industrial buildings and activities from the State Highway is minimal. This activity area will contain industrial and service activities that are generally of lesser amenity in terms of building design, noise and activities, and are appropriately located in closer proximity to the airport. However, in order to provide for a reasonable standard of amenity within the Zone and in particular in relation to the eastern access arterial road linking to the Remarkables Park shopping centre and resort facilities, the rules provide for building setbacks, landscaping, building design and the separation of heavy industrial uses from other uses.

The Urban Design Panel shall be used to evaluate proposals for development exceeding the specified height limits (site standard) against the relevant assessment criteria, prior to lodgement of a resource consent application. The Outline Development Plans and all buildings within Activity Areas B and C will all be the subject to assessment by the Urban Design Panel. The structure and protocol of the Urban Design Panel will be determined by the Council. Liaison with the Urban Design Panel is encouraged early in the design process;