

**BEFORE THE QUEENSTOWN LAKES DISTRICT COUNCIL**

**IN THE MATTER** of the Resource Management Act 1991

**AND**

**IN THE MATTER** Plan Change 50 (Queenstown Town Centre Zone  
Extension) to the Queenstown Lakes District Plan

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**STATEMENT OF EVIDENCE OF JOHN CLIFFORD KYLE**

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## 1. INTRODUCTION

- 1.1. My name is John Kyle. I hold an honours degree in Regional Planning from Massey University, obtained in 1987. I am a Partner with the firm Mitchell Partnerships Limited, which practices as a planning and environmental consultancy throughout New Zealand, with offices in Auckland, Dunedin and Tauranga.
- 1.2. I have been engaged in the field of town and country planning and resource and environmental management for twenty seven years. My experience includes a mix of local authority and consultancy resource management work. Since 1994, this experience has retained a particular emphasis on providing consultancy advice with respect to Regional and District Plans, plan change applications, designations, resource consents and environmental management and environmental impact assessments. This includes extensive experience with large-scale projects involving inputs from a multidisciplinary team. An outline of projects in which I have been called upon to provide resource management advice in recent times is included as **Appendix A**.
- 1.3. My firm has been appointed by the Queenstown Lakes District Council (the Council), to provide advice in relation to Plan Change 50. My firm prepared the section 32 evaluation for the plan change, and the proposed plan change provisions. I provided ongoing advice during the preparation of these documents and I conducted a peer review. In preparing this evidence I have reviewed the plan change documentation (again), submissions, further submissions, and other relevant information that has been provided by the Council in relation to this matter, including the section 42A report prepared for the Council by Mr Bryce.
- 1.4. I have also read the reports prepared by Dr McDermott and Dr Read which did not form part of the section 32 evaluation. I can confirm that I have visited the sites that are the subject of Plan Change 50 on several occasions. I am very familiar with the planning issues that prevail in Queenstown (and the district), having actively practiced here since 1994.
- 1.5. I have read the Code of Conduct for Expert Witnesses outlined in the Environment Court's Consolidated Practice Note and have complied with it in preparing this evidence. I also agree to follow the Code when presenting evidence to the Council. I confirm that the issues addressed in this brief of evidence are within my area of expertise and that I have not omitted to consider material facts known to me that might alter or detract from my opinions.

## **2. SCOPE OF EVIDENCE**

- 2.1 My evidence will focus on the principal planning issues that have been raised in the submissions. For context purposes I will also provide comment in relation to the issues that have driven the need for the plan change and will describe why I consider the subject sites to be appropriate for rezoning. I will also provide an overview of the plan change provisions as these have been subjected to reasonably extensive comment via submissions.
- 2.2 I have endeavoured to keep this evidence brief. The plan change request includes some quite lengthy documentation and the Council has called a number of witnesses to give evidence in support of it. My evidence should be read alongside all of that material, as well as the submissions received. Of course I am happy to answer questions of clarification, or elaborate on any matter relevant to my expertise should the Council's Commissioners wish me to.

## **3. SUMMARY OF EVIDENCE**

- 3.1 In my opinion the primary planning questions to be considered in relation to this plan change are:
- a) What is the justification for zoning additional land Town Centre in central Queenstown?
  - b) Is the objective of this rezoning consistent with meeting the purpose of the RMA, having considered the relevant matters inherent in section 32?
  - c) What are the benefits and costs of the environmental, economic social and cultural effects that accrue from the plan change<sup>1</sup>?
- 3.2 In addressing these issues I have relied on and have been assisted by the evidence to the Commissioners by Mr Speedy, Mr Mander, Dr McDermott, Mr Colegrave, Mr Bird, Dr Read, Mr Cawte, Mr Lloyd, Mr Davis, Ms Jarvis, Mr McKenzie, and Dr Chiles. In addition, the reporting of Mr Miller of McDermott Miller Strategies Limited has assisted the development of my views in determining whether or not additional commercially zoned land is required in central Queenstown.

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<sup>1</sup> Noting that a number of effects of concern have been raised within submissions on the Plan Change as well as a number of other concerns such as the impact on housing affordability.

3.3 In relation to the primary planning questions my conclusions are:-

- a) Justification for the zoning of additional Town Centre land:
  - (i) There is a demonstrable and pressing need to provide additional commercially zoned land in central Queenstown. This is required as the Queenstown Town Centre zone is at (or very near to being at) capacity and future growth prospects are set to be stymied.
  - (ii) Queenstown is an internationally renowned tourist destination – and tourism is the District's primary industry. Failing to act now to address the capacity issues facing central Queenstown could result in adverse implications for the tourism industry as investment in tourist facilities and services slows, or goes elsewhere.
  - (iii) Provisioning for more land zoned Town Centre in downtown Queenstown is necessary in order to ensure that Queenstown remains the District's primary tourist and administration centre. It is evident from the evidence of Dr McDermott in particular that ongoing business development and growth in central Queenstown is essential for stimulating additional economic activity that will in turn have a spill-over effect for the District in terms of supporting population growth. This population growth will lead to increased economic activity at Frankton particularly because this area primarily serves “domestic” household demand for goods and services.
- b) In my opinion the objective of this rezoning is consistent with meeting the purpose of the RMA, having considered the relevant matters inherent in section 32, being the conclusion of the section 32 analysis.
- c) In terms of benefits and costs:
  - (i) The benefits expected to arise from the plan change include economic benefits in the form of increased economic activity in the Town Centre, in particular for tourism related activities, and the spin off effects of this in terms of increased GDP, and employment, which leads to population growth. In terms of costs, the possibility of the plan change affecting the development of Frankton has been considered and discounted on the basis that Frankton and Queenstown fulfil distinctly different commercial roles.
  - (ii) While there is no question that implementation of the plan change will alter the ‘look’ of parts of central Queenstown, it is my opinion that the

planning controls over building height, bulk and location are appropriate for managing the effects on amenity that will occur. The proposed building height limits have been carefully developed and found (following rigorous analysis in my view) to be appropriate for this environmental setting, and particularly because the largest buildings will be set against the backdrop of Ben Lomond.

- (iii) The proposed increase in building heights will also enable additional development density for a mix of activities within central Queenstown. This will result in significant benefits in terms of the production of a more consolidated urban form including a reduced reliance on vehicle travel for residents living and working in central Queenstown who will be able to walk between activities. It will also facilitate the continued development of a more vibrant and lively downtown environment.
- (iv) The proposed increase in building height and scale in the Isle Street sub-zone will provide for increased intensity of land use, reflecting the land's excellent proximity to downtown Queenstown and the need to transition it to commercial purposes over time. The effects associated with this are assessed later in this brief of evidence.
- (v) In terms of effects on Queenstown's transportation network, it is clear from the evidence of Mr McKenzie that traffic management is a key issue. Managing traffic in Queenstown is an ongoing matter for the Council and Mr Mander confirms that wider and longer term initiatives are being developed by the Council to ensure that traffic management matters do not impede the growth of central Queenstown.
- (vi) The implementation of Mr McKenzie's recommendations for road development and car parking provisions for sites that are developed in accordance with the plan change, and the fact that the plan change will facilitate non-car modes of transportation, will ensure that any adverse effects on the transportation network can be appropriately managed<sup>2</sup>.
- (vii) Mr Cawte has stated that potential effects on archaeological sites will continue to be appropriately managed via the requirement to obtain an archaeological authority prior to development works occurring at the site. Effects on historic heritage values will be mitigated through the recording of the Thompson Street cabins to the equivalent of a Level 4 recording of the Heritage New Zealand Guidelines for Investigation and Recording of

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<sup>2</sup> McKenzie Evidence in Chief.

Buildings (2006) as a measure of understanding this formative period of Queenstown's development<sup>3</sup>.

- (viii) I note that there are differences in opinion on how the plan change will impact upon the Queenstown Cemetery. The plan change will increase the built form provided for adjacent to the Cemetery, but any built development will now be subject to obtaining a controlled activity resource consent. Dr Read recommends that a setback of 20m from this boundary, within which buildings should be a maximum of 8m in height, should be imposed. Mr Bird does not agree with this recommendation. Mr Bryce has recommended that an additional matter of control be included in the District Plan to ensure that the interface with the Cemetery can be assessed when resource consent is sought for buildings on sites adjacent to the Cemetery. I support Mr Bryce's recommendation.
- (ix) Housing affordability issues have been raised by some submitters. This arises largely because part of the land to be rezoned currently accommodates the former camp ground site, which has a number of tourist cabins remaining on it, which provide rental accommodation. In my opinion, the plan change successfully addresses this issue. Residential activity is a permitted activity in the proposed zone. Thus residential accommodation is enabled in a location within Queenstown's downtown area in very close proximity to where people work. The easing of the bulk and location requirements for the land subject to this plan change, the removal of density requirements for residential activities and provisioning for greater building height are all methods that are intended to assist in bringing residential unit costs down. I do note (for clarity) that 'Plan Change 24' has not been referred to directly as this plan change is operative and now forms part of the operative District Plan.

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<sup>3</sup> Paragraph 7.7.

#### 4. STATUTORY FRAMEWORK

4.1 In preparing this evidence I have had regard to whether the plan change:

- a) Accords with s74(1) and assists the Queenstown Lakes District Council to carry out its functions (s31) so as to achieve the purpose of the Act (s72);
- b) Gives effect to national policy statements that are relevant (s75(3)(a));
- c) Gives effect to the Otago Regional Policy Statement (s75(3)(c))<sup>4</sup>;
- d) Has had regard to any relevant management plans and strategies under other Acts, and to any relevant entry in the Historic Places Register (s74(2)(b));
- e) Takes into account any relevant planning document recognised by an iwi authority;
- f) Does not have regard to trade competition (s74(3));
- g) Has been prepared in accordance with any regulation (s74(1));

4.2 I explain more about each of these below.

4.3 A report addressing section 32 has been prepared as is required for a plan change. I have had regard to the matters raised in that report. In my view the plan change will assist the Council in carrying out its functions set out in section 31 of the Act. In particular, these functions include the:

*establishment, implementation, and review of objectives, policies, and methods to achieve integrated management of the effects of the use, development, or protection of land and associated natural and physical resources of the district (section 31(1)(a).*

*the control of the emission of noise and the mitigation of the effects of noise (section 31(1)(d).*

4.4 As addressed in the section 32 report, there are no national policy statements that are relevant to this plan change, and the Plan Change is considered to give effect to the Regional Policy Statement. I note that consideration of the Otago Regional Council's submission on the plan change that relates to transportation matters is discussed later in my evidence, and in the evidence of Mr Mander.

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<sup>4</sup> I have attached at **Appendix B** to my evidence extracts of relevant provisions of the Otago Regional Policy Statement.

- 4.5 Other relevant management plans and relevant entries in the Historic Places Register have been considered through the development of the plan change and the section 32 assessment. Other documents to which I have had regard to include the Queenstown Growth Management Strategy and the Queenstown Town Centre Strategy.
- 4.6 The Kai Tahu Ki Otago Resource Management Plan (2005) and the Environmental Iwi Management Plan (Murihiku Plan) are the relevant Iwi Management Plans to this plan change. As described in the section 32 report, the plan change takes into account these documents and no concerns associated with these documents has been identified.

## 5. THE REZONING PROPOSAL

- 5.1 The land subject to the proposed plan change has been described by Mr Speedy. The proposal is to rezone that land “Queenstown Town Centre” subject to a bipartite sub-zoning<sup>5</sup> which is shown on **Appendix D**. This land subject to the plan change request is within the current urban bounds of Queenstown, and is all currently zoned High Density Residential, sub-zone A within the district plan.

### ***Lakeview sub-zone***

- 5.2 In my opinion, rezoning the Lakeview site to Queenstown Town Centre zone is consistent with meeting the purpose of the Act as it is an underdeveloped site, in very close proximity to the existing town centre zone. This location and the fact that, for a large part of the site it is ready for immediate development, means that it is ideally suited to meet the needs identified within the evidence of Dr McDermott in particular.
- 5.3 The proposed Lakeview sub-zone will provide for a range of commercial, visitor accommodation, tourism, residential and mixed use activities to be developed on the land. The zoning would also enable the construction and use of part of the land as a convention centre, if this project proves to be a viable one. A structure plan is proposed to guide the way that land use activities develop on the land, to assist in ensuring that the land is used efficiently and to ensure that its development complements the existing Queenstown Town Centre zone.

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<sup>5</sup> Lakeview and Isle Street.



- 5.4 The structure plan defines the land parcels on the site and the proposed locations for roads and public spaces, and ‘active frontage’ areas. As Mr Bird has described, this method will assist to integrate development of the Lakeview land with the existing urban fabric of Queenstown. The existing road network is extended into the site, and visual connections back to the town are provided for through the preservation of open view shafts. Given that the site occupies a unique position tucked beneath the slopes of Ben Lomond, a range of building heights can be accommodated at the site. These are depicted on a height limit plan. Again, Mr Bird has described the process involved in developing the building heights for the land within the Lakeview sub-zone.

#### ***Isle Street sub-zone***

- 5.5 The Isle Street land lies contiguous with the Queenstown Town Centre zone boundary and it extends up to the Lakeview land to the west. The land is typical of land which transitions between commercial land and residential land, in that it hosts a mixed range of activities including some commercial activities, tourism related activities and visitor accommodation. The rezoning of this land will provide additional space for the enablement of a mixed of activities, including visitor accommodation, residential, and commercial activities which reflect the location of this land proximate to the town centre.

#### ***Beach Street***

- 5.6 The Beach Street site is largely that land currently occupied by the Crowne Plaza hotel. The land has been identified as suitable for rezoning to Town Centre to legitimise its current use and due to its location immediately adjacent to the Queenstown Town Centre Zone on two sides – Hay Street and Beach Street.
- 5.7 The existing Queenstown Town Centre provisions have been adapted insofar as this land is concerned to include specific:
- Noise performance standards – it is proposed to retain the current noise performance standards that apply to land use activities within the existing High Density Residential zone. This is intended to preserve existing amenity levels for those residential properties that lie on the western side of Beach Street, opposite the existing hotel; and
  - Maximum building height limits – the maximum building height limits that currently apply at this site have been retained<sup>6</sup>.

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<sup>6</sup> Refer Appendix C of the Plan Change request: Plan Provisions. Town Centre Rule 10.6.5.2 Zone Standard (i) Building and Façade Height bullet points 8 and 9. Bullet point 8 applies predominantly to the Crowne

## 6. PROPOSED PLAN PROVISIONS

- 6.1 The proposed District Plan provisions for Plan Change 50 make changes to Chapter 10 - Town Centre of the operative Queenstown Lakes District Plan. This chapter has largely been in place since the operative plan was notified in 1995 with various refinements made to it from time to time since. The extent of the Town Centre zone has not been altered since the operative plan was first notified. The Council is currently in the process of promulgating a second generation district plan, parts of which are to be notified in May 2015. The tranche of plan changes the Council will notify in May 2015 will include new plan provisions insofar as they relate to the remainder of the Town Centre zone. For this reason the preparatory work associated with this plan change (meaning PC50) has been undertaken in close consultation with the Council's Planning Policy Manager, to ensure that if Plan Change 50 is confirmed, it will be compatible with the proposed approaches to be employed across the existing Town Centre zone, and vice versa.
- 6.2 The objective and policies proposed through the plan change seek only minor changes to the current Town Centre zone plan provisions. These changes are shown within the section 32 analysis, and contained in **Appendix E**.
- 6.3 In my assessment, many of the current provisions in Chapter 10 Town Centres retain a high degree of relevance. This is probably best demonstrated if one views the text associated with the statement of issues on pages 10-1 and 10-2 of the operative district plan where it states:

*The buildings, infrastructure and car parking areas within the town centres represent a significant investment. They are encompassed within the meaning of physical resource, as defined in the Act. The land and buildings of the town centres provide the space and resources for a wide range of activities to take place. It is therefore necessary that they are recognised for the importance of their role in the District's economy as well as the social and cultural wellbeing of the community. Consolidation of the boundaries encourages the efficient use of existing resources, such as roads and utility services, and creates a degree of certainty for further growth and development. This, in turn, will assist the viability of the town centres with benefits to the community in terms of the range of services available, their convenience and accessibility. The Council can then provide and maintain efficient road networks and ensure car parking is provided at convenient locations to those areas.*

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Plaza site, and for this area the building height limits are controlled by Diagram 8 contained in Appendix 4 of the Operative District Plan. Bullet point 9 applies to those properties not encapsulated by Diagram 8 in Appendix 4, and simply refers to the operative building height rule from the High Density Residential Zone.

*Town centres are a source of identity for their communities, as they represent a meeting place for people. Consolidating the area within which these activities take place will reinforce the communities' perception of the character and form of their towns and their identity, not only as a place of business, but also as a venue for social and cultural events.*

- 6.4 Most of what is stated within the aforementioned remains relevant. However, the extent of land zoned for Town Centre purposes has not been addressed for nearly two decades. As Dr McDermott has confirmed, there is a pressing need to provide more land for commercial purposes within the downtown area. Addressing this need is the essence of this plan change. I describe this in more detail below in section 8 of my evidence.
- 6.5 In terms of the detail inherent in the plan change, provisions have been included to describe the environmental outcomes sought for the Lakeview sub-zone and the Isle Street sub-zone. Changes to the current provisions also include better providing for tourist and community activities within the Queenstown Town Centre zone. The recognition and inclusion of these activities in the Queenstown Town Centre zone is important for facilitating a town centre that is vibrant, viable and meets the needs of the community and its all-important visitor industry.
- 6.6 It is intended that the range of activities currently provided for in the Town Centre zone would also apply in the areas that would be rezoned if the plan change is confirmed. These activities include a range of commercial activities including service industries, retail and hospitality, tourist related activities including visitor accommodation and commercial recreational activities.
- 6.7 However, some specific enabling provisions and some limitations have been promoted via the plan change including :
  - a) Residential activities in the Lakeview and Isle Street sub-zone would be provided for but would be subject to fewer restrictions in terms of providing outdoor living space requirements than if the existing residential zone was retained;
  - b) Convention Centres are defined (in the definitions) and provided for as a controlled activity in the Lakeview sub-zone and a restricted discretionary activity in the remainder of the Queenstown Town Centre zone.

- c) Retail activities are limited to 400m<sup>2</sup> in the Lakeview and Isle Street sub-zones to deter large format retail activities from establishing in these sub-zones.

6.8 For the Lakeview and Isle Street sub-zones, specific bulk and location rules are proposed to enable some additional height and scale of buildings. For the Isle Street sub-zone, which is fully developed (as opposed to the Lakeview sub-zone) a rear yard setback and building step-backs from side yards are now proposed (as discussed by Mr Bird) to assist this area transition from residential to Town Centre. The effects resulting from the revised provisions for the Isle Street sub-zone will, in my view, manage privacy, dominance and shading effects to a degree considered appropriate for a commercial mixed-use zone, and a zone in transition. Similarly, boundary setbacks and recession planes proposed along the Glasgow Street boundary of the Lakeview sub-zone will protect the residential amenity values of the residences on the opposite side of Glasgow Street.

6.9 Specific noise rules are proposed to apply to the Lakeview and Isle Street sub-zones for licensed premises to enable them to operate at night-time subject to obtaining a non-notified discretionary resource consent if the noise limits cannot be achieved. A discretionary activity status for this activity is appropriate as it will enable the consent authority to consider and address the effects of noise on the environment. In my opinion, assessing noise effects is a highly technical matter that requires the input of an acoustic engineer. For that reason I am comfortable with applications made under this rule to be dealt with, without notification.

6.10 Reverse sensitivity effects are managed by specific rules requiring appropriate levels of insulation for visitor accommodation and residential activities within the Lakeview and Isle Street sub-zones.

6.11 Changes to the Transportation Section of the District Plan are proposed to ensure an appropriate amount of car parking is provided at the Lakeview sub-zone. For the Isle Street sub-zone and Beach Street sites, the current Town Centre car parking requirement provisions will apply.

## **7. RESOURCE MANAGEMENT ISSUE**

7.1 The Queenstown economy is based around tourism, and the Queenstown town centre is widely acknowledged to be the key tourist centre of the District. It is the logical location for a wide range of activities and because of the limited land area

available it is reasonably densely developed. In my opinion, the town centre continues to provide a sense of vitality and variety and promotes convenience, accessibility and efficient utilisation of services and infrastructure. It also remains the administrative centre and commercial centre of the District, containing the headquarters of the Queenstown Lakes District Council, the District Court, Queenstown Police Station, education institutions and a range of other central and local government activities and agencies. Queenstown town centre is the centre for the majority of professional services.

- 7.2 Queenstown town centre remains the district's pre-eminent commercial centre for the residents of Queenstown and its surrounds. One of its most distinctive features is its walkability, which is born from its compact form and scale.
- 7.3 The evidence of Dr McDermott confirms that there is substantially more economic activity in and around Queenstown than at other commercial locations such as Frankton. It remains highly diversified in terms of commercial activities, and a key provider of the visitor facilities and services which underpin Queenstown's growth.
- 7.4 One key question arising from the plan change is whether additional commercially zoned land is required for Queenstown given there is undeveloped commercially zoned land around Frankton. The flip side of this inquiry is whether or not Plan Change 50 will adversely affect the uptake of this undeveloped commercial land at Frankton. The report by McDermott Miller Strategies Ltd entitled the *"Review into the District Plan Business Zones Capacity and Development of Zoning Hierarchy"*, 2013<sup>7</sup>, has identified a need to address the extent of the current Queenstown Town Centre zone. This report identified the oversupply of business zoned land in the Frankton area, which could result in a decline of Queenstown's current town centre if tourist-related businesses become progressively dispersed<sup>8</sup>.
- 7.5 With most tourism businesses established within and close to the Queenstown town centre, the potential impacts of the dispersion of such businesses would impact upon the tourism industry as a whole, and on Queenstown town centre as the key tourist centre<sup>9</sup>. This would likely result in adverse impacts on the District's tourism industry, which is the District's primary industry. This plan change will address this issue by

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<sup>7</sup> Attached to the Plan Change documents as Appendix A

<sup>8</sup> Refer Plan Change Appendix A, McDermott Miller Strategies Ltd: *"Review into the District Plan Business Zones Capacity and Development of Zoning Hierarchy"*, 2013, page 4.

<sup>9</sup> Refer Plan Change documents Appendix A, McDermott Miller Strategies Ltd: *"Review into the District Plan Business Zones Capacity and Development of Zoning Hierarchy"*, 2013, page 104.

extending the Queenstown town centre and providing additional commercial-mixed use land supply.

- 7.6 The questions identified above have been addressed by Dr McDermott in his reportage and evidence. He has found that there are fundamental differences between the roles carried out by the Frankton commercial area and central Queenstown, whereby central Queenstown's town centre remains the heart of tourism activity and Frankton primarily services the retail demands of households<sup>10</sup>.
- 7.7 In terms of Queenstown town centre, Dr McDermott has concluded that, given an opportunity to expand, this centre is expected to develop, which in turn will lead on to new ventures in and around the centre such as ancillary tourist services, entertainment, retail and hospitality<sup>11</sup>.
- 7.8 Further, given the distinctive role of the town centre, in relation to Frankton, Dr McDermott has concluded that there is no guarantee that prospective investment in tourism-related ventures in the Queenstown town centre would seek out a substitute location in Frankton if frustrated by the absence of available land in the centre<sup>12</sup>.
- 7.9 As concluded by Dr McDermott, the plan change is required to ensure that capacity exists to avoid constraints to tourism growth. The likely boost to tourism and higher order service activities resulting from the plan change should assist promote the growth of Queenstown and the long-term residential growth necessary to sustain retailing and ancillary commercial investment in Frankton. In short, he expects that Plan Change 50 will complement future development in Frankton.
- 7.10 To address this issue, an urgent need to expand the Queenstown Town Centre zone has been identified, and the subject plan change is the Council's preferred response to this issue. Having considered the above, it is my opinion that Plan Change 50 is necessary for the Council to achieve its functions set out in section 31 of the Act and to address the shortage of commercially zoned land in Queenstown.

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<sup>10</sup> Refer Plan Change documents Additional Report supplied to Council on 12 September 2014 prepared by Dr McDermott; The Case for Zoning Additional Commercial Space in the Queenstown Town Centre page 6.

<sup>11</sup> Refer Plan Change documents Additional Report supplied to Council on 12 September 2014 prepared by Dr McDermott; The Case for Zoning Additional Commercial Space in the Queenstown Town Centre page 22.

<sup>12</sup> Refer Plan Change documents Additional Report supplied to Council on 12 September 2014 prepared by Dr McDermott; The Case for Zoning Additional Commercial Space in the Queenstown Town Centre page 22.

7.11 Section 32(1)(a) of the RMA requires the evaluator to examine the extent that a new objective is the most appropriate way to achieve the purpose of the Act. In turn, section 32(1)(b) requires examining *‘whether the provisions in the proposal are the most appropriate way to achieve the objectives’*.

7.12 Only one new objective is proposed as part of Plan Change 50. The proposed objective relates to the Lakeview sub-zone, and seeks:

*A high quality, attractive environment within the Lakeview sub-zone where new business, tourist, community and high density residential activities will be the predominant use.*

7.13 In my view this objective will assist the Council in providing for the sustainable management purpose of the Act<sup>13</sup>. The rezoning of the Lakeview site will assist to maintain the economic vibrancy and vitality of the Queenstown town centre by providing more land upon which to develop commercial, tourist and residential activities, thus yielding economic and social wellbeing benefits overall. Mr Colgrave has quantified how doing so will realise economic gains for the District. Rezoning land as promoted by the plan change will not impinge upon the Council's duty to safeguard the life supporting capacity of air, water, soil and ecosystems.

7.14 In terms of other relevant matters inherent in Part 2 of the Act, it is my assessment that section 6 matters are properly recognised and provided for by the plan change. The Ben Lomond Scenic Reserve to the rear of the Lakeview site is classified as an Outstanding Natural Landscape. The evidence of Dr Read shows that this landscape will continue to be protected from inappropriate subdivision, use and development by the provisions of the plan change. As is discussed later, Mr Cawte has described that the cabins on the Lakeview site hold some heritage value.

7.16 I note that Policy 9.5.4 of the RPS for Otago includes provision:

*“To minimise the adverse effects of urban development and settlement, including structures, on Otago’s environment through avoiding, remedying or mitigating....*

*...*

*(d) significant irreversible effects on:*

*...*

*(v) Heritage values....”*

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<sup>13</sup> Section 5.

- 7.17 The cabins' values are not so significant as to require their ongoing protection. However, Mr Cawte does recommend the suitable documentation of these values, in accordance with Heritage New Zealand Guidelines<sup>14</sup>.
- 7.15 In my opinion, Mr Cawte's recommended approach comprises mitigation of the effects of the plan change on the heritage values of the Lakeview site. Accordingly, the plan change would not result in use or development that is inappropriate.
- 7.18 In my opinion the plan change has appropriate regard for section 7 matters. The plan change provides for the more intensive use of 'brown fields' land – land that is already within the confines of the Queenstown urban boundary. As is set out within the report by Holmes Consulting Group<sup>15</sup> there is adequate capacity within the existing water supply and waste water network to cater for the demands placed by the plan change land and the likely development that would ultimately occur. Stormwater runoff will need to be managed, but with some upgrading this too can be properly addressed. Thus the plan change would make efficient use of existing utility infrastructure in terms of section 7(b). Further, the proposed objective is coupled with an array of plan performance standards which will ensure that the development of the site is conducted in a way that will result in at least the maintenance (and probably in the eyes of most, the enhancement) of amenity values and a high level of environmental quality in terms of section 7(f).
- 7.19 In terms of assessing the proposed objective against section 8, there are no known Treaty principles that will be affected by this plan change. Kai Tahu Ki Otago and Te Ao Marama have both confirmed they have no concerns with the plan change. The proposed objective for the Lakeview sub-zone is not contrary to the Kai Tahu Ki Otago resource management plan or the Ngai Tahu Ki Murihiku Natural Resources and Environmental Iwi Management Plan.
- 7.20 It is my opinion that this objective (and the associated primary method, which is the rezoning of the Lakeview site) is the most appropriate way of achieving the purpose of the Act and that the new objective complements the relevant objectives in the District Plan.

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<sup>14</sup> This process has almost been completed.

<sup>15</sup> Refer Plan Change Assessment of Effects Appendix D.



7.21 Turning to other the provisions proposed by Plan Change 50, I conclude that they are the most appropriate way to achieve the objectives of the District Plan<sup>16</sup>.

7.22 I come to this opinion in the light of the following:

- a) As is set out in the evidence of Dr McDermott, the main economic impact of the plan change will be to facilitate growth in the town centre by providing opportunities for further commercial, visitor accommodation and associated tourism investment. It will also provide additional residential capacity to support that growth. The likely boost to commerce, tourism and higher order service activities resulting from the plan change should help promote the growth of Queenstown generally and the long-term residential growth necessary to sustain retailing and ancillary commercial investment in other commercial centres that cater more for local retail and service requirements, notably at Frankton.
- b) Mr Colegrave has concluded that the plan change will enable significantly increased economic benefits than those that would occur under the current zoning, including increased employment opportunities, GDP and household incomes;
- c) If developed, the convention centre would result in significant economic benefits for the tourism industry that would filter down to the wider community. Mr Colegrave reports further on this matter;
- d) Mr Bird has described the methods that have been included in the proposed plan change for managing the effects of resultant development on urban design values and townscape. He concludes that for the Lakeview sub-zone, the methods employed within the plan change will result in a high quality urban environment that connects well with the current town centre and provides attractive, accessible and useable public open space areas while still enabling a high degree of development flexibility. For the Isle Street sub-zone, care has been taken to reflect the transitional nature of this sub-zone, to enable increased built scale but at the same time preserve on site neighbourhood amenity, as far as can be achieved;
- e) Mr McKenzie has stated that any increases in traffic movements resulting from the activities provided for by the proposed plan change can be managed within

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<sup>16</sup> Subject to the refinements to the plan change provisions I have set out in Appendix C.

the existing road network, and with the creation of new roads and some (future) road widening within the Lakeview site;

- f) Mr Mander has described the comprehensive transportation strategy that is currently being prepared to manage traffic flows and parking activities within the Queenstown Town Centre, and that this strategy will take into account those areas subject to Plan Change 50.
- g) Car parking is a matter that has been raised during consultation and via submissions. The plan change seeks to include methods that facilitate a shift in behaviour to reduce the use of private vehicles as the primary means of transportation. To this end, the proposed parking provisions for the Lakeview sub-zone provide a balance between setting minimum on-site parking requirements for some activities, while requiring maximum parking requirement for visitor accommodation activities, and no parking requirements for other activities.
- h) As discussed by Ms Jarvis, the land subject to the plan change is well served by water and waste water infrastructure. Some minor upgrading to the servicing infrastructure will be required as the Lakeview sub-zone site is developed, and possibly for the Isle Street sub-zone. In particular the updating of the stormwater pipe network will be required to accommodate additional stormwater discharges resulting from an expected decrease in permeable surfaces;
- i) Mr Cawte reported on the heritage and archaeological values of the sites. In terms of archaeological values, any development of the site is likely to require the obtaining of an archaeological authority prior to construction commencing. I note that this situation does not differ from the pre plan change scenario, as building works are currently permitted on the land subject to the plan change request and they too would trigger a similar authority being required.
- j) Mr Cawte has identified that the holiday cabins at the Lakeview site have heritage value. I note that the District Plan does not afford these cabins any form of protection (heritage order or inclusion within the listed inventory of heritage items – see Chapter 13 of the Plan). However, the submission of the Heritage New Zealand requests that one or more of these cabins be included in this inventory, or that the cabins be relocated.

- k) Mr Cawte says that the cabins reflect an important period in Queenstown's history; the transition from a mining town to holiday destination<sup>17</sup>. However, he stops short of recommending that the heritage value of these cabins is so significant as to warrant their ongoing protection. Instead, Mr Cawte is comfortable to ensure that the cabins should be recorded to the equivalent of a Level 4 recording of the Heritage New Zealand Guidelines for Investigation and Recording of Buildings (2006) as a measure of understanding this formative period of Queenstown's development<sup>18</sup>. These cabins have been recorded.
- l) Mr Cawte has also recommended that the Level of protection for Glenarm<sup>19</sup> Cottage in the District Plan be changed from Level 2 to Level 1. I acknowledge this, and it is my view that this change to the District Plan would be better dealt with as part of the District Plan Review process, when all other heritage items are reviewed.
- m) Mr Lloyd has assessed the land (within the Lakeview subzone, including 34 Brecon Street) in terms of suitability for development from a geotechnical perspective. He has concluded that the site is generally suitable for development with liquefaction risk low and alluvial fan hazard risk being very low. The area of the site encroached upon by the alluvial fan is contained predominately within the proposed reserve area to the rear of the site, and the small portion within a proposed development block is shown as a service lane on the Urban Design Framework. The subdivision of the site will ensure this area is appropriately managed, as required.
- n) Dr Chiles has assessed the likely noise effects that would emanate from land uses developed in accordance with the plan change. He has recommended suitable noise rules, as well as methods for ensuring noise sensitive activities are appropriately protected from adverse noise effects.
- o) Mr Davis has not identified any contaminants at the Lakeview sub-zone that present a risk to human health.
- p) Dr Read has assessed the effects of the plan change on landscape values, and has considered visual amenity effects. She has concluded that the plan change will have a small effect on landscape values, noting that the natural landscapes of the lake and Ben Lomond and Bowen Peak will continue to

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<sup>17</sup> Paragraph 7.7.

<sup>18</sup> Paragraph 7.7.

<sup>19</sup> Glenarm Cottage is located at 50 Man Street and within the proposed Isle Street sub-zone.

dominate. However, she has raised concerns about the effects of increased building scale at 34 Brecon Street which immediately adjoins the Queenstown Cemetery.

## **8. SUBMISSIONS – PRIMARY ISSUES RAISED**

- 8.1 In addressing submissions made on Plan Change 50 I have focused on the key issues raised through submissions. Mr Bryce, in preparing the section 42A report, has comprehensively addressed all submissions and I see no need to duplicate this undertaking.

### **Justification for the Plan Change**

- 8.2 Submitters have questioned the need to re-zone land from High Density Residential to Queenstown Town Centre. Dr McDermott has provided a fulsome response to this question, and I adopt his conclusions. As described in the section 32 evaluation, more land is required to be zoned Town Centre. This provisioning is needed now.
- 8.3 Several submitters have sought that their land, which is currently outside of the Plan Change 50 area, be included in this plan change. I have not assessed the merits of whether or not the submitters land would be suitable for rezoning, as it is not possible to extend the land area covered by a plan change once it has been notified. However, I do note that Plan Change 50 is only part of Council's solution to addressing the issues facing the Queenstown Town Centre. Further changes to the provisions for land outside of the plan change area but within the Town Centre zone, and perhaps to the extent of the Town Centre zone are anticipated via the District Plan review.
- 8.4 One submitter has questioned the sites chosen for inclusion within this plan change. In response to this submission, I acknowledge that other land may well be suitable for rezoning for Town Centre purposes. This might well be considered as part of the District Plan Review process. However, the subject land was selected for inclusion in the zone as it is contiguous with the existing Town Centre zoned area, and is readily accessible to and from it. The Isle Street blocks and the Beach Street block provide a logical connection to the Lakeview site. The Lakeview site is reasonably large and is largely free from intensive existing development. It is underutilised and can be made available for development in a relatively short period of time to meet the demand referred to in the various economic analyses undertaken by the Council to support the plan change. It can also be developed in a comprehensive way which should assist in ensuring good built outcomes, with high quality public spaces and practicable access.

- 8.5 I also acknowledge the submissions that seek to delete the Queenstown Town Centre Transitional Zone from the District Plan. I accept the rationale behind these submissions—that the extension of the Queenstown Town Centre zone beyond the current Transitional Zone does render this zone redundant. However, again, this matter is more appropriately addressed by the District Plan review process.
- 8.6 The Queenstown Chamber of Commerce and Remarkables Jet Limited have raised concerns about the impact the release of the newly rezoned commercial land will have on the existing Queenstown Town Centre. These submitters suggest the strategically staged release of this land will ensure the existing Queenstown Town Centre is not adversely affected by the additional commercial land coming on stream. The evidence of Dr. McDermott and Mr Colegrave assesses the proposed rezoning on the existing town centre. Neither conclude that staging the release of land rezoned by Plan Change 50 is necessary. Mr Colegrave has stated that he does not believe that the Lakeview area will compete directly with the CBD, but rather will complement and reinforce it. This goes to the heart of the resource management issue being addressed by this plan change.
- 8.7 Mr Colegrave has stated that it is highly likely – if not almost certain – that future development will be staged for commercial reasons anyway. I agree with this assessment. The economic reality is that the commercial land would only be developed when the demand is there to do so.
- 8.8 The submission by Ms Gilmour has raised concerns about the integration of this plan change into the second generation plan. As indicated earlier, the extent of the Town Centre zone has not been altered since the operative plan was first notified. The Council is currently in the process of promulgating a second generation district plan, parts of which are to be notified in May 2015. The tranche of plan changes the Council will notify in May 2015 will include new plan provisions insofar as they relate to the remainder of the Town Centre zone. For this reason the preparatory work associated with this plan change (meaning PC50) has been undertaken in close consultation with the Council's Planning Policy Manager, to ensure that if Plan Change 50 is confirmed, it will be compatible with the proposed approaches to be employed across the existing Town Centre zone, and vice versa.

### **Affordable Housing**

- 8.9 Submissions have raised concerns about the potential for the plan change to result in a loss of affordable housing due to the removal of the cabins from the Council owned part of the Lakeview sub-zone. Further, I note that Section 4: District Wide Issues of

the District Plan includes the Affordable and Community Housing objective 4.10.1. This objective seeks to provide *'Access to Community Housing or the provision of a range of Residential Activity that contributes to housing affordability in the District'*. Associated policies include:

- 1.1 *To provide opportunities for low and moderate income households to live in the District in a range of accommodation appropriate for their needs.*
- 1.2 *To have regard to the extent to which density, height, or building coverage contributes to residential activity affordability.*
- 1.3 *To enable the delivery of Community Housing through voluntary Retention Mechanisms.*

8.10 Other than the above District wide objective and policies, the district plan based affordable Housing provisions are fairly limited, and for the zones affected by Plan Change 50 (high Density Residential and the Queenstown Town Centre Zones), the Affordable Housing provisions are limited to an assessment matter that applies to non-complying resource consent applications.

8.11 As indicated earlier, the provisions to apply to the Lakeview sub-zone and the Isle Street sub-zone enable of residential development and higher density residential is envisaged to be development in these sub-zones. There are no restrictions in the provisions for the Lakeview sub-zone or the Isle Street sub-zone that limit the density of residential units, and coupled with the additional building height provided for and higher percentage of building coverage, opportunities for lower cost and varied housing to be developed on the subject land is provided for.

8.12 In my view some of the land subject to the plan change provides an ideal location for some low and moderate income households' accommodation, given the proximity to central Queenstown. The one aspect of the plan change provisions that may have some effect on the costs associated with building residential accommodation is the requirement for residential units to be insulated from adverse noise effects that can arise from mixed land uses. This measure is considered to be necessary to ensure appropriate living environments are provided for within this mixed use environment.

8.13 In my view, the opportunities to provide Community Housing are improved under the proposed provisions for the Isle Street sub-zone and the Lakeview sub-zone compared to those provided under the current zoning.

- 8.14 Overall, it is my view that the plan change provisions are the most appropriate way of achieving objective 4.10.1. Associated policies 1.1 and 1.2 are adequately provided for by the plan change provisions due to the fact these include relaxed bulk and location requirements which in turn provide opportunities for higher density housing.
- 8.15 The Queenstown Town Centre Zone applies non-complying activity status to any proposal that does not comply with a zone standard. Assessment matter 10.10.2(i)(c) requires consideration of the following: *“with regard to proposals that breach one or more zone standard(s), whether and the extent to which the proposal will facilitate the provision of a range of Residential Activity that contributes to housing affordability in the District.”*
- 8.16 However, there are no zone standards that control building height in the Lakeview and Isle Street sub-zones (these are *site standards*). Therefore, having considered the submissions made in relation to affordable housing, I also consider it appropriate to amend the relevant part of Assessment Matter 10.10.2 to ensure this will apply to the Isle Street sub-zone and the Lakeview sub-zone where the building height site, and the site coverage standards are exceeded.

***Assessment Matter 10.10.2 i Building Height***

- (a) *Whether any earthworks have been carried out on the site prior to the date of notification, 10 October 1995, that have lowered the level of the site.*
  - (b) *Whether there are rules requiring the site to be built up.*
  - (c) *With regard to proposals that breach one or more zone standard(s) and for the Lakeview sub-zone and the Isle Street sub-zone proposals that breach site standards 10.6.5.1 xi) and 10.6.5.1(i)(d) and (e), whether and the extent to which the proposal will facilitate the provision of a range of Residential Activity that contributes to housing affordability in the District.*
- 8.17 Turning to the submissions referring to the loss of housing due to the removal of the cabins from the former Lakeview holiday park and the Lynch block, I do acknowledge there will be some residential displacement arising from this situation. However, this situation relates to the tenure of these cabins, not this plan change request. The cabins are on the Lakeview site by virtue of licence agreements with the Council, all of which terminate in 2015<sup>20</sup>. Therefore, the inexpensive accommodation provided

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<sup>20</sup> I understand that there may be one perpetual lease for a cabin in place.

on the Lakeview site has always had a limited tenure, and I understand that this arrangement terminates in 2015 come what may.

- 8.18 However more importantly in my view is the fact that the current use of the Council owned part of the Lakeview sub-zone represents a highly inefficient use of this land. While there are 169 cabins on the site, the plan change will enable the efficient use of this site, providing for large areas of public reserve land, interspersed with development blocks that could accommodate modern, purpose built residential accommodation and other activities in a much more spatially efficient manner than the cabins currently provide.

### **Reserves**

- 8.19 Some submitters have sought confirmation and clarification on the retention of the James Clouston Reserve and the bulk and location requirements that would relate to the proposed reserve at the corner of Thompson and Man Street. It is intended that once that land is Recreation Reserve that the Council will manage this land not only in accordance with the proposed Lakeview-sub zone rules, but also under the Reserves Act 1977, and the specific Reserve Management Plan prepared for the land under the Reserves Act 1977.
- 8.20 Further, I have considered the submission that sought the removal of the Active Frontage from this land. While I can understand the basis for this submission, I believe it is prudent to retain the activity frontage on this land.
- 8.21 The same submitter has requested that the location of the protected trees at proposed reserve at the corner of Thompson Street be identified, along with their respective root protection areas. As these trees will retain their current protection status under the District Plan their ultimate management will need to be consistent with the District Plan provisions.
- 8.22 For the James Clouston memorial reserve, as indicated on the structure plan it is intended that this will remain reserve. The designation over this site (designation 240) is to be retained. I do note that the underlying zoning will change from High Density Residential to Town Centre if the plan change is confirmed. Any Council endeavor to revoke the reserve status of this land would involve public input. I am not aware of any Council plans to alter the reserve status of this land.



### **Cemetery Road**

- 8.23 The Brecon Street Partnership Limited is the owner of 34 Brecon Street, which is within the Lakeview sub-zone. This submitter has sought that the Lakeview sub-zone structure plan be amended to provide for the re-alignment of part of Cemetery Road. I am aware that Mr Bird and Dr Read agree that this proposal has merit, and I generally agree. I can recommend that Rule 10.5.2.1(xiii) be amended to include the following:

*If there is a proposal to re-align Cemetery Road along the northern boundary of the sub-zone and link it to Brecon Street then it is deemed that this shall not comprise an exceedance of this site standard.*

I note that this version of the rule differs slightly from that recommended in the section 42A report. The above version is contained in the full set of provisions attached to my evidence as **Appendix C**.

### **Effects of Building Height in the Lakeview Sub-zone**

- 8.24 Several submitters have raised concerns about the proposed building heights for the Lakeview sub-zone. For the most part these submitters are concerned about the higher building heights which apply to the rear (north) of the site. As you have heard from Mr Bird and Dr Read, the proposed building heights for the Lakeview sub-zone have been carefully considered and are regarded as being appropriate by these experts in the specified locations. I support the approach taken to specify maximum building heights across the Lakeview sub-zone. The Height Limit Plan enables a greater range of height limits to be applied at this site. This has the effect of enabling the efficient utilisation of this land, while ensuring that effects such as shading can be minimised, outlook from within the site and buildings thereon maximised and visual impacts managed.
- 8.25 The owner of 34 Brecon Street, which is located within the Lakeview sub-zone, has sought that the height limits be relaxed at this site. Mr Bird and Dr Read have addressed this submission in their evidence, and I accept their conclusions. These experts say that providing for additional height at 34 Brecon Street would result in adverse visual and amenity effects from key vantage points in Queenstown, including Gorge Road, and the Queenstown Gardens, and the neighboring Cemetery. I consider the proposed 12m height limit at this site to be appropriate.

- 8.26 Submitter Ms Gilmour has raised concerns about the lack of surety of good urban design outcomes. Mr Bird has addressed these concerns, and I am entirely comfortable that sufficient safeguards are in place to ensure a high quality built environment will result. I do note however that the opportunity for applications to be referred to the Queenstown Urban Design Panel remains.
- 8.27 Overall, I agree that the proposed maximum height limits that apply to the Lakeview sub-zone are appropriate and hold the view that they will better provide for the efficient utilisation of a scarce land resource in close proximity to downtown Queenstown.

#### **View shafts and Lanes in the Lakeview Sub-zone**

- 8.28 Submitters Ngai Tahu Tourism Limited and HW Holdings NZ Ltd (HW) have identified concerns with the view shafts shown on the Lakeview sub-zone Structure Plan and seek the insertion of a rule into the plan change to manage them.
- 8.29 The view shafts will be realised at the time the site is subdivided as they will form roads and lanes throughout the site, as demonstrated on the Structure Plan. The only exception is the view shaft that extends Hay Street. As noted on the Structure Plan, the location of this view shaft is over reserve land that is currently occupied by the Lakeview Holiday Park. The extension of Hay Street is considered a desirable urban design outcome for the Lakeview sub-zone; however, this road extension will not occur while the holiday park remains on the site. The Structure Plan rule 10.6.5.1(xiii) clearly states that this road extension (and therefore the view shaft) shall not be developed, required or enforced while designation 211 remains in place. There is no need for a rule regime to manage the view shafts.
- 8.30 Ngai Tahu Tourism Ltd is concerned about the future use of the view shaft land where the view shafts are adjacent to the site they are considering leasing, being the reserve site on the corner of Thompson Street. Further, they do not wish for these 'view shaft' to be used by vehicles. The view shaft to the east of this site is the formed part of Thompson Street. The plan change does not affect the use of this land – it will remain road. The view shaft on the western side of the 'lease area' land has a minimum width of 8m. Mr Bird has described the purpose of the view shaft in his Urban Design Peer Review<sup>21</sup> and I support his view. I do not support the submitter's request to increase the width of the view shaft to 20m. This would result

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<sup>21</sup> Refer Plan Change AEE Appendix F.

in the loss of otherwise developable land, which is not an efficient use of a scarce land resource in such good proximity to Queenstown's downtown area.

- 8.31 HW owns land immediately west of the western-most view shaft on the Structure Plan. This submitter has sought confirmation that the location of this view shaft will not be located on their property. It is not the intention to have this view shaft encroach this submitter's property and in order to confirm this position, an amendment is recommended to Rule 10.6.5.1(xii).
- 8.32 This submitter has also sought that this view shaft shall not be used for vehicular access. I do not support this submission. This land is shown as a lane on the Structure Plan, and it could well provide access to the sites within the Lakeview subzone, including the submitters land. The submitter is also concerned about 'back-of house' activities occurring on this view shaft/lane. If it is developed as a lane, then storage activities would not be permitted on the land. Further, Site Standard 10.6.5.1(v) Storage requires all storage areas to be screened from view from public places, adjoining sites and adjoining zones.

#### **Isle Street sub-zone Provisions**

- 8.33 A number of submissions received on Plan Change 50 sought that the bulk and location provisions for the Isle Street sub-zone be reconsidered. Several submitters have asked that the bulk and location requirements applying to this sub-zone be brought back into line with the High Density Residential provisions to preserve the residential amenity enjoyed in this area, while others have sought that the provisions be more enabling to a higher density of built development. Others still consider that the provisions require further reconsideration to ensure that they result in an attractive built outcome.
- 8.34 In light of these submissions, further work on these provisions has been carried out during which outcomes sought for the Isle Street sub-zone were revisited and the bulk and location requirements re-assessed. Through this process it was acknowledged that, while the Isle Street sub-zone is proposed to be part of the Town Centre zone, existing use is mixed, but with a predominance of residential uses of a single to two storey dwelling typology. This raises a conflict, in that it is necessary to relax building height, bulk and location controls where land is to be "transitioned" into the Town Centre zone to provide for more intensive activity. However doing so can

raise amenity concerns for the owners of properties that remain in residential use in the meantime.

8.35 As you have heard from Mr Bird, following careful consideration of the submissions the following alterations to the Isle Street sub-zone site standards are recommended:

- a) Insertion of a new site standard precluding front yard setbacks for buildings fronting Brecon Street.
- b) Removal of the internal boundary setback requirement and replacement with a rear yard setback requirement of 6m, which is an increase from the 1.5m setback included in the notified plan change.
- c) Removal of the recession plane requirements and replacement with a rule that only applies where a new development is situated adjacent to the site occupied by an existing residential activity. This new rule allows buildings to be erected on the side boundary, but requires them to step back 3.2m where the building height reaches 8m. The building can continue up to 12m (plus the roof bonus) when stepped in 3.2m from the boundary. This rule would only apply on the boundary adjacent to an existing residential activity, and does not apply on the north or north-eastern boundaries.
- d) Removal of the proposed zone standard (10.6.5.2 (i) (a) (bullet point 7)) that provides for additional height for a larger scale development to be considered as a discretionary activity. This rule did not provide a more enabling path for such development. The removal of this rule would mean that buildings that breach the 12m height limit (plus the roof bonus where applied) would need a consent to a discretionary activity.

8.36 Two submitters have requested that the height limits apply to 'current' ground levels. I can confirm that the maximum building height limits apply from original ground levels, prior to any earthworks being carried out, and as currently provided for in the District Plan. The definition for 'Ground Level' contained in the District Plan states:

**Ground level definition that applies:** *Ground Level means: The surface of the ground prior to any earthworks on the site, except that where the surface of the ground has been altered through earthworks carried out as part of a subdivision under the Resource Management Act 1991 or Local Government Act 1974 "ground level" means the finished surface of the ground following completion of works associated with the most recently completed subdivision.*

- ...*“Earthworks carried out as part of a subdivision” does not include earthworks that are authorised under any land use consent for earthworks, separate from earthworks approved as part of a subdivision consent.*

8.37 My understanding of this definition is that where a site contains a building that has already been ‘dug-in’, then the ground level to be applied is the ground level that exists following the earthworks required to establish the existing building. In my view it is appropriate to retain this definition of ground level as it applies to the maximum building height for the Isle Street sub-zone. To introduce a ‘current ground levels’ definition would unfairly advantage those sites where earthworks have already occurred.

8.38 The submission from Marjory Jane Pack and John Allen includes graphics as Appendix 1 which appear to depict the shading effects of the proposed Isle Street provisions on their property. I wish to note that these diagrams do not demonstrate the shading that could occur under the current permitted baseline in order to provide a comparison, and therefore are of limited assistance. I accept that the more relaxed building height, bulk and location controls will likely raise amenity concerns for the owners of properties that remain in residential use in the meantime. In my view, this temporary effect is an inevitability of land use change and is compensated for by the increased uses to which the land may be ultimately put.

8.39 Submitters have also questioned the way licensed premises and noise has been addressed for the Isle Street sub-zone. One submitter has suggested that the Town Centre Transitional Zone noise rules should apply to Plan Change 50. As you have heard from Dr Chiles, a considerable amount of work has been done on the noise rules for the Town Centre, which will be addressed and implemented via the District Plan review process. The provisions put forward for Plan Change 50 are in line with those proposed for the Queenstown Town Centre, with the exception of the case-by-case assessment for licensed premises where these are considered on a non-notified basis. In my view the proposed noise rules for Plan Change 50 are appropriate and will assist in creating a lively yet livable environment.

### **Transportation Concerns**

8.40 I have read the submission by the Otago Regional Council which seeks that the decision on this plan change should reflect and have “positive synergies”<sup>22</sup> with the District Wide and Town Centre Transport business cases currently being proposed

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<sup>22</sup> Submission from the Otago Regional Council on Plan Change 50.

by the Council, which is being undertaken with the support of NZTA and the Otago Regional Council. The submitter has stated that ideally, this transport business planning should be completed before the structure plan is developed (I understand they are referring to the Lakeview Structure Plan) so that the development of the site can be consistent with this.

- 8.41 As you have heard from Mr Mander, the Council is progressing this transport business planning report<sup>23</sup>. This report is expected to be finalised for consideration by the Council in June 2015. Both Mr Mander and Mr McKenzie are fully cognisant of the purpose and intentions of the proposed Town Centre Transportation Strategy, and the transportation assessment prepared to inform the section 32 report has taken into account the likely outcomes inherent in this Strategy. I am confident that development that occurs as a result of Plan Change 50 will not conflict with the outcomes sought by the Town Centre Transportation Strategy. This is confirmed by Mr Mander.
- 8.42 Several submitters have raised concerns about car parking supply in the Town Centre of Queenstown. My understanding of this issue is that free, curbside car parking options are often occupied and the drivers must park further from their destination than is desirable. As you have heard from Mr McKenzie, the approach to parking for the Lakeview sub-zone has attempted to provide a balance between the more enabling provisions for the Queenstown Town Centre, where no on-site car parking is required, and requiring on-site parking for activities where parking demand is expected to warrant it. The parking provisions for the Lakeview sub-zone require on-site parking for residential activities, commercial recreational activities and for the convention centre. Some shared parking is anticipated to result from these parking provisions (for instance parking provided by a convention centre could be shared by uses with a demand at night when the convention centre is less likely to be used). Further, the parking provision proposed reflects the Council objective to reduce reliance on car travel within the downtown area and encourage more pedestrian and cycle usage. To this end, the location of the Lakeview sub-zone within easy walking distance of the existing Queenstown town centre is a significant advantage.
- 8.43 The Isle Street sub-zone and the Beach Street site will adopt the existing operative district plan Queenstown Town Centre parking provisions whereby no minimum on-

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<sup>23</sup> Referred to by Mr Mander as the Town Centre Transport Strategy.

site car parking is required. This of course does not preclude the provision of on-site car parking where this is considered necessary by a developer.

- 8.44 Again, these provisions are closely linked to those outcomes sought by Council for the Town Centre Transportation Strategy which seeks to reduce vehicular usage in town. This will inevitably require shift in people's behavior. However, the alternative of requiring on-site parking for all new development in those areas affected by the Plan Change would obstruct this outcome.
  
- 8.45 Ngai Tahu Tourism Ltd has submitted that they are concerned that part of the land they intend to lease will be required for the future widening of Thompson Street. A requiring authority can seek land for road widening purposes. However, this matter can be managed via any lease agreement for the subject site.
  
- 8.46 Further, Ngai Tahu Tourism Ltd has submitted that the car parking provisions for commercial recreational activities are too onerous. As you have heard from Mr McKenzie, his expert view is that these provisions are appropriate. Where these provisions are not achieved, then the resource consent process offers the opportunity for a developer to demonstrate that alternative carparking provisioning is appropriate to a given set of circumstances, assessed on a case by case basis.

#### **Convention Centre as a Controlled Activity**

- 8.47 There have been several submissions, both in support and opposed, that relate to the possible development of a Convention Centre at the Lakeview site. Some of these submissions relate to the Council's decisions on the funding of this development, and in my assessment these are not relevant to the consideration of the plan change.
  
- 8.48 One submitter has sought that the location of the convention centre be fixed to that part of the site immediately behind the James Clouston Memorial reserve. Should this location not be fixed, then they have sought that the Convention Centre activity be changed to a restricted discretionary activity. The reason why this relief is sought is to ensure that convention delegates can walk to the town centre.
  
- 8.49 I do not support this submission, and I consider that the whole of the Lakeview sub-zone is within suitable walking distance to the current Town Centre and nearby hotels.

### Outline Plan

- 8.50 Finally, the submission from Ms Glimour has suggested that the Outline Development Plan be used to better manage the development of the Lakeview site. This would necessitate obtaining a resource consent to authorise land use activities within the zone, once the layout of buildings, public spaces, access and the like had been confirmed. Firstly, in my view an additional planning step is neither required nor justified for the development within the Lakeview sub-zone. The Structure Plan provides overarching guidance as to the required layout of development on the site<sup>24</sup>. As has been demonstrated through the section 32 reporting, the proposed Structure Plan and associated performance standards for the zone will also manage the effects of land use activities that would ultimately locate on this land, if this plan change is confirmed.

## 9. SUMMARY OF AMENDMENTS

- 9.1 I have read and considered all the submissions lodged on this plan change. I have also read and considered the section 42A report. I consider the 42A report to be a thorough assessment of the plan change and it provides comprehensive consideration of the submissions and further submissions. I support the changes that Mr Bryce has recommended to the provisions.
- 9.2 Mr Bryce has sought that the applicant addresses the submission relating to the Isle Street sub-zone bulk and location provisions. As you have heard from Mr Bird, further consideration of these provisions has been carried out, and the recommended changes to these provisions have been outlined earlier in my evidence.
- 9.3 As you have heard from the other witnesses called on behalf of the Council, some changes to the plan change are proposed to address issues raised by submitters and the section 42A writer. An amended copy of the provisions is set out at **Appendix C**. I also attached at **Appendix E** a further evaluation in terms of section 32AA of the Act for those recommended changes to the provisions that Mr Bryce has not covered in his further evaluation.
- 9.4 In summary, the key recommended amendments to the provisions are:
- a) Including consideration of landscaping as a matter of control for buildings in the Lakeview sub-zone;

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<sup>24</sup> Proposed rule: Queenstown Town Centre Zone Site Standard 10.6.5.1(xiii).

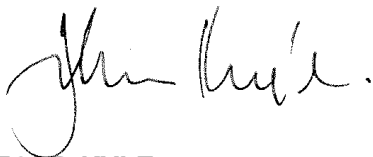


- b) Including a controlled activity matter to require buildings in the Lakeview sub-zone that are adjacent to the Queenstown Cemetery to address the relationship of this setting;
- c) Changes to the Isle Street sub-zone bulk and location requirements, as I have discussed earlier in my evidence;
- d) Amending the assessment matter to ensure that development in the Lakeview and Isle Street sub-zones that do not achieve the sites standards for height and site coverage trigger the consideration of affordable housing contribution.

## 10. CONCLUSION

- 10.1 For the reasons outlined in the section 32 analysis, the plan change documents and in my evidence I support confirmation of the plan change, subject to the amendments as I have outlined in **Appendix C** attached.

**DATED** the 10<sup>th</sup> day of November 2014

A handwritten signature in black ink, appearing to read 'John Kyle', with a stylized flourish at the end.

**JOHN CLIFFORD KYLE**

# APPENDIX A

## Summary of Project Experience of John Kyle

- Queenstown Lakes District Council – preparation of a Plan Change to expand Queenstown town centre, including to accommodate a convention centre.
- Environmental Protection Authority – advisor to the Minister appointed Board of Inquiry regarding a Plan Change by Tainui Group Holdings and Chedworth Properties for the Ruakura Inland Port Development, Hamilton.
- Wellington International Airport Limited – strategic and resource management advice with respect to revised Airport Master Plan and Runway Extension – Wellington City.
- Environmental Protection Authority – advisor to the Minister appointed Board of Inquiry regarding a Notice of Requirement and resource consent applications by the New Zealand Transport Agency with respect to the Expressway between Peka Peka and Otaki on the Kapiti Coast.
- Environmental Protection Authority – advisor to the Minister appointed Board of Inquiry regarding a Notice of Requirement and resource consent applications by the New Zealand Transport Agency with respect to the Expressway between MacKays Crossing and Peka Peka on the Kapiti Coast.
- Environmental Protection Authority – advisor to the Minister appointed Board of Inquiry regarding resource consent applications and designations by the New Zealand Transport Agency with respect to the proposed Transmission Gully Project – Wellington Region.
- Environmental Protection Authority – advisor to the Minister appointed Board of Inquiry regarding resource consents by the New Zealand Transport Agency and a Plan Change proposal by the New Zealand Transport Agency to change the Wellington Regional Water Plan associated with proposed Transmission Gully Road of National Significance – Wellington Region.
- Wellington International Airport Limited – Scoping of designations and resource consents for improving degree of CAA compliance – Wellington City.
- Alliance Group – advisor regarding various regional and district plans – nationwide.
- Alliance Group Limited – Air Discharge Consents – Pukeuri Meat Processing Works, Pukeuri - Otago Region.
- TrustPower Limited – Proposed alteration to the Rakaia Water Conservation Order – Lake Coleridge Hydro Electric Power Scheme – Canterbury Region.
- Meridian Energy Limited – Proposed Mokihinui Hydro Electric Power Scheme, damming, water and land use related consents, Buller District and West Coast Region.
- TrustPower Limited – Wairau Hydro Electric Power Scheme, water and land use related consents, Marlborough District.
- Sanford Limited, various marine farm proposals Marlborough Sounds, Marlborough District.

- Genesis Power Limited – due diligence Slopedown Wind Farm, Southland District and Southland Region.
- Port Marlborough Limited – Plan Change proposal to alter the marina zone within the Marlborough Sounds Resource Management Plan to provide for consolidation of marina development in Waikawa Bay, Marlborough District.
- Irmo Properties Limited – Resource consent application for retail complex, Green Island – Dunedin City.
- Port Marlborough Limited – Resource consent application for occupation of coastal space – Shakespeare Bay port facilities – Marlborough District.
- Meridian Energy Limited – Proposed Wind Farm, Lammermoor Range, Central Otago District and Otago Region.
- Riverstone Holdings Limited – Proposed Monorail Link – Lake Wakatipu to Fiordland, Department of Conservation Concession Application – Southland Conservancy.
- Otago Regional Council – Consents required for controlling the Shotover River to mitigate flood risk – Queenstown Lakes District and Otago Region.
- Queenstown Airport Corporation – Runway End Safety Area, designation and construction related consents, Queenstown Lakes District and Otago Region.
- Queenstown Airport Corporation – aircraft noise controls – Plan Change and Designation, Queenstown Lakes District.
- Queenstown Airport Corporation – aircraft flight fan controls – Designation, Queenstown Lakes District.
- Queenstown Airport Corporation – Notice of Requirement for land adjacent to QAC in order provide for the future expansion of airport operations, Queenstown Lakes District.
- Ryman Healthcare Ltd – proposed retirement village – land use and stormwater consents – Philpotts Road, Christchurch.
- Ryman Healthcare Ltd – Rest Home and Hospital Facility, Roslyn - Dunedin City.
- Ryman Healthcare Ltd – redevelopment of Beckenham Courts Retirement Village, Christchurch
- Ryman Healthcare Ltd – J Wallace Retirement Village High Court action, Palmerson North.
- Infinity Investment Group – Pegasus Town, North Canterbury – Waimakariri District, Canterbury Region.
- TrustPower Limited – Proposed Kaiwera Downs Wind Farm, Gore District and Southland Region.
- Willowridge Developments – 3 Parks Plan Change to create new commercial, large format retail, service, tourist and residential land use zones, Wanaka, Queenstown Lakes District.
- Various clients – advice with respect to the promulgation of Resource Management Plans and Changes to those Plans – various Districts and Regions – predominantly South Island.

## **Appendix B**

### Otago Regional Policy Statement

## **Relevant objectives and policies in the Otago Regional Policy Statement**

### **5 Land**

#### **5.4 Objectives**

- 5.4.1. *To promote the sustainable management of Otago's land resources in order:*
- (a) To maintain and enhance the primary productive capacity and life-supporting capacity of land resources; and*
  - (b) To meet the present and reasonably foreseeable needs of Otago's people and communities.*
- 5.4.2. *To avoid, remedy or mitigate degradation of Otago's natural and physical resources resulting from activities utilising the land resource.*
- 5.4.3. *To protect Otago's outstanding natural features and landscapes from inappropriate subdivision, use and development.*
- 5.4.4. *To ensure that public access opportunities exist in respect of activities utilising Otago's natural and physical land features.*

#### **5.5 Policies**

- 5.5.1 *To recognise and provide for the relationship Kai Tahu have with Otago's land resource through:*
- (a) Establishing processes that allow the existence of heritage sites, waahi tapu and waahi taoka to be taken into account when considering the subdivision, use and development of Otago's land resources; and*
  - (b) Protecting, where practicable, archaeological sites from disturbance; and*
  - (c) Notifying the appropriate runanga of the disturbance of any archaeological site and avoiding, remedying, or mitigating any effect of further disturbance until consultation with the kaitiaki runanga has occurred.*
- 5.5.2. *To promote the retention of the primary productive capacity of Otago's existing high class soils to meet the reasonably foreseeable needs of future generations and the avoidance of uses that have the effect of removing those soils or their life-supporting capacity and to avoid, remedy or mitigate the adverse effects on the high class soils resource where avoidance is not practicable.*
- 5.5.3. *To maintain and enhance Otago's land resource through avoiding, remedying or mitigating the adverse effects of activities which have the potential to, amongst other adverse effects:*
- (a) Reduce the soil's life supporting capacity*
  - (b) Reduce healthy vegetative cover*
  - (c) Cause soil loss*
  - (d) Contaminate soils*
  - (e) Reduce productivity*
  - (f) Compact soils*

- (g) *Reduce soil moisture holding capacity.*
- 5.5.4. *To promote the diversification and use of Otago's land resource to achieve sustainable landuse and management systems for future generations.*
- 5.5.5. *To minimise the adverse effects of landuse activities on the quality and quantity of Otago's water resource through promoting and encouraging the:*
- (a) Creation, retention and where practicable enhancement of riparian margins; and*
  - (b) Maintaining and where practical enhancing, vegetation cover, upland bogs and wetlands to safeguard land and water values; and*
  - (c) Avoiding, remedying or mitigating the degradation of groundwater and surface water resources caused by the introduction of contaminants in the form of chemicals, nutrients and sediments resulting from landuse activities.*
- 5.5.6 *To recognise and provide for the protection of Otago's outstanding natural features and landscapes which:*
- (a) Are unique to or characteristic of the region; or*
  - (b) Are representative of a particular landform or land cover occurring in the Otago region or of the collective characteristics which give Otago its particular character; or*
  - (c) Represent areas of cultural or historic significance in Otago; or*
  - (d) Contain visually or scientifically significant geological features; or*
  - (e) Have characteristics of cultural, historical and spiritual value that are regionally significant for Tangata Whenua and have been identified in accordance with Tikanga Maori.*
- 5.5.7 *To promote the provision of public access opportunities to natural and physical land features throughout the Otago region except where restriction is necessary:*
- (i) To protect areas of significant indigenous vegetation and/or significant habitats of indigenous fauna; or*
  - (ii) To protect Maori cultural values; or*
  - (iii) To protect public health or safety; or*
  - (iv) To ensure a level of security consistent with the purpose of a resource consent or in circumstances where safety and security concerns require exclusive occupation; or*
  - (v) In other exceptional circumstances sufficient to justify the restriction notwithstanding the importance of maintaining that access.*

## **9 Built Environment**

### **9.4 Objectives**

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

- (a) *Meet the present and reasonably foreseeable needs of Otago's people and communities; and*
  - (b) *Provide for amenity values; and*
  - (c) *Conserve and enhance environmental and landscape quality; and*
  - (d) *Recognise and protect heritage values.*
- 9.4.2. *To promote the sustainable management of Otago's infrastructure to meet the present and reasonably foreseeable needs of Otago's communities.*
- 9.4.3. *To avoid, remedy or mitigate the adverse effects of Otago's built environment on Otago's natural and physical resources.*

## **9.5 Policies**

- 9.5.1 *To recognise and provide for the relationship Kai Tahu have with the built environment of Otago through:*
- (a) *Considering activities involving papatipu whenua that contribute to the community and cultural development of Kai Tahu; and*
  - (b) *Recognising and providing for the protection of sites and resources of cultural importance from the adverse effects of the built environment.*
- 9.5.2 *To promote and encourage efficiency in the development and use of Otago's infrastructure through:*
- (a) *Encouraging development that maximises the use of existing infrastructure while recognising the need for more appropriate technology; and*
  - (b) *Promoting co-ordination amongst network utility operators in the provision and maintenance of infrastructure; and*
  - (c) *Encouraging a reduction in the use of non-renewable resources while promoting the use of renewable resources in the construction, development and use of infrastructure; and*
  - (d) *Avoiding or mitigating the adverse effects of subdivision, use and development of land on the safety and efficiency of regional infrastructure.*
- 9.5.3 *To promote and encourage the sustainable management of Otago's transport network through:*
- (a) *Promoting the use of fuel efficient modes of transport; and*
  - (b) *Encouraging a reduction in the use of fuels which produce emissions harmful to the environment; and*
  - (c) *Promoting a safer transport system; and*
  - (d) *Promoting the protection of transport infrastructure from the adverse effects of landuse activities and natural hazards.*
- 9.5.4 *To minimise the adverse effects of urban development and settlement, including structures, on Otago's environment through avoiding, remedying or mitigating:*
- (a) *Discharges of contaminants to Otago's air, water or land; and*

- (b) The creation of noise, vibration and dust; and*
- (c) Visual intrusion and a reduction in landscape qualities; and*
- (d) Significant irreversible effects on:*
  - (i) Otago community values; or*
  - (ii) Kai Tahu cultural and spiritual values; or*
  - (iii) The natural character of water bodies and the coastal environment; or*
  - (iv) Habitats of indigenous fauna; or*
  - (v) Heritage values; or*
  - (vi) Amenity values; or*
  - (vii) Intrinsic values of ecosystems; or*
  - (viii) Salmon or trout habitat.*

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

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

**9.5.6** *To recognise and protect Otago's regionally significant heritage sites through:*

- (a) Identifying Otago's regionally significant heritage sites in consultation with Otago's communities; and*
- (b) Developing means to ensure those sites are protected from inappropriate subdivision, use and development.*

## **11 Natural Hazards**

### **11.4 Objectives**

**11.4.1** *To recognise and understand the significant natural hazards that threaten Otago's communities and features.*

**11.4.2** *To avoid or mitigate the adverse effects of natural hazards within Otago to acceptable levels.*

**11.4.3** *To effectively and efficiently respond to natural hazards occurring within Otago.*

**11.4.4** *To avoid, remedy or mitigate the adverse effects of hazard mitigation measures on natural and physical resources.*



## **11.5 Policies**

- 11.5.2 *To take action necessary to avoid or mitigate the unacceptable adverse effect of natural hazards and the responses to natural hazards on:*
- (a) Human life; and*
  - (b) Infrastructure and property; and*
  - (c) Otago's natural environment; and*
  - (d) Otago's heritage sites.*
- 11.5.3 *To restrict development on sites or areas recognised as being prone to significant hazards, unless adequate mitigation can be provided.*
- 11.5.4 *To avoid or mitigate the adverse effects of natural hazards within Otago through:*
- (a) Analysing Otago's natural hazards and identifying their location and potential risk; and*
  - (b) Promoting and encouraging means to avoid or mitigate natural hazards; and*
  - (c) Identifying and providing structures or services to avoid or mitigate the natural hazard; and*
  - (d) Promoting and encouraging the use of natural processes where practicable to avoid or mitigate the natural hazard.*

## **Appendix C**

### Recommended Changes to the Provisions

## Plan Change 50 – Queenstown Town Centre Zone Extension

- Single underline and strike through – changes as notified September 2014
- Double underline and strike through – changes made to reflect submissions, s42A report; made 10 November 2014. Discussed with Nigel Bryce (s42A report author). Mr Bryce either agrees with changes shown (reflected in the s42A report), or agrees in principal with changes shown, subject to evidence being provided (Site Standards 10.6.5.1(iv)(e), (g) and (xi)(i)).

## 10. Town Centres

### Queenstown, Arrowtown & Wanaka

### Corner Shopping Centres Frankton, Fernhill & Sunshine Bay

#### 10.1 Issues, Objectives and Policies

##### 10.1.1 Resources, Activities and Values

Increasing visitor numbers and a growing resident population has brought about a steady growth in the retail and business floor space constructed in and around the town centres.

Aside from the peripheral expansion in Queenstown, and the general growth in activity in all centres, the main trends of relevance to the Plan are:

- increasing pressure for land suitable for large retail outlets.
- a blurring of the traditional distinctions between service industries and retailing.

These centres satisfy both a local and District function and provide the bulk of the goods and services required by the residents of the District. They are supported by local shops in the smaller settlements.

##### Queenstown

Queenstown is the largest and busiest of the centres with much of the activity directly attributable to tourism. It is the principal administration centre for the District and contains the greatest variety of activities.

##### Arrowtown

Arrowtown is more clearly a local business centre servicing a local catchment. The viability of this centre is heavily dependent on visitor activity and the special historic character of the town.

##### Wanaka

Wanaka is developing into an important commercial centre which serves a significant part of the District and some localities immediately outside of the District. This role will continue to grow in importance as the resident population and visitor activity in this part of the District increases.

##### Corner Shopping Centres

The retail activity of Corner Shopping Centres, Frankton, Fernhill and Sunshine Bay Zones is based around convenience goods stores serving the residents.

##### 10.1.2 Issues

While the function of each centre is different and the physical character of each centre distinctive, there are a number of common issues.

##### i The consolidation and maintenance of existing town centres

**Inappropriate location, nature and design of business activities can result in fragmentation of town centres, inefficient use of infrastructure, loss of vitality, convenience, accessibility and identity of business areas, and adverse effects on the environment of surrounding areas.**

The buildings, infrastructure and car parking areas within the town centres represent a significant investment. They are encompassed within the meaning of physical resource, as defined in the Act.

The land and buildings of the town centres provide the space and resources for a wide range of activities to take place. It is therefore

necessary that they are recognised for the importance of their role in the District's economy as well as the social and cultural well being of the community.

Consolidation of the boundaries encourages the efficient use of existing resources, such as roads and utility services, and creates a degree of certainty for further growth and development. This, in turn, will assist the viability of the town centres with benefits to the community in terms of the range of services available, their convenience and accessibility. The Council can then provide and maintain efficient road networks and ensure car parking is provided at convenient locations to those areas.

Town centres are a source of identity for their communities, as they represent a meeting place for people. Consolidating the area within which these activities take place will reinforce the communities' perception of the character and form of their towns and their identity, not only as a place of business, but also as a venue for social and cultural events.

Boundaries defining the town centres may also prevent the outward spread of commercial activities into residential areas. This spread would have an adverse effect on the amenities of those areas and the presence of significant commercial activities would fragment the residential community. However, some business facilities within residential areas can provide convenient services for residents. This issue is discussed under the Section on Amenity.

## ii Efficient Use of Buildings and Infrastructure

**Inadequate opportunities to change or redevelop the use of business buildings and sites, and inadequate access and parking associated with business areas, can result in inefficient use of buildings and infrastructure and loss of business vitality.**

Section 7 of the Act requires the Council to have particular regard to the efficient use and development of natural and physical resources. This requires consideration be given not only to the buildings and

infrastructure but also that the activities undertaken are able to operate efficiently. To ensure buildings and sites continue to be occupied it is important that a broad range of activities are able to establish. A diversity of activities may also add vitality and interest to the town centres that will attract people and generate economic well being. In addition, it is recognised that unnecessary regulation may act as a barrier to the establishment of new and/or different businesses. The Council therefore seeks to impose only those rules which are necessary to maintain the amenity values of the town centre resources and sustainable management.

The effective functioning of the town centres is also dependent upon the public having access to the facilities and services provided. Efficient and safe routes for the movement of people and goods and sufficient loading and car parking at convenient locations are necessary to enable the town centres to provide a good service to the public.

## iii Amenity

**The establishment and operation of activities in the town centres can result in adverse effects on the centres and their surroundings, such as from noise, emissions, loss of visual amenity, lighting and traffic congestion.**

In addition to making town centres physically accessible to the public it is also necessary to enhance their amenities to make them pleasant and enjoyable to visit and work within. The level of amenity will vary between different areas.

Town centres are characterised by a concentration of people and activities and are likely to have different standards of amenity than may be found in a residential environment. For example, people expect there to be more trucks and cars in town centres and tolerate more traffic noise and fumes than they would in their living environments. However, the Council wishes to ensure that the environment of the town centres remains visually attractive to new activities and an acceptable place

within which to work. Although town centre activity will in significant part be determined by market forces, the Council has the responsibility to

establish the environmental parameters within which development may occur.

Within the town centres effects need to be considered both individually and cumulatively, as well as in terms of the proximity of living or other sensitive areas.

**Noise** - created by activities and traffic. The amenities of business areas which accommodate pedestrian-oriented activities may be adversely affected by proximity to major highways, in addition to safety and traffic efficiency concerns. Noise also needs to be controlled at the residential interface although a higher level of noise is normally acceptable within the business area.

**Glare** - is of concern where it affects residential properties, recreation areas and roads. The location of and direction of lights should be controlled while the establishment of landscaping can reduce glare from buildings and cars.

**Visual Amenity** - The visual environment of the town centre areas is characterised by one and two storey buildings built up to all boundaries, often with large display windows, verandas and advertising signs. Important issues with regard to visual amenity are to:

- retain the existing scale and spatial distribution of buildings
- retain verandas as a feature of the streetscape where appropriate
- prevent the erection of large blank walls to the street
- prevent the creation of large sealed car parking or display areas in areas with high levels of pedestrian movement
- control signage, external appearance and building design where appropriate

- protect and enhance heritage features and special character areas.

**Traffic** - Noise, fumes and congestion generated by traffic are expected to occur within the town centres as people and goods must be transported to and from these areas for business to take place. There is a need to ensure that public safety is not compromised by the conflict between pedestrians and vehicles and that areas where there is a high concentration of pedestrians are kept as free as possible from traffic noise and fumes. In addition traffic efficiency and safety should not be compromised by vehicular conflict. This is an issue of particular concern along State Highways which carry a large volume of through traffic which is not stopping to conduct business.

#### iv **Retailing from Industrial Areas**

**Dispersal of retail activity from town centre areas will undermine the convenience, efficiency and availability of such areas to residents and visitors.**

The types of activities undertaken from industrial areas has changed in recent years in response to an economic decline and the need to diversify business. Industrial areas are no longer primarily areas of processing and manufacturing. Service industries and retailing are becoming increasingly significant as complementary activities. In the past there has been limited provision for retailing activity from industrial areas. It is acknowledged that the distinction between industrial and commercial activities has blurred and there needs to be provision for a mix of activities. Such a provision will require checks on a scale to ensure there is not a general dispersion of retailing from the central commercial areas, which would undermine the integrity and form of commercial areas, and thereby the important physical resource they represent and so reduce their convenience, efficiency, attraction and availability to the District's residents and visitors.

### 10.1.3 Objectives and Policies

#### Objective 1 - Maintenance and Consolidation of the existing Town Centres and Activities Therein

***Viable Town Centres which respond to new challenges and initiatives but which are compatible with the natural and physical environment.***

##### **Policies:**

- 1.1 *To maintain and enhance patterns of land use, development and character which promote and reinforce close proximity and good accessibility within the business areas and between the business areas and living areas.*
- 1.2 *To enable town centres to become the principal foci for commercial, administration, employment, cultural and visitor activities.*
- 1.3 *To provide for and encourage the integration of a range of activities within town centres, including residential activity.*
- 1.4 *To enable retail activities within town centres.*
- 1.5 *To provide for town centres to be densely developed centres of activity with maximum consolidation of space, commensurate with the essential amenity, environmental and image outcomes sought for each centre.*
- 1.6 *To provide for the staged development of a mixed use commercial core within the 3 Parks Zone provided its development does not undermine the role, function, vitality and vibrancy of the Town Centre, whilst recognising that some extensions to the Town Centre zone may also be appropriate over time.*

##### **Implementation Methods**

Objective 1 and associated policies will be implemented through a number of methods including:

##### **(i) District Plan**

- (a) Provide for a wide range of activities through the zone rules.
- (b) To control by zoning the ~~outward~~ out of centre spread of town centre activities
- (c) Zoning of land sufficient to encapsulate the existing town centres, with any future expansion of these areas dealt with via a plan change.

##### **(ii) Other Methods**

- (a) Through the acquisition and development of land, as necessary, for roads, service lanes and infrastructure.

##### **Explanation and Principal Reasons for Adoption**

A key element of urban growth is the relationship between residential and business activity areas. The way in which business and residential activities are distributed within the District will have a major influence on travel demand and energy consumption. The Council cannot expect to determine where people choose to live in relation to their employment but the opportunities for providing a convenient link between employment and living environments does have a number of advantages including:

- convenient access for those with limited access to private transport.
- reducing the cost of private transport.
- providing a choice of transport mode.



The main town centres provide a variety of retail, service, entertainment and visitor facilities which contribute to the identity of the major towns. The Council recognises that some new commercial activities will establish away from the main town centres but is determined to ensure that these town centres continue to develop and enhance their role as the principal business environments.

The town centres are important for visitor activity. However, the Council is concerned about the effects of large scale vehicle orientated activities on the amenity values of the Arrowtown, Queenstown and Wanaka town centres. In addition, these Town Centres are confined by topography and existing buildings and could have difficulty coping with anticipated business growth which will flow from increased visitor numbers. In Wanaka, the establishment of such large scale activities beyond the Town Centre is considered necessary in order to preserve the amenity, scale, character, and consolidated form of the Town Centre.

The town centres are a logical location for a wide range of activities and because of the limited land areas available they are likely to be densely developed. This provides a sense of vitality and variety and promotes convenience, accessibility and efficient utilisation of services and infrastructure. It will also assist in retaining the character of the centres. A further benefit of consolidated town centres is a consequent reduction in the ~~outward~~ out of centre expansion of the business activities and the retention and enhancement of surrounding living environments.

The Council believes positive management of the town centre environment is necessary to ensure the retention of the retail activity. Because the town centres are small and compact there are no obvious nodes of retail activity and the objective is to ensure that this general distribution of activity is maintained. This will be achieved by:

- retention of retailing activities at street level on nominated streets.
- enhancing pedestrian amenity within the town centres.
- provision of car parking and retention of the “people scale” and compact form of the town centres

Nevertheless there will be a need for some forms of retailing to locate outside the town centres because of the character and needs of the particular activity, large buildings, extensive off-street parking. This is also acknowledged as desirable if the intimate scale, pedestrian convenience and amenity value of the town centres is to be retained and enhanced. Large vehicle orientated convenience stores and bulk related activities do not enhance that amenity.

The viability, amenity and attractiveness of the town centres comes not just from successful retail and visitor activities but from the use of the town centres for a range of residential and community activities. Residential activity within the town centres enhances the economic well being of the centres and the viability, life and amenity of the centres. It also provides for a convenient and energy efficient use of resources.

#### **Objective 2 – Amenity**

***Enhancement of the amenity, character, heritage, environmental quality and appearance of the town centres.***

#### ***Policies:***

- 2.1 *To provide for the development of a full range of business, community and tourist activities while conserving and enhancing the physical, historic and scenic values and qualities of the geographical setting.*
- 2.2 *To ensure reserve areas and other public spaces are upgraded and integrated with development occurring on adjoining land or water areas.*
- 2.3 *To control the height, scale, appearance and location of buildings to ensure that the amenity of the area, both at street level and within adjacent developments, is maintained and enhanced.*
- 2.4 *To continue programmes of street and other public open space enhancement within the town centres.*

- 2.5 *To maintain and enhance the contribution to the image of town centres of public open spaces and reserves within and on the periphery of the town centres.*
- 2.6 *To implement methods to minimise the adverse effects of vehicles on the amenity of the town centres.*
- 2.7 *To provide public facilities and street furniture for the convenience of persons within the town centres.*
- 2.8 *To recognise and enhance the particular heritage characteristics of Queenstown and Arrowtown.*
- 2.9 *To recognise and protect the important interrelationship between land and water activities and amenity values in Queenstown Bay.*

#### **Implementation Methods**

Objective 2 and associated policies will be implemented through a number of methods including the following:

##### **(i) District Plan**

- (a) The use of performance standards for street appearance, setback, design, external appearance, landscaping, noise, glare and car parking.
- (b) Use of rules to separate activities which generate vehicle traffic as against pedestrian traffic.
- (c) The use of rules, guidelines and incentives to enhance the essential heritage and locational characteristics of the centres (i.e. building design, relationship to lake frontages).

##### **(ii) Other Methods**

- (a) To provide finance through the annual plan provide and initiate projects for street and open space enhancement, traffic management, heritage protection, and public facilities.

#### **Explanation and Principal Reasons for Adoption**

The amenity, character, environmental quality and image of the town centres derives from the activities established within these areas, the built form which houses the activities as well as from the open spaces which provide the linkages or connections between buildings and activity nodes.

The town centres continue to reflect the basic underlying pattern of development established at the time each was first settled. This pattern includes the street layout, the width of the streets, the relationship of Queenstown and Wanaka to the lakes and other adjacent open spaces and the buildings and structures which remain from the early development. These elements are recognised and reinforced through specific controls on development which address building scale, height and appearance, setback from the street, heritage buildings and the relationship of buildings to adjoining buildings and open spaces. These policies are reinforced by policies relating to built form and appearance and by those specific to the particular character of each town centre.

The scale of the town centres and of individual developments within each centre is important where the overall relationship of the town centre to the surrounding physical environment is a critical factor in assessing character and image and amenity values. It is important that the core areas of the town centres ~~is never far from the edge of~~ are well connected to the centre, that views of the surrounding landscape are readily available, and that the surrounding landscape and setting contributes to the sense of place and belonging. The built environment should not dominate or be out of scale with the natural character and setting which provides the town centres with a sense of place within the natural landscape and in a significant way determines the image and amenity values of the area. For these reasons the Council has, through a series of interrelated standards, established the level of development appropriate within the town centres.

To ensure the coherence of the centres it is necessary to consider development proposals within the wider street context and not merely the confines of a particular site. The context of each proposal is taken to include the buildings on either side, the street space, linkages within and beyond the immediate locality and public open spaces. Each development will, depending on design, impact on those elements. Coherence will flow from each proposal respecting these elements as important components of design. Amenity enhancement will follow from conscious attempts to include these elements in any specific development proposal.

Where possible, building design is encouraged to provide for daylight and sunlight penetration to streets and public spaces. This is achieved through overall building height and street frontage facade height controls.

Protection from the weather is desirable in some locations if the town centres are to remain attractive and convenient for pedestrians. Previous district plans have required verandas over footpaths in specified parts of town centres. Provisions in this Plan seek to achieve a continuation of this protection. It is accepted that complete protection is impracticable and in some locations unwarranted (e.g. Arrowtown) and could have an adverse effect on other elements which contribute to the amenity of town centres.

While a significant proportion of the amenity of the town centres is contributed by private developments, public actions are also very important. The Council is committed to environmental improvement and enhancement works in both Wanaka and Queenstown. These works assist in establishing the context within which new private developments will occur and against which, at least in part, they will be measured.

The Queenstown Bay and Wanaka Town Centre waterfronts are a critical element in the economic well being and the amenity values of the town centres. The waterfronts provides the visual setting and major amenity area of the town centres and are in particular, a vital, exciting and attractive element which is fundamental to the character which is Queenstown Town Centre.

Environmental enhancement and improvement includes not only physical works but also ensuring that the effects of motor vehicles on public spaces is

minimised. This may mean actively discouraging or reducing the impact of vehicles on specified areas or diverting the demand for accessibility through the construction of parking buildings or open space for car parks in convenient locations on the periphery of the town centres. It may also involve restrictions on the accessibility to the town centres for large commercial vehicles.

The town centres of Queenstown and Arrowtown contain many of the identified heritage buildings and structures of the District. The policy in respect of these complements the District wide heritage policies regarding protection of heritage items by encouraging not only the retention of buildings and structures, but also those more basic elements and characteristics of the built form of the town centres, such as road layout and width, site width, service lanes and pedestrian linkages.

These outcomes will be achieved through design controls, financial incentives and the action of the Council in respect of protecting significant buildings, structures or built form elements which are under threat and which, if destroyed or modified, could compromise the overall amenity and image of the locality.

### **Objective 3 - Built Form**

***Maintenance and enhancement of a built form and style within each town centre that respects and enhances the existing character, quality, and amenity values of each town centre and the needs of present and future activities.***

#### ***Policies:***

- 3.1 *To ensure a built form for each town centre which relates to and is sympathetic to the physical characteristics of the site and neighbourhood including climate, neighbours and topographical features.*
- 3.2 *To provide for a ~~building appearance~~ built form which is responsive to and reflects the essential character and heritage of each town centre and the surrounding topography.*

- 3.3 *To create a series of core areas within each town centre, and appropriate interconnections between them.*
- 3.4 *To structure the town centres around the existing public spaces (including streets and lakes) and to relate its built form to the surrounding landscape and the built form of adjacent zones.*
- 3.5 *To promote a built form which exhibits a sense of arrival and departure and to contain the town centres within clearly established boundaries.*

#### **Implementation Methods**

Objective 3 and associated policies will be implemented through a number of methods including :

- (i) As for Objectives 1 and 2.

#### **Explanation and Principal Reasons for Adoption**

The town centres are distinctive in terms of their overall form and layout. Differences arise from the particular combinations of open space, buildings, road patterns, activities and geographic setting which shape and define the built form and heritage of each centre and their respective environmental qualities and image. Retention of these qualities and characteristics is to be achieved through appropriate development standards and high quality urban form.

~~The form and scale of the three main town centres is not expected to change significantly. This is not to suggest or to promote similarity of form or style either within or between the town centres. Diversity is encouraged, within the broad parameters of building appearance, visual amenity and image and consideration for a balance between vehicle and pedestrian access.~~

The District Plan acknowledges that the physical definition or form of the town centres is an expression of the nature of the built development. While public spaces make a significant contribution, and provide the all important context, the buildings themselves provide the frame or structure. The quality of the

environment of the town centres is reliant upon the quality and aesthetic coherence of the buildings.

Within the overall form of the town centres it is important to have special points of interest and reference. These may be a formal open space or an informal area created by building setbacks, the entrance to a pedestrian link, or a particular activity. To give structure to the built form it is desirable that these interest points are linked, either in a visual or physical sense. They may become significant activity areas in themselves but they should promote a high amenity value. Where practicable these amenity linkages should follow movement desire lines. The enhancement of existing linkages and the identification and development of new links will make an important contribution to the built form of the town centres.

~~The sense of arrival is to be achieved through careful containment of the town centres within defined limits and~~ by encouraging a built form which announces arrival at its outer limits. ~~Appropriate containment of town centre~~ Such a built form, ~~and its containment~~ will assist in reducing the impacts of the town centres on adjacent living areas. It will also remove the pressure for peripheral expansion and the existence of a transitional zone which blurs the distinction between the town centre environment and the adjoining environments.

#### **Objective 4 - Town Centre and Building Appearance**

***Visually exciting and aesthetically pleasing town centres which reflect their physical and historical setting.***

#### **Policies:**

- 4.1 *To promote an image for each town centre which reflects and respects the existing dominant building themes and where new developments promote overall visual coherence.*
- 4.2 *To identify and implement controls which define appearance standards applicable to each town centre and which promote and, where appropriate, ensure harmony and compatibility of building design.*

- 4.3 *To ensure the display of outdoor advertisements does not detract from the visual amenity values of the town centres or the appearance of individual or groups of buildings within those areas.*
- 4.4 *To ensure that new developments or redevelopments of existing sites within Arrowtown town centre respect and reflect the heritage value of the town centre.*
- 4.5 *To identify within the Queenstown Town Centre a Special Character Area to ensure developments or redevelopments of sites respect and reflect the historic subdivision pattern and development styles which give rise to the particular appearance and character of the area.*
- 4.6 *To enhance the amenity values of the Wanaka Town Centre.*
- 4.7 *To provide for the retention of the generally people scale of developments within the town centres.*
- 4.8 *To identify opportunities for and promote the integration of public spaces, reserves and streets with developments to add visual interest and diversity to the appearance of the town centres.*
- 4.9 *To establish and administer a fund to assist in the retention and enhancement of historic buildings and the development of public spaces within the town centres, most particularly Queenstown and Arrowtown.*

#### **Implementation Methods**

Objective 4 and associated policies will be implemented through a number of methods including the following:

##### **(i) District Plan**

- (a) Provision of rules relating to matters such as use, development, design and appearance of buildings, height, street scene and coverage.

- (b) Identification of a Special Character Area within the Queenstown Town Centre and provision of rules particular to this area to promote the conservation and enhancement of the existing character.

- (c) District rules for heritage and transport.

##### **(ii) Other Methods**

- (a) Provision of information, particularly in respect of special character areas, on suitable design approaches for buildings.
- (b) Provision of works and services, environmental street improvements in Queenstown, Arrowtown and Wanaka town centres.
- (c) Retention of significant heritage items through public purchase.
- (d) Progressive programmes of local network traffic improvements.
- (e) Progressive upgrading of public open space within the town centre areas.
- (f) District Bylaws for signs.

#### **Explanation and Principal Reasons for Adoption**

The detail of individual buildings contributes to the coherence between groups of buildings, the design of open spaces and the integration of buildings and open spaces which form the images and activities that make the town centre memorable.

Each of the town centres within the District has a different physical setting, history and structure. Developments within these activity areas should reflect and respect these differences. The objective and policies promote individuality of appearance. The constraint on this individual expression is visual cohesion with neighbouring developments. The controls on overall built form, bulk and

location standards go some way to achieving this. Building appearance refers to the detail of the individual building and includes such things as the proportions and location of windows, doors, parapet, veranda details, facade materials and external appearance.

While wishing to leave as much freedom of expression and interpretation to individual building designers a number of broad appearance performance standards will be implemented. These relate to form, materials and external appearance and will assist in achieving overall visual coherence.

One of the most memorable features of the town centres of the District is the “people scale” of the built form when contrasted with the scale of the surrounding natural environment. This scale is derived from the bulk of buildings and the proportions of the public spaces about those buildings. It would be easy for this scale to be lost or severely eroded by insensitive development or lack of attention to detail. The proportions of facades and other building elements visible from public places is an important aspect of design which can impact positively or adversely on the general scale of a particular environment. The policy and the appearance standards which implement it are designed to ensure that the town centres retain a form and appearance which is friendly to and comfortable for the people who frequent them.

The appearance of a town centre is not only a function of the buildings which frame the street and other public spaces, but is also a function of the appearance of public spaces and the way those spaces are linked to or integrated with the buildings. Where the public spaces and the buildings flow together and form a pattern of linkages, the overall appearance is enhanced. Visual interest and diversity of overall appearance can also be achieved where building facades are either set back from the street line or contain areas of setback. These small variations add visual interest to the facade itself and to the streetscape and are, in some locations, to be encouraged. In other locations the visual interest derives from the continuity of the facade and the more direct penetration of the public space into, through or between buildings.

To retain and enhance the visual attractiveness of the town centres it is necessary to control the location of some types of land use activity. Those

activities which contribute visual interest, colour and vitality to the appearance of the town centre are encouraged to locate adjacent to pedestrian links at the expense of those activities which, because of some inherent characteristics, tend to detract from the overall appearance or street scene. Retail activities and other activities where there is a consistent flow of people in and out of the business contribute to this vitality, whereas motor vehicle orientated activities and some service or office activities do not. This policy is complementary to those policies directed at achieving coherent and visually interesting people places within the town centres. Any activity which will not contribute positively to this desired outcome is to be discouraged from establishing in some parts of the town centres.

#### **Objective 5 - Pedestrian and Amenity Linkages**

***An attractive, convenient and comprehensive network of pedestrian linkages within town centres.***

##### ***Policies:***

- 5.1 To establish and maintain a comprehensive pattern of pedestrian walkways about and within the town centres and between core areas.*
- 5.2 To identify the locations of existing pedestrian walkways.*
- 5.3 To ensure all pedestrian areas receive generous levels of sunlight, daylight and weather protection, as appropriate to the overall character of the particular locality.*

##### **Implementation Methods**

Objective 5 and associated policies will be implemented through a number of methods including:

##### **(i) District Plan**

The use of rules and financial incentives to identify, protect and enhance pedestrian linkages within the town centres.

##### **Explanation and Principal Reasons for Adoption**

Improvements to and extensions of the pedestrian permeability of the town centres is an essential component in achieving the overall reduction in vehicle dominance. The pedestrian linkages should be direct, obvious and of high amenity standards. Provision of a pleasant and legible pedestrian environment, protected from the weather and convenient to use will also assist in managing vehicle trips within the town centres.

Pedestrian movement can also be improved in those situations where developments are located on sites which extend between streets or between reserves and streets. If, in these instances, the building design reflects the double frontage an important through link can be created. In the case of Queenstown, the Council has identified where it believes walkway links are desirable. This is not to suggest that links in other locations would be inappropriate.

The personal safety of pedestrians is an important factor and pedestrian areas with high amenity standards assist in achieving this. The design of vehicle entries/exits to off-street parking areas is also important where these cross footpaths. Vehicle access to developments must be designed and located so that both drivers and pedestrians are able to avoid conflict.

#### **10.1.4 Environmental Results Anticipated**

Implementation of the policies and methods relating to the town centres will result in:

- (i) Maintenance and enhancement of the Wanaka, Queenstown and Arrowtown centres as the primary foci of the retail, tourist, community administrative and commercial business within the District.
- (ii) Maintenance of the neighbourhood and convenience retail uses of the Corner Shopping Centre Zones accommodation.
- (iii) Development of convenient and cohesive business activity environments.
- (iv) Development which reflects and respects the particular characteristics of the local environment.

- (v) Intensification of activity and development levels in all town centre areas.
- (vi) Interesting, pleasant and safe environments for people.
- (vii) Pleasant and quality public space environments within town centres which are well used, accessible and maintained to high standards, including weather protection (as appropriate) and reasonable levels of daylight and sunlight penetration.
- (viii) A pleasant, functional and aesthetically coherent form to the town centres reflected in their compactness, convenience, permeability and built appearance.
- (ix) Integration of open spaces and the built form into a coherent environment.
- (x) Protection and enhancement of the built heritage of the town centres.
- (xi) Retention of viable business environments which, without compromising environmental and amenity values, meet the needs of people.
- (xii) Protection of the amenity and environmental values of residential activity areas where these adjoin the town centres.
- (xiii) Opportunity for and encouragement of residential activity as part of the town centre environment.

### **Queenstown Town Centre**

#### **10.2.1 Resources and Activities**

The town centre of Queenstown is a unique place. Its uniqueness and the elements which create the sense of place and the values which are Queenstown include:

- The overwhelming grandeur of the landscape and the relationship of mountain and lake with the built environment. The vivid contrast of the town to its landscape setting and its comparative insignificance in terms of scale, bulk and spatial definition is a critical element in setting the image and character of Queenstown.
- The relationship of land and water, and the expansive views across the lake. This relationship is heightened by the existence of a series of core areas along the waters edge, at Queenstown wharf, Earnslaw wharf, and Marine Parade beach.
- The generally small, intimate scale of the built environment, encompassing a diverse range of buildings, a variety of design styles, and a series of amenity or character areas within the town centre.
- A contained central area adjacent to the waterfront with special characteristics arising from the original settlement pattern, and the remaining historic buildings.
- The existing road network and the sense of arrival which arises from the fact that there are only three principal entry points.
- The sense of a pedestrian friendly town which arises from the open spaces which exist within and about the town centre, the pedestrian links which enhance the access of the town and the overall small scale and size of the town centre.

The town centre of Queenstown has a strong sense of place, however some of the elements which give the Queenstown town centre its special character could be lost. Uncontrolled site amalgamation and unsympathetic development has resulted in some loss of pedestrian permeability, image and the historic character, particularly in the central areas close to the waterfront.

### 10.2.2 Values

For the town centre to remain viable and attractive it is necessary to enhance the key elements which provide for a broad range of functions and give it a

sense of place, atmosphere and image, and to avoid, mitigate or remedy the adverse effects of activities on its outstanding character.

The Queenstown town centre must be considered as an integrated whole, however, in order to best manage and protect the resource and enhance the amenity value of the town centre it is necessary to identify and conserve the characteristics of its built form. The town centre has a number of ~~can be divided into three areas including so that the desired environmental outcomes will be attained.~~

- A Special Character Area comprising three Precincts.
- The Queenstown Bay Waterfront.
- The sloping land bound by Shotover, Duke, Man Lake, Hay, Isle, Camp and Shotover Hay-streets, including the Town Centre transition sub-zone, the Isle Street sub-zone, and the Lakeview sub-zone.

~~The third area is that area bound by Shotover, Duke, Man and Hay streets. It also includes the Town Centre transition sub-zone.~~

~~The unique character of area derives largely from its topography which, unlike the rest of the Queenstown Town Centre, is relatively steep, forming something of an amphitheatre around the historic parts of the Town Centre. Due to the slope of the area; the fact that it is located between an established residential area and the views of the lake and mountains; and is elevated well above the rest of the town, development within the area has the potential to affect views and the amenity, scale, and streetscape of the Town Centre more than in any other area of the zone. Therefore, special bulk and location rules and rules relating to the areas role at the interface of the residential area have been to avoid or mitigate adverse effects.~~

#### i Special Character Area

The Special Character Area comprises much of the central retail and business area and generally lies between Rees Street/Marine Parade, Earl Street, Camp Street and a line just south of Shotover Street. In the



more developed parts of this area, the scale of buildings and activities is generally small and there is a pleasant relationship between the street and other public spaces and buildings. The retention of this relationship is one intended outcome of the identification of this Special Character Area within the Queenstown Town Centre zone.

The purpose of this area is twofold. Firstly, it is to ensure that the intimate and small scale character of the early parts of the Queenstown settlement, and in particular the remaining historic buildings, is not lost through insensitive or inappropriate redevelopment or new development. Secondly, it is to enhance, protect and reinstate this special character through sensitive and appropriate redevelopment or new development.

The Special Character Area comprises three distinct Precincts:

- Precinct 1: This generally encompasses an area bounded by Rees Street, Marine Parade, Church Street and Camp Street and a line one section deep and north of Cow Lane. It also includes the western and southern quadrants of the Beach Street-Rees Street intersection. This area contains a Heritage Precinct as contained in Appendix 5.
- Precinct 2: This is the block bounded by Church Street, Camp Street, Earl Street and Marine Parade.
- Precinct 3: This comprises Beach Street (between Camp and Rees Streets) and the buildings which enclose the street.

**These precincts are shown on the District Plan Map No. 36.**

#### **Precinct 1**

The character of Precinct 1 arises from and is expressed by the following elements:

- Narrow streets.
- The existing 1:2 proportion of facade height to street width.

- Flat building frontages and two storey (7.5 - 8.5 m high) facades with parapets obscuring the roofs behind when viewed from the adjoining street at ground level.
- Windows at first floor level which are set in solid walls, vertical in their lines comprising between 25% and 30% of the wall frontage in area, and having height to width ratio in the range 1.6:1.0 to 2.3:1.0.
- Verandas of generally lightweight character running the full length of the frontage with generally slender posts being 100mm - 200mm wide and solid fascias generally no greater than 400mm deep.
- Narrow building facades reflecting the narrow historical tent site subdivision pattern.
- Enclosed balconies at first floor level generally on the south side of the Mall.
- Detailed facade treatments and decoration.
- Street frontage material generally of painted plaster, stacked stone or painted timber weatherboards.
- External appearance is generally appropriate to the overall streetscape and historic character of the zone.

These elements have been combined to form the Queenstown Mall Heritage Precinct which is acknowledged in Appendix 3.

Two further important elements which fall within this Precinct are Cow Lane and Searle Lane. Both of these lanes have an important service access function within the town centre. They provide an opportunity for further retailing and pedestrian movement within the town centre. The development of activities which gain direct pedestrian access from these lanes is encouraged because of the benefits this will have in relation to retaining the special character of this area.

### **Precinct 2**

The character of Precinct 2 arises in general from the existence of the remaining historic buildings and is expressed in particular by the following elements evident in those buildings:

- Residential style single storey street facades.
- Distinct setbacks from street frontages.
- Pitched roofs generally between 25 degrees and 45 degrees.
- External building materials primarily of painted plaster, painted weatherboards and grey stone.

These elements have been combined for the Marine Parade Historic Precinct, which is acknowledged in Appendix 3.

### **Precinct 3**

The character of Precinct 3 arises from and is expressed by the following elements:

- Building setbacks from the street boundary on both sides of the street.
- More spacious character and greater sunlight penetration into the public open spaces occurring as a result of the scale and location of buildings fronting the street, despite the fact that Beach Street is a narrow street.
- The high quality pedestrian amenity and the general sense of “people scale” within the street.
- The sense of enclosure and visual interest provided by the variable building setbacks on the southern side of the street.

## **ii Queenstown Bay Waterfront**

The second area is the Queenstown Bay Waterfront. This area is a major asset and a pivotal part of the town centre. The lake edge is alive with activity and colour, and offers a variety of recreation concessions and opportunities for further enhancement. This includes a public open space between the lake edge and the built environment of the town centre, and the links between Marine Parade Reserve and the Gardens to the east and St Omer Park to the west.

The Queenstown Bay Waterfront area forms part of the Sunshine Bay, Queenstown Bay, Frankton, Kelvin Heights Foreshore Management Plan (1991), prepared under the Reserves Act 1977. That Management Plan identified part of the foreshore of Queenstown Bay as being an area in respect of which a detailed development plan should be prepared to guide and control future activities in the area. A development plan was prepared in late 1993 through the process of a workshop. The detailed development plan resulting from this process was adopted by the Council on 22 February 1994 as the Queenstown Bay Waterfront Development Plan.

Many of the outcomes specified in that Development Plan cannot be directly realised through the District Plan. Parts of the Development Plan relate to reserves under the Reserves Act 1977, and to that extent the Plan has statutory force pursuant to that Act.

Those parts of the Development Plan relating to activities and structures on the foreshore, are areas which are properly subject to the District Plan. To the extent that the Development Plan deals with effects and activities the relevant parts are included as an assessment matter for activities within the Queenstown Bay Waterfront area within the Queenstown Town Centre zone.

## **iii Lakeview Sub-Zone**

The Lakeview sub-zone provides an extension to the Queenstown town centre. Geographically this sub zone forms the north-western boundary of the Queenstown town centre zone and is situated at a higher gradient

affording extensive views across Queenstown Bay and beyond. The town centre boundary is formed by the Ben Lomond recreational reserve.

A structure plan for the Lakeview sub-zone establishes a broad development layout for this part of the town centre. Through the structure plan, public reserve areas and the square set the scene for a high quality urban environment ensuring that the area is a desirable place to live, work and meet.

The development of activities and buildings in this sub-zone will be managed through the District Plan to accommodate commercial, mixed use, tourism and higher density residential activities. High quality urban form will be achieved via urban design, and bulk and location provisions.

### **iii Isle Street Sub-Zone**

The Isle Street sub-zone provides for the expansion of the Queenstown Town Centre by providing for complementary activities that connect the commercial heart of Queenstown to the commercial, community and tourist activities along Brecon Street and to the Lakeview sub-zone.

Activities and the development of buildings in this sub-zone will be managed through the District Plan to provide for a high quality mixed use-commercial and residential environment where built development can take advantage of the sub-zone's elevated position above the town centre.

## **10.2.3 Issues**

In addition to the District wide issues the following issues have been identified in respect of the Queenstown Town Centre.

- retention and enhancement of the compact and cohesive character of the town centre which contributes to its built form and appearance and hence the quality of the environment.
- provision for vehicles in a manner which retains essential vehicle access to the town centre while providing the opportunity for enhanced pedestrian amenity.
- provision for growth and intensification of activity levels within the town centre and where appropriate onto suitable land in the vicinity.
- protection and enhancement of those heritage characteristics which contribute to the scale, proportion, character and image of the town centre, including the elevated views of the town centre.
- to avoid adverse effects on the elements of the environment which provide the underlying development pattern of the town centre including the tent site frontages, pedestrian linkages, mix of vehicles and pedestrians, views of and relationship to the lake, hills and mountains and the historic buildings and facades.
- integration and improvement of the land/water interface of Queenstown Bay with the town centre.
- compatibility of the town centre with the adjacent living environments.

## **10.2.4 Objectives and Policies**

**Objective 1 - Maintenance and Consolidation of the Town Centre**  
*Maintenance and enhancement of the Queenstown Town Centre as the principal commercial, administration, cultural and visitor focus for the District.*

### **Policies:**

- 1.1 *To provide for the concentration of buildings and developments to occur in the town centre.*

1.2 To provide for growth in business, tourist and community activities by zoning suitable additional land in close proximity to within the vicinity of the town centre.

1.31.2 To enable a broad range of activities to establish, and to encourage the continuing occupation and development of buildings and sites.

1.41.3 To minimise the adverse environmental effects of those activities both within the town centre and on the activities in the surrounding living areas.

1.5 To enable a mixed use environment within the Isle Street sub-zone to provide for commercial activities and high density residential activities.

#### **Implementation Methods**

Objective 1 and associated policies will be implemented through a number of methods including:

##### **(i) District Plan**

- (a) Identification of the Town Centre Zone.
- (b) Rules to preclude expansion of commercial activities beyond the Town Centre Zone boundaries.
- (c) Provision for a wide range of activities within the zone.
- (d) Provision for rules to protect the amenity of town centre users and the amenity of surrounding residential areas.

#### **Explanation and Principal Reasons for Adoption**

The town centre is the logical place for a wide range of business and leisure activities given its proximity to visitor attractions and travellers accommodation. The diversity of activities permitted to establish will assist in retaining the town centre as the prime business centre. Individual businesses will benefit from the overall success of the town centre and this will ensure that the vitality, interest and diversity of the town centre is retained.

The scale and diversity of the built environment of the town centre is greater than other parts of the Wakatipu Basin. ~~Concentration~~ A compact form of development and activity will attract businesses and people to the town centre and hence support for its existing activities.

Retention of the retail viability of the town centre is essential if it is to remain attractive to people. Without retail services the town centre runs the risk of becoming an unattractive environment.

Although the establishment and retention of a wide range of activities is encouraged it is necessary to ensure that adverse environmental effects are avoided. The control of noise from activities within the town centre and effects of glare, visual intrusion, shadowing are important to the well being of visitors and residents alike.

#### **Objective 2 - Character and Heritage**

***A town centre in which the built form, public space and linkages reflects, protects and enhances the distinctive built heritage and image which creates its essential character.***

##### **Policies:**

- 2.1 *To identify and promote a Special Character Area within the town centre to ensure that developments or redevelopments of sites respect and reflect the historic subdivision pattern and built form which gave rise to the particular appearance and character of buildings and their relationship to each other in this area.*
- 2.2 *To ensure the shape, scale and form of development reflects the environmental qualities of the area and the particular precincts that make up the Special Character Area.*
- 2.3 *To recognise Queenstown's architectural and developmental heritage, conserve and enhance the historic character, and to promote the continued contribution of this heritage to the town centre's identity.*

#### **Implementation Methods**

Objective 2 and associated policies will be implemented through a number of methods including:

**(i) District Plan**

- (a) Identification of a Special Character Area within the town centre and the provision of Objectives, Policies and Rules for development in the area. The zone therefore reflects the quality of the environment sought in this area.
- (b) Protection and recognition of historic buildings and precincts by way of Objectives, Policies and Rules and inclusion of assessment matters in the District Plan.

**(ii) Other Methods**

- (a) Through the Annual Plan process, to set aside funds for purchase, restoration and maintenance of heritage items.

**Explanation and Principal Reasons for Adoption**

The town centre of Queenstown comprises a number of inter-related but distinct precincts, each of which is characterised by a distinct built form. These differences contribute to the image and amenity of the town centre, while at the same time exhibiting sufficient similarity to permit the retention of overall town centre coherence.

While much of the built form of the town centre is recent, there are still a number of important historical elements including the narrow streets, small frontage sites, low scale of development and facade continuity and a number of historic buildings. All these are elements of the physical heritage. Some of these may not be individually important but the cumulative effect of these elements is important to the image of the town, and the consequent economic and social well being of the residents and visitors. New developments within the town centre can reflect elements of this heritage and as a consequence contribute to its retention and enhancement.

The important environmental qualities of the town centre are its scale, compactness and sense of place and its relationship with and visual accessibility to the surrounding natural environment, and the quality of public spaces. To retain the character of the town centre and enhance its attractiveness as a place for work, business and leisure activities, it is essential that these qualities are maintained and where possible enhanced.

**Objective 3 – A high quality, attractive environment within the Lakeview sub-zone where new business, tourist, community and high density residential activities will be the predominant use.**

**Policies**

3.1 To provide a mixed use environment which is a desirable place to visit, live and work by providing for the following activities:

- a convention centre to serve the community and visitors;
- commercial activities and tourist activities, offices and small-medium scale retail activities;
- high quality visitor accommodation; and
- well-designed high density residential activities.

3.2 Achieve an urban environment and a built form that responds to the site's location, including any interface with the Queenstown Cemetery, and creates an attractive, vibrant and liveable environment that is well connected with the town centre.

3.3 To require a high quality of built form and landscaping, which contribute to the visual amenity of the area.

3.4 To encourage pedestrian links within and through the Lakeview sub-zone, and to the surrounding public spaces and reserves.

- 3.5 To provide appropriately scaled and located public spaces (including a square) which provide a focal point for social interaction and which contribute to a sense of place.
- 3.6 To enable retail floor space for small to medium scale retail activities to meet demand for growth within the Queenstown town centre area.
- 3.7 To avoid the development of large format retail activities in the Lakeview sub-zone.
- 3.8 To ensure that residential development is comprehensively designed to provide a quality residential living environment and attractive streetscape.
- 3.9 To manage reverse sensitivity effects through appropriate building design, imposition of building performance standards and site layout.
- 3.10 To prescribe a range of building height limits for the Lakeview sub-zone which will maximise views from buildings and appropriately manage built scale to preserve townscape values.

### **Implementation Methods**

Objective 3 will be implemented through a number of methods, including:

#### **(i) District Plan**

- (a) Identification of the Lakeview sub-zone in order to achieve the objective and policies for this sub-zone.
- (b) The use of rules and assessment matters to manage the effects of development of the sub-zone.
- (c) The use of a structure plan to direct how the site will develop and connect with roading and pedestrian connections.

### **Objective 34 - Land Water Interface: Queenstown Bay**

***Integrated management of the land-water interface, the activities about this interface and the establishment of a dynamic and aesthetically pleasing environment for the benefit of the community and visitors.***

#### **Policies:**

- ~~3.1~~ 4.1 To encourage the development of an exciting and vibrant waterfront which maximises the opportunities and attractions inherent in its location and setting as part of the town centre.
- ~~3.2~~ 4.2 To promote a comprehensive approach to the provision of facilities for water based activities.
- ~~3.3~~ 4.3 To promote maximum pedestrian accessibility to and along the waterfront for the enjoyment of the physical setting by the community and visitors.
- ~~3.4~~ 4.4 To identify the important amenity and visual values, and to establish external appearance standards to help secure and implement these values and implement those through the District Plan.
- ~~3.5~~ 4.5 To provide for structures within Queenstown Bay waterfront area subject to compliance with strict location and appearance criteria.
- ~~3.6~~ 4.6 To conserve and enhance, where appropriate, the natural qualities and amenity values of the foreshore and adjoining waters.
- ~~3.7~~ 4.7 To retain and enhance all the public open space areas adjacent to the waterfront and to manage these areas in accordance with the provisions of the Sunshine Bay, Queenstown, Frankton, Kelvin Heights Foreshore Management Plan.

#### **Implementation Methods**

Objective 3 4 and associated policies will be implemented through a number of methods including:

**(i) District Plan**

- (a) Identification of the Waterfront area as a special area in order to achieve the Objectives and Policies for the area.
- (b) The use of rules to put in place performance standards for development in the area.

**(ii) Other Methods**

- (a) The provisions of the Foreshore Management Plan.
- (b) Provision of works and services.

**Explanation and Principal Reasons for Adoption**

The geographical setting of the Queenstown town centre is unique. While the important contribution the land/water interface makes to the character of the town centre has been recognised in the past, some developments within this area have tended to be less complementary. With the predicted increases in visitor numbers and the resident population this particular part of the town centre is likely to come under increasing pressure for development and activity as well as for retention as a vital part of the open space network along the edge of Lake Wakatipu.

The Queenstown Bay Waterfront area forms part of the Sunshine Bay, Queenstown, Frankton and Kelvin Heights Foreshore Management Plan prepared under the Reserves Act 1977. The area is also the subject of a detailed Development Plan which has been prepared to guide and control future activities and developments within the area. This objective and policies are taken from and complement those two documents. They have as their purpose the establishment of a policy framework which will enable and encourage appropriate developments and activities within the area.

**Objective 4-5 – Accessibility and Parking**

***A town centre which is accessible to people.***

***Policies:***

- ~~4.1~~ 5.1 *To ~~restrict~~ manage the peripheral spread of the town centre to ensure all parts are convenient to pedestrians.*
- ~~4.2~~ 5.2 *To promote an integrated approach to traffic management, vehicle access and car parking within the Queenstown Town Centre.*
- ~~4.3~~ 5.3 *To restrict the times when goods service vehicles will be permitted access to parts of the town centre.*
- ~~4.4~~ 5.4 *To manage the street network within the town centre to ensure the network functions safely and efficiently, while seeking to enhance the pedestrian amenity of the town centre.*
- ~~4.5~~ 5.5 *To enable car parking in the Queenstown Town Centre.*
- ~~4.6~~ 5.6 *To provide for roading improvements to develop a route around the town centre to reduce congestion, environmental effects and improve traffic flows.*
- ~~4.7~~ 5.7 *To promote and investigate opportunities for public transport linkages within the town centre and between the town centre and outlying activity areas.*
- ~~4.8~~ 5.8 *To encourage a network of pedestrian linkages within the town centre.*

**Implementation Methods**

Objective –4 5 and associated policies will be implemented through a number of methods including:

**(i) District Plan**

- (a) Establish a pattern of land uses within the Town Centre which reflect priorities for pedestrian movement and vehicle movement.
- (b) To provide for the consolidation of the Town Centre Zone
- (c) To designate an integrated off-street parking network.
- (d) To identify, investigate and initiate a requirement to designate a traffic route around the town centre.

## **(ii) Other Methods**

- (a) Through by-laws, limit the time for service vehicle use and to restrict heavy vehicles access to certain streets within the town centre.

### **Explanation and Principal Reasons for Adoption**

The Queenstown Town Centre is the principal focus for a range of activities and it is important that the centre is accessible to all forms of transport. At the same time the Town Centre represents a valuable and vital pedestrian and visitor amenity and as such the issues of vehicle accessibility need to be balanced against the protection of that amenity.

The Council recognises the need for improvements in vehicle circulation in and around the town. The town centre at present straddles an important arterial link between the residential and visitor areas of Glenorchy and the western residential areas of Queenstown and other destinations within and outside the District. As activity within the town centre intensifies conflicts between through traffic using Shotover Street and local traffic and pedestrians will increase. The Council is investigating an extension to Man Street finishing at the One Mile roundabout, to reduce the amount of through traffic having access to the town centre using Shotover Street.

The Council recognises the need to give greater priority and consideration to public transport as a means for visitor access to the town centre. In particular, the Council will further investigate innovative opportunities for public transport.

## **10.2.5 Environmental Results Anticipated**

Implementation of the policies and methods relating to the Queenstown Town Centre will result in:

- (i) A built form which recognises and responds to the physical characteristics of the site; including climate, spatial situation, surrounding topography.
- (ii) A defined urban scale and character.
- (iii) Enhancement of the town centre as a pleasant, attractive and vibrant place for people including tourists and community facilities and businesses.
- (iv) Diversity in land use activities, built form, building external appearance, and open space all of which is responsive to the essential character of Queenstown.
- (v) A town centre which is accessible to pedestrians and makes appropriate provision for vehicles.
- (vi) Pleasant and safe public spaces and pedestrian areas of high quality which are supplied with generous levels of daylight, sunlight and weather protection and which promote pedestrian movement within the town centre.
- (vii) A general reduction in the dominance of motor vehicles within the town centre and the commensurate establishment of a balance between the requirements of vehicle safety and accessibility into the town centre and the provision of a safe and high quality pedestrian and town centre environment.
- (viii) The management of vehicle movements in the town centre in a way which ensures good accessibility, minimal congestion and personal safety.



- (ix) The creation of a pattern of streets, pathways and open space which is readable to town centre users, particularly visitors.
- (x) The creation of a series of core areas (of buildings and activities) within the town centre, and interconnections between them, including buildings for tourist and community activities within the Lakeview sub-zone.
- (xi) The recognition and development of the waterfront and foreshore as an integral part of the town centre.
- (xii) Strengthening of the visual and physical links between the waterfront and its immediate environs.
- (xiii) An exciting and vibrant waterfront which maximises the opportunities and attractions of a town on a lakeshore.
- (xiv) A coherent, underlying physical pattern of the central core derived from the historical town layout. This is particularly important in relation to the scale and style of building facades in the central core.
- (xv) Recognition of the environmental attributes of the town and the contribution of these to its attractiveness.
- (xvi) The acceptance of the town centre as an important physical resource in its own right.
- (xvii) Protection and preservation of important historic buildings, and protection and development of special character areas which contribute to the identity of the town and which help to define its cultural tradition.
- (xviii) A high quality built environment within the Lakeview sub-zone that provides design excellence in built and urban form.
- ~~(xviii)~~ The recognition of Queenstown's architectural and development heritage, the protection and enhancement of its historic character,

and the continued contribution of its heritage to its unique identity by means of:

- the protection, preservation and restoration of important historic buildings and facades
- the preservation, protection and enhancement of the historic characteristics identified in the three distinct parts of the Special Character Area.
- ~~(ix)~~ A built environment of high architectural quality and buildings of appropriate external appearance in relation to their neighbours and surroundings.
- ~~(x)~~ A visually interesting roofscape when viewed from the many elevated vantage points within and around the town centre.
- ~~(xi)~~ Preservation of the living environment adjacent to the town centre in terms of light admission, noise and glare.
- ~~(xii)~~ The opportunity for residential living within the centre which does not place undue constraints upon the general nature of activity and development with the zone.
- ~~(xiii)~~ Moderate ambient levels of noise and glare, recognising the large number of activities, vehicles, buildings and people in the relatively small areas of the town centre.

## 10.3 Wanaka Town Centre

### 10.3.1 Resources, Activities and Values

The Wanaka town centre is the commercial, cultural and retailing centre of the north western part of the District and services a significant geographical area. The town centre of Wanaka has, until recently, developed as two adjacent but

not directly related parts. The division is a result of historical patterns of activity, topography, the location of Bullock Creek, and past roading patterns.

### 10.3.2 Values

The present and foreseeable future function of the town centre is to provide a wide variety of retail, administrative and cultural activities.

The Council has adopted the findings of the Wanaka Town Centre Study (1994). This study focused on the environment of the town centre and on ways in which improvements could be undertaken. Most of these improvements will occur outside of the District Plan but where appropriate this Plan will support and complement the recommendations arising from that study.

The principal values which contribute to the character of the Wanaka Town Centre are:

- the general proportions of public open spaces
- the low scale of developments
- the views to Lake Wanaka and the surrounding mountains from within the town centre, the relationship of commercial activities and surrounding residential, open space and recreational activities
- the clear definition of the edge of the town centre
- the variety of land use activities established within the town centre

### 10.3.3 Issues

In addition to the District wide Issues, the following have been identified in respect of the future management of the Wanaka Town Centre.

- The consolidation, maintenance and enhancement of the existing business area.

- The retention and enhancement of the visual image and lakeshore amenity.
- The sustainable use of the existing buildings and infrastructure.
- Retention of the existing scale, form and intensity of the built form.
- Ease of access and circulation for vehicles and pedestrians.

### 10.3.4 Objective and Policies

#### Objective - Consolidation and Amenity of the Town Centre

***The establishment of a wide range of facilities within a compact and convenient built form which retains the essential character of the town centre.***

#### ***Policies:***

- 1.1 *To promote the retention and enhancement of those features of the town centre which contribute to its character and environmental quality.*
- 1.2 *To establish standards in respect of the form, style and external appearance of buildings.*
- 1.3 *To identify and implement environmental enhancement works in respect of the public areas and the streets.*
- 1.4 *To provide for the establishment of a wide range of activities to ensure the continued viability and vitality of the town centre.*
- 1.5 *To promote coherence of the built form of the town centre through provision of pedestrian and activity linkages and by generally restricting any outward expansion.*

#### **Implementation Methods**

The objective and associated policies will be implemented through a number of methods including: As for Section 10.1.3, Objective 1.

#### **Explanation and Principal Reasons for Adoption**

The town centre, although not physically constrained by the surrounding topography, is dependent on it for its image and character. This quality contributes to the environment and the amenities of the town centre and the adjacent residential areas. Controlling the scale of development is essential to the retention of this characteristic low rise development.

The Wanaka Town Centre Study (1994) has identified a number of improvements to public spaces within the town centre. These include the provision of wider footpaths, street tree planting, improvements to traffic flows through changed traffic management techniques, more direct links between Helwick Street and the lakeshore and the improvement of public signage and lighting within the town centre.

The improvements within the town centre will reinforce a form and character which building developments can relate to in terms of height, bulk and appearance. Building design which will enhance the character of the town centre in terms of building scale and appearance will be promoted.

The wide open streets of the town centre and extensive on-street parking are features which contribute to the image and convenience. Parking is complemented by two strategically located off-street parking areas.

Extensions to the existing service lanes is considered desirable and the removal of service vehicles from the retail frontages of streets will reduce the dominance of motor vehicles and enhance the safety and comfort of pedestrians.

### **10.3.5 Environmental Results Anticipated**

Implementation of the policies and methods relating to the Wanaka Town Centre will result in:

- (i) A town centre which is compact, convenient, and accessible to pedestrians and vehicles.
- (ii) A built form which is coherent, functional, attractive and gives rise to a well integrated central business area.
- (iii) Diversity in land use activities, built form, building external appearance, and open space which contribute to the distinctive character.
- (iv) Recognition of the environmental attributes of the town centre and the contribution of these to its attractiveness.
- (v) Pleasant and safe public spaces and pedestrian areas of high quality which are supplied with generous levels of daylight, sunlight and weather protection.
- (vi) A built environment of good architectural quality and buildings of appropriate external appearance in relation to their neighbours and surroundings.
- (vii) Moderate ambient levels of noise and glare, recognising the number of activities, vehicles, buildings and people in the relatively small area of the town centre and their visual and aural proximity to surrounding residential areas.
- (viii) Maintenance of the characteristic low rise development within the town centre which reinforces the dominance of the surrounding natural land forms.

## **10.4 Arrowtown Town Centre**

### **10.4.1 Resources and Activities**

The Arrowtown Town Centre encompasses the historic central commercial area of the town. The area is one of New Zealand's identified icons and is a place of cultural and built heritage.

The major resources contributing to the heritage value include individual buildings, groups of buildings, the streetscape, the landscape and the overall amenity of the area. The historic buildings on Buckingham Street are of particular value and make a significant contribution to the character of Arrowtown and are a precious heritage resource. They provide an important window to the settlement history of the District and define the character and scale of Arrowtown.

Within the town, visitor activities are combined with the shopping of the Arrowtown community. These two functions need to be managed in a compatible and sustainable manner to ensure any adverse effects are avoided.

#### **10.4.2 Values**

The Arrowtown town centre has a special character. The principal values which contribute to this character are:

- The narrow main street which varies in width to provide visual interest and enclosure.
- Single storey buildings which are intimate in scale and provide a pleasant protective enclosure.
- A main street which discourages fast moving through traffic and encourages pedestrian movement.
- Existing enclosed or partly enclosed open space which contributes to the amenity of the area, provides visual or physical linkages to the river, preserves the historic character of the town and the relationship between historic buildings.

- The small scale of buildings and the well conserved historic detailing and character.
- The collection of historic buildings, many of which are unique or representative of a type of which there are only a relatively small number in New Zealand.
- Design elements comprising areas of glass and timber parapet and gabled facades.
- A small area of landscaping and planting.

#### **10.4.3 Issues**

In addition to the District Wide Issues, the following issues have been identified in respect of the town centre.

- Retention of the compact character of the town centre, which contributes to its amenity.
- Protection and enhancement of existing historic buildings and places, and the historic subdivision and land use patterns in respect of scale, density, setback of buildings and activities undertaken.
- Provision for new development that expresses the era of construction and can be distinguished from historic buildings.
- Enhancement of visual and physical linkages with the Arrow River area and the surrounding landscape.
- Retention of the predominantly pedestrian oriented main street with a lack of fast moving and heavy traffic.
- Retention of the historic character of the area with respect to the suitability of street furniture, signs and decorations.

#### **10.4.4 Objective and Policies**

## **Objective 1 - Character and Heritage**

***Retention of the historic character of the Arrowtown Town Centre; compatibility and linkages of the built environment with the surrounding landscape; and maintenance and enhancement of low traffic volumes in the main street.***

### **Policies:**

- 1.1 *To ensure the scale, density and setback of new buildings; the type of activities undertaken; and the nature of street improvements reflects the historic character and enhances its coherence.*
- 1.2 *To ensure any additions or alterations to historic buildings or places is undertaken in a manner that complements and respects the historic character.*
- 1.3 *To encourage visual and physical linkage with the Arrow River area and the surrounding landscape.*
- 1.4 *To maintain and enhance the amenity and peaceful by discouraging fast and heavy traffic and encouraging pedestrian movements.*
- 1.5 *To acknowledge the visual, functional and amenity value of existing open space areas and to preserve these.*

### **Implementation Methods**

The objective and associated policies will be implemented through a number of methods including:

#### **(i) District Plan**

- (a) Identification of a compact town centre zone.
- (b) Protection and recognition of Historic Buildings and Precincts by way of Objectives, Policies and Rules and inclusion of assessment matters in the District Plan.

- (c) Provision of rules including performance standards and controls on land use to protect the amenity and historic character of the town centre.
- (d) Recognition in the assessment matters of the desire to improve linkages with the Arrow River and the surrounding landscape.

#### **(ii) Other Methods**

- (a) Through the Annual Plan process to fully investigate the compatibility and suitability of street improvements with the historic character.
- (b) Through the use of by-laws to limit heavy traffic using the main street.

### **Explanation and Principal Reasons for Adoption**

The geographic location of the town centre adjacent to the Arrow River and in the Arrowtown basin, is a feature of the town which can be used to greater advantage by the development of linkages with the river from the town centre and compatibility of buildings with the surrounding environment.

The low key and authentic character of the core of the town is a precious and vulnerable resource which requires careful management to ensure any adverse effects are anticipated and mitigated so protecting the education, enjoyment and living experience for future generations.

In order to retain the historic character of the town centre, it is necessary for additions or alterations to existing historic buildings and places to complement and respect the historic character of these buildings and places. The integrity of these buildings will be enhanced by the establishment of new buildings that express their time of construction, rather than replicate an earlier period. However, in order to maintain the amenity and historic character of the town centre, historic features such as land use and subdivision patterns, building density, building setback and scale should be maintained.

The amenity of the town centre is enhanced by the slow pace of vehicular traffic, the absence of heavy vehicles, the predominance of pedestrians and

the variety of pedestrian links between Arrow Lane, Buckingham Street, Ramshaw Lane and the river. It is important that these features are retained as they make a significant contribution to the historic and pedestrian character, both its built resource and heritage.

Much of the heritage value of the town comes as a result of development in the public areas including the design of the streets, planting, footpaths, road surfaces and drainage systems. The importance of these matters will be considered through the annual plan process when upgrading and maintenance is taking place.

#### **10.4.5 Environmental Results Anticipated**

Implementation of the policies and methods relating to the Town Centre will result in:

- (i) A town centre which is compact and convenient and is accessible to pedestrians and vehicles.
- (ii) A built form which is coherent, functional, attractive and which conserves the unique historical character and atmosphere.
- (iii) Diversity in built form, building external appearance, which contribute to the distinctive character of Arrowtown.
- (iv) Recognition of the environmental attributes and geographical location of the town centre and the contribution of these to its attractiveness.
- (v) Recognition and enhancement of the physical resource.
- (vi) Pleasant and safe public spaces and pedestrian areas of high quality which are supplied with generous levels of daylight, sunlight and weather protection.

- (vii) Buildings of appropriate external appearance in relation to their neighbours and surroundings.
- (viii) Moderate ambient levels of noise and glare, recognising the number of activities, vehicles, buildings and people in the relatively small area of the town centre and their visual and aural proximity to surrounding residential areas.
- (ix) Maintenance of the characteristic low rise development.
- (x) Building setback, density and scale that reflects the historic character of Arrowtown.

## **10.5 Corner Shopping Centres**

### **10.5.1 Background**

The existing corner shops currently provide an important and convenient shopping facility for the Queenstown-Wakatipu Basin residents. These existing buildings are a valuable physical resource but are constrained in terms of any expansion opportunity by adjoining zonings.

### **10.5.2 Issues**

- **The amenity and resources of the Queenstown Town Centre.**

The Council has rejected major expansion of the town centre beyond the existing Town Centre Zone boundaries because of the limited land area available and because it would require compromise in terms of density, parking, visual amenity and substantial traffic within the existing town centre. The impact of significant increased retail development beyond the existing boundaries would result in a deterioration of the Queenstown Town Centre resource and amenity. The Council acknowledges that some additional convenience shopping facilities will be required within the general Wakatipu locality in the future.

In considering the need for and extent of new retail activity within the Queenstown-Wakatipu area regard must be had not just to the shopping needs of the existing and future residents but also to the impact of any major new retail activity on the physical resources and the amenities of the Town Centre.

The town centre and the retail activities therein are a valuable physical resource generating a level of amenity and character which is important to the well being of the people in the District. New developments which threaten the viability of activities in the town centre and thereby the outstanding character, amenity, heritage, pedestrian and other values the Centre provides, should be avoided, or the effects mitigated.

- **The opportunity to provide for neighbourhood retail zones.**

The Council has sought to recognise the small scale residential neighbourhood shopping centres which provide for the day to day needs of local communities.

### **10.5.3 Objectives and Policies**

#### **Objective 1 - Existing Corner Shopping Centre**

***Consolidation of existing shopping centres at their present location.***

#### ***Policies:***

- 1.1 To recognise and provide for the existing shopping centres to serve the day to day needs of the community.*
- 1.2 To anticipate and provide for a range of commercial and business activities to establish in existing shopping centres.*
- 1.3 To control the adverse effects of development and activity.*

- 1.4 To protect and enhance the open space and visual amenity of the approach to Queenstown on State Highway No. 6 as an attractive gateway entrance to Queenstown and Frankton.*

#### **Implementation Methods**

Objective 1 and associated policies will be implemented through a number of methods including:

##### **(i) District Plan**

- Identification of zones to enable for the continued operation of the existing retail and resident facilities.
- District wide rules on transport and subdivision.
- Opportunities for a wide range of business activities.

#### **Explanation and Principal Reasons for Adoption**

It is anticipated that the existing shopping centres will continue to provide goods and services for a section of Queenstown-Wakatipu Basin.

### **10.5.4 Environmental Results Anticipated**

Implementation of the policies and methods relating to the Corner Shopping Centres will result in:

- The continuing development of retail opportunities to meet the needs of residents and visitors.

## Ancillary Amendments to the Queenstown Lakes District Council District Plan

### 1. Addition to the Subdivision Chapter 15:

#### 15.2.3.3 Discretionary Subdivision Activities

- ix In the Queenstown Town Centre Lakeview sub-zone any subdivision which is not in general accordance with Figure 2: Lakeview sub-zone Structure Plan (and any departures from the Structure Plan provided for in site standard 10.6.5.1 (xiii)).

### 2. Changes to be made to the Definitions in the Queenstown Lakes District Plan

**Convention Centre:** means building(s) and their use for functions and may include auditorium(s), concert hall(s), lecture hall(s), meeting room(s), conference room(s), banquet room(s), exhibition space(s) and ancillary services. For the purpose of this definition, convention centres do not include visitor accommodation.

### 3. Changes to be made to Volume 1 Appendix 13:

## Appendix 13

### Acoustic Insulation and Ventilation Requirements

The following table sets out the ventilation requirements within the airport Outer Control Boundary (OCB) and Air Noise Boundary (ANB) and applies to specific activities in the Queenstown Town Centre zone.



## 10.6 Queenstown Town Centre Zone Rules

### 10.6.1 Zone Purpose

The Queenstown Town Centre Zone covers the main concentration of commercial activity in the District.

The purpose of the zone is to allow for a wide range of activities which will enhance the town centre while preserving the important physical and natural character which gives the town its outstanding qualities and image. The zone rules contain a range of standards to achieve the desired environmental outcomes relating to built form, open space, traffic management, heritage protection and pedestrian amenity.

### 10.6.2 District Rules

Attention is drawn to the following District Wide Rules which may apply in addition to any relevant Zone Rules. If the provisions of the District Wide Rules are not met then consent will be required in respect of that matter:

- |                                                               |                 |
|---------------------------------------------------------------|-----------------|
| (i) Heritage Protection                                       | - Refer Part 13 |
| (ii) Transport                                                | - Refer Part 14 |
| (iii) Subdivision, Development<br>and Financial Contributions | - Refer Part 15 |
| (iv) Hazardous Substances                                     | - Refer Part 16 |
| (v) Utilities                                                 | - Refer Part 17 |
| (vi) Signs                                                    | - Refer Part 18 |
| (vii) Relocated Buildings and Temporary Activities            | - Refer Part 19 |

### 10.6.3 Activities

#### 10.6.3.1 Permitted Activities

Any Activity which complies with all the relevant **Site** and **Zone** Standards and is not listed as a **Controlled, Discretionary, Non-Complying or Prohibited Activity** shall be a **Permitted Activity**.

#### 10.6.3.2 Controlled Activities

The following shall be **Controlled Activities** provided that they are not listed as a **Prohibited, Non-Complying or Discretionary Activity** and they comply with all the relevant **Site and Zone** Standards. The matters in respect of which the Council has reserved control are listed with each **Controlled Activity**.

##### i Buildings located in the town centre outside the special character area and outside of the Lakeview sub-zone

Buildings in respect of design, appearance, signage (which may include directional street maps for buildings, and servicing requirements within the Isle Street sub-zone), lighting, materials and impact on the streetscape. (Refer District Plan Map No. 36.)

##### ii Verandas

All verandas in respect of design, appearance, materials and impact on and relationship to adjoining verandas.

##### iii Premises Licensed for the Sale of Liquor

(a) Premises licensed for the sale of liquor under the Sale of Liquor Act 1989, for the consumption of liquor on the premises between the hours of 11pm and 7am with respect to the scale of the activity, car parking, retention of amenity, noise and hours of operation. This rule shall not apply to the sale of liquor:

- To any person who is living on the premises
- To any person who is present on the premises for the purpose of dining.

- (b) Premises licensed for the sale of liquor under the Sale of Liquor Act 1989 **within the Town Centre Transition sub-zone**, for the consumption of liquor on the premises between the hours of 6 pm and 11 pm with respect to the scale of this activity, car parking, retention of amenity, noise and hours of operation. This rule shall not apply to the sale of liquor.

- To any person who is residing (permanently or temporarily) on the premises:
- To any person who is present on the premises for the purpose of dining.

#### iv Visitor Accommodation

Visitor Accommodation in respect of:

- (a) Building external appearance
- (b) Setback from internal boundaries
- (c) Setback from roads
- (d) Access
- (e) Landscaping
- (f) Screening of outdoor storage and parking areas.

And, in addition, in the **Town Centre Transition sub-zone** and the **Lakeview sub-zone** and the **Isle Street sub-zone** in respect of:

- (g) The location of buildings
- (h) The location, nature and scale of activities on site

- (i) The location of parking and buses and access

- (j) Noise, and

- ~~(k) Hours of operation~~

- (k) For the Lakeview sub-zone, the extent to which pedestrian connections to the Queenstown commercial centre (Shotover Street and surrounds), via Hay Street (or an alternative location) can be further formulated.

- (l) For the Lakeview sub-zone, the provision of adequate car parking to meet predicted demand.

- v Commercial Activities (including those that are carried out on a wharf or jetty) within the Queenstown Town Centre Waterfront Zone, except for those commercial activities on the surface of water provided for as discretionary activities pursuant to Rule 10.6.3.3 (i) in respect of:

- Traffic generation
- Access and loading
- Screening of outdoor storage

#### vi Buildings located in the Lakeview sub-zone in respect of:

- (a) Design, appearance, landscaping signage (which may include directional street maps), lighting, materials, colours and contribution to the character of the streetscape; and
- (b) The extent to which outside storage areas and outside parking areas are screened from view from public places;
- (c) The extent to which any fences, walls, landscaping forward of the front buildings line provide visual connections between any building and adjoining public spaces;

- (d) Urban design principles (contained in the assessment matters at 10.10.2);
- (e) The provision of pedestrian through site links within the sub-zone and between public spaces / reserve areas.
- (f) The provision of services.
- (g) With respect to buildings that provide for residential activities, the extent to which the design provides for a mixture of unit sizes and numbers of bedrooms to promote housing diversity.
- (h) The relationship between the setting of the adjoining Queenstown Cemetery from 34 Brecon Street and the Lakeview Camping Ground is taken into account.

**vii Convention Centres located within the Lakeview sub-zone in respect of:**

- (a) Effects on the transportation network: an integrated transport assessment, including a comprehensive travel plan shall be provided to manage transport impacts related to the activity, and may include directional street map signage to assist pedestrian and vehicle movements to the site.
- (b) The enhancement of pedestrian connections and networks from the site to the Queenstown commercial centre (Shotover Street or surrounds).
- (c) Provision for landscaping.
- (d) Provision for screening of outdoor storage and parking areas.
- (e) The design and layout of buildings and activities on site.
- (f) Management of the effects of noise.
- (g) Hours of operation.

## 10.6.3.3 Discretionary Activities

The following shall be **Discretionary Activities** provided they are not listed as a **Prohibited or Non-Complying Activity** and they comply with all the relevant **Zone** Standards.

### i Surface of Water and Interface Activities

- (a) Wharfs and Jetties within the Queenstown Town Centre Waterfront Zone between the Town Pier and St Omer Park.
- (b) Commercial Surface of Water Activities within the Queenstown Town Centre Waterfront Zone.

### ii Motor vehicle repairs

### iii Buildings located within the Special Character Area

Buildings located within the Special Character Area including alterations to existing buildings with the Council's discretion restricted to the external appearance, materials, signage, lighting, streetscape heritage values and compatibility with adjoining buildings.

### iv Convention Centres (outside of the Lakeview sub-zone)

**ivv** Any Activity which is not listed as a **Non-Complying or Prohibited Activity** and complies with all the **Zone Standards** but does not comply with one or more of the **Site Standards** shall be a **Discretionary Activity** with the exercise of the Council's discretion being restricted to the matter(s) specified in the standard(s) not complied with.

## 10.6.3.4 Non-Complying Activities

The following shall be **Non-Complying Activities** provided that they are not listed as a Prohibited Activity.

**i Factory Farming**

**ii Forestry Activities**

**iii Mining Activities**

**iv Airports**

Airports **other than** the use of land and water for emergency landings, rescues and fire fighting.

**v Surface of Water and Interface Activities**

- (a) Wharfs and Jetties within the Queenstown Town Centre Waterfront Zone between the Town Pier and Queenstown Gardens.
- (b) Any buildings located on Wharfs and Jetties within the Queenstown Town Centre Waterfront Zone
- (c) Buildings or boating craft within the Queenstown Town Centre Waterfront Zone if used for visitor, residential or overnight accommodation.

**vi Residential Flat**

Residential Flat, except in Town Centre Transition sub-zone where residential flats are permitted.

- vii** Any Activity which is not listed as a **Prohibited Activity** and does not comply with one or more of the relevant **Zone** Standards.

## 10.6.3.5 Prohibited Activities

The following shall be **Prohibited Activities**

- (i) Panelbeating, spray painting, motor vehicle dismantling, fibreglassing, sheet metal work, bottle or scrap storage, motorbody building or fish or meat processing, or any activity requiring an Offensive Trade Licence under the Health Act 1956.

## 10.6.4 Non-Notification of Applications

Any application for a resource consent for the following matters may be considered without the need to obtain the written approval of affected persons and need not be notified in accordance with section 93 of the Resource Management Act 1991, unless the Council considers special circumstances exist in relation to any such application.

- (i) All applications for **Controlled** Activities.
- (ii) Applications for the exercise of the Council's discretion in respect of the following **Site** Standards:
  - **Building Coverage**
  - **Historic Building Incentive**
  - **Residential Activities**
  - **Noise within the Lakeview sub-zone**

## 10.6.5 Standards

### 10.6.5.1 Site Standards

**i Building Coverage**

- (a) Special Character Area

**Precinct 1:** Minimum building coverage - 95%; except where a public open air pedestrian link to an existing or proposed walkway is provided, the minimum site coverage can be reduced by the amount necessary to provide for that link.

**Precinct 2:** Maximum building coverage - 70%.

**Precinct 3:** Maximum building coverage - 80%.

(b) The Town Centre Transition sub-zone: Maximum building coverage - 70%

(c) Town Centre outside of the Special Character Area and the Town Centre Transition sub-zone - Maximum building coverage 80% except that on that land bound by Man, Duke and Brecon streets, for every cubic metre of un-utilised volume within the permitted building height envelope, the maximum allowable coverage shall be increased by the equivalent volume.

(d) Lakeview sub-zone: Maximum building coverage – 80%.

(e) Isle Street sub-zone: Maximum building coverage - 70%

## ii Historic Building Incentive

Where an historic structure listed in Appendix 5 is retained as part of the development of the site the gross floor area of the historic building, or part thereof remaining on the site will be excluded from the gross floor area for the purposes of development levy calculations.

## iii Retailing

The use of the ground floor of every building fronting onto the street within Precinct 1 of the Special Character Area shall be limited to retail activities, places of entertainment, pedestrian accessways to other

ground floor activities, restaurants, the reception areas of visitor accommodation, and to the entrances to independent businesses above ground floor level.

## iv Street Scene

(a) In **Precinct 1** of the **Special Character Area**, buildings shall be built up to the street boundary along the full frontage of the site, except where an entranceway to a pedestrian linkage is required to be provided. Nothing in this rule shall preclude the inclusion of recessed entrances within any facade up to a depth of 1.5m and a width of 2m.

(b) In **Precinct 3** of the **Special Character Area** the following shall apply:

- buildings on the north side of Beach Street shall be set back a minimum of 0.8m; and
- buildings on the south side of Beach Street shall be set back a minimum of 1m.

Nothing in this rule shall preclude the inclusion of recessed entrances within any facade.

(c) In the Town Centre Transition sub-zone, the minimum setback from road boundaries of any building shall be of 4.5 metres along the Man Street boundary.

(d) In the Lakeview sub-zone, the minimum setback of any building from boundaries shared with Glasgow Street shall be 4.5 metres.

(e) In the Isle Street sub-zone, no setback is permitted for any building from boundaries shared with Brecon Street. The maximum setback of any building from other road boundaries shall be 1.5 metres.

- (f) From the 17<sup>th</sup> September 2014 on any site involving the construction of a new building(s) in the Isle Street sub-zone there shall be no parking of vehicles in the front yard. In the Isle Street sub-zone there shall be no parking of vehicles in front yards.
- (g) In the Isle Street sub-zone, the minimum setback of any building from other site boundaries shall be 1.5 metres, the rear yard boundary shall be 6m.

## v Storage

Within the **Special Character Area** and for all sites with frontage to the following roads all storage areas shall be situated within the building.

- Shotover Street (Stanley to Hay)
- Camp Street
- Earl Street
- Marine Parade
- Stanley Street (Beetham to Man)
- Beach Street

In all other parts of this zone storage areas shall be screened from view from all public places, adjoining sites and adjoining zones.

## vi Verandas

- (a) Every building with road frontage to the roads listed below shall, on its erection or on being reconstructed or altered in a way that changes its external appearance other than repainting, be provided with a veranda or other means of weather protection.
- (b) Verandas shall be no higher than 3m above pavement level and of a width compatible with verandas on neighbouring buildings and shall provide continuous cover for pedestrians. No verandas on the north side of a public place or road shall extend over that

space by more than 2 m. Those verandas on the south side of roads shall not extend over the space by more than 3 m.

- Shotover Street (Stanley Street to Hay Street)
- Hay Street (Beach Street to Man Street)
- Beach Street
- Rees Street
- Camp Street (Church Street to Man Street)
- Brecon Street (Man Street to Shotover Street)
- Church Street (north west side)
- Queenstown Mall (Ballarat Street)
- Athol Street
- Stanley Street (Coronation Drive to Memorial Street)

## vii Residential Activities

- (a) Except in the Lakeview sub-zone for which site standards (d) and (e) apply and the Isle Street sub-zone for which site standard (e) applies, Any building or part of a building used for residential activities shall provide a separate outdoor living area for the exclusive use of each separate residential unit. The outdoor living area shall have a minimum area of 5m<sup>2</sup> and a least dimension of 2m. The outdoor living area must be located immediately adjoining and have direct access from the residential activity.
- (b) Residential activities shall not be situated at ground level in any building with frontage to the following roads.

- Stanley Street (Coronation Drive to Memorial Street)
- Camp Street (Man Street to Coronation Drive)
- Queenstown Mall (Ballarat Street)
- Church Street
- Marine Parade (north of Church Street)
- Beach Street
- Rees Street
- Shotover Street
- Brecon Street (Man Street to Earl Street)
- Athol Street
- Duke Street

(c) Except in the Lakeview sub-zone and the Isle Street sub-zone ~~Where~~ residential activities are proposed at ground level on a site with frontage to any other road in this zone, then an outdoor living area of 36m<sup>2</sup> and with a least dimension of 4 m shall be provided for each ground floor unit, except that:

- In Town Centre Transition sub-zone where residential activities are proposed at ground level on a site with frontage to a road, then an outdoor living area of 20m<sup>2</sup> and with a least dimension of 4m shall be provided for each ground floor unit.

This living area must be located immediately adjoining and have direct access from the residential building.

(d) In the Lakeview sub-zone residential activities shall not be located at ground level in locations identified as active frontages on Figure 2 Lakeview sub-zone Structure Plan.

(e) Residential Activity in the Lakeview sub-zone and the Isle Street sub-zone shall achieve the following noise insulation standard:

A mechanical ventilation system shall be installed for all critical listening environments in accordance with Table 1 in Appendix 13.

All elements of the façade of any critical listening environment shall have an airborne sound insulation of at least 40 dB Rw+Ctr determined in accordance with ISO 10140 and ISO 717-1.

## viii Flood Risk

No building greater than 20m<sup>2</sup> shall be constructed or relocated with a ground floor level less than RL 312.0m above sea level (412.0m Otago Datum) at Queenstown.

## ix Provision of Pedestrian Links

All new buildings and building redevelopments located on sites which are identified for pedestrian links in Figure 1 to this Rule shall provide a ground level pedestrian link in the general location shown. Any such link must be at least 1 metre wide and have an average minimum width of 2.5 m and be open to the public during all retailing hours.

Where a pedestrian link is required to be provided and is open to the public during retailing hours the Council will consider off-setting any such area against development levies and car parking requirements.

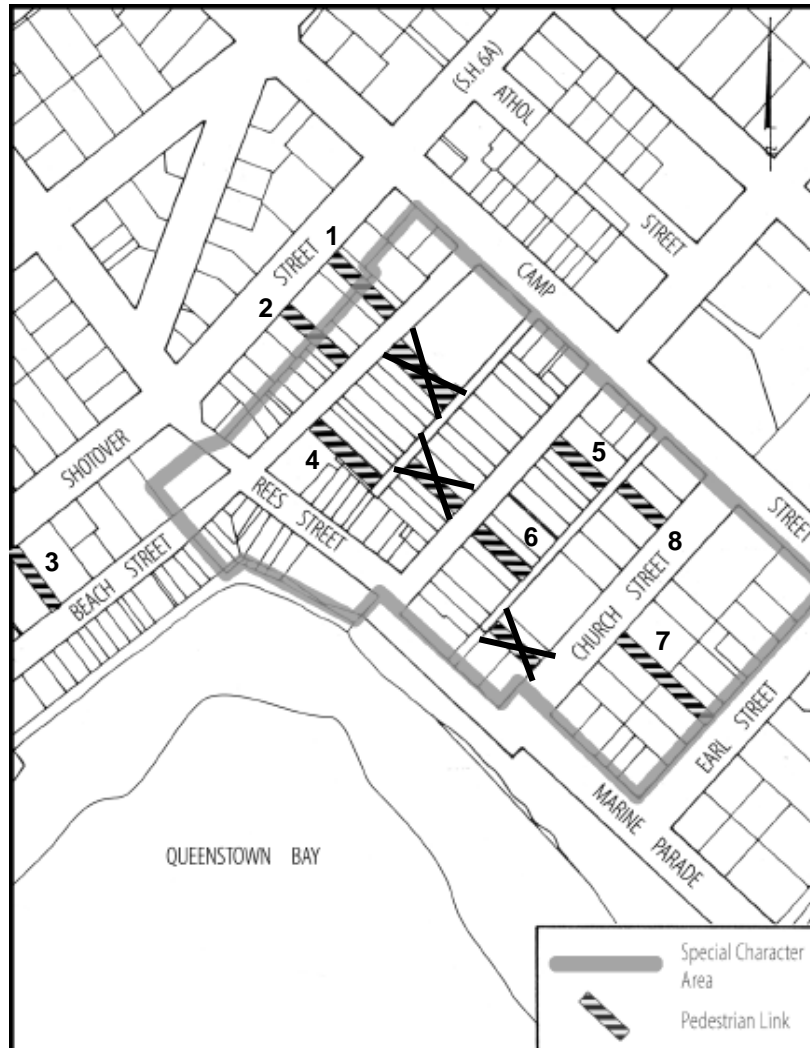
Nothing in this rule shall prevent a building or part of a building being constructed at first floor level over a pedestrian link.

## Location of Pedestrian Links within the Queenstown Town Centre.

- 1 Shotover St / Beach St, Lot 2 DP 16293, 2910645200. Lot 2 DP 11098 (2910648800), Lot 3 DP 1098 (2910648800), Sec 27 Blk VI Town of Queenstown (2910648800).
- 2 Trustbank Arcade (Shotover St/Beach St), Lot 1 DP 11098 (2910648700), Part Section 24 Block VI Queenstown (2910648700), Part Section 23 Block VI Town of Queenstown, (2910648700)
- 3 Plaza Arcade, Shotover St/Beach St, Section 27 BLK VI, Queenstown (2910648800.) Lot 1 DP 17661 (2910645900).
- 4 Cow Lane/Beach Street, Sec 30 Blk I Town of Queenstown.
- 5 Ballarat St/Searle Lane, Sections 1, 2, 3, 27, Pt 26b BLK II Queenstown, (2910504300).
- 6 Eureka Arcade, Ballarat Street/Searle Lane, Section 22 (2910503800) and part Sections 23 (2910503800) and 24 (2910504000) Block II, Queenstown.
- 7 Church St/Earl St, Sections 2, 3, 12, 13 BLK III, Queenstown, (2910504900).
- 8 Searle Lane/Church St, Sec 30 Blk II Town of Queenstown (2910503000).



**QUEENSTOWN TOWN CENTRE ZONE:  
PROVISION FOR PROTECTION OF PEDESTRIAN LINKS  
(FIGURE I)**



**x Earthworks [NOTE – TO BE REMOVED VIA SEPARATE COUNCIL PLAN CHANGE 49]**

The following limitations apply to all earthworks (as defined in this Plan), except for earthworks associated with a subdivision that has both resource consent and engineering approval.

**1. Earthworks**

- (a) The total volume of earthworks does not exceed **100m<sup>3</sup>** per site (within a 12 month period). For clarification of “volume”, see interpretative diagram 5.
- (b) The maximum area of bare soil exposed from any earthworks where the average depth is greater than 0.5m shall not exceed **200m<sup>2</sup>** in area within that site (within a 12 month period).
- (c) Where any earthworks are undertaken within 7m of a Water body the total volume shall not exceed **20m<sup>3</sup>** (notwithstanding provision 17.2.2).
- (d) No earthworks shall:
  - (i) expose any groundwater aquifer;
  - (ii) cause artificial drainage of any groundwater aquifer;
  - (iii) cause temporary ponding of any surface water.

**2. Height of cut and fill and slope**

- (a) The vertical height of any cut or fill shall not be greater than the distance of the top of the cut or the toe of the fill from the site boundary (see interpretative diagram 6). Except where the cut or fill is retained, in which case it may be located up to the boundary, if less or equal to 0.5m in height.
- (b) The maximum height of any cut shall not exceed 2.4 metres.

- (c) The maximum height of any fill shall not exceed 2 metres.

### 3. Environmental Protection Measures

- (a) Where vegetation clearance associated with earthworks results in areas of exposed soil, these areas shall be revegetated within 12 months of the completion of the operations.

- (b) Any person carrying out earthworks shall:

- (i) Implement erosion and sediment control measures to avoid soil erosion or any sediment entering any water body. Refer to the Queenstown Lakes District earthworks guideline to assist in the achievement of this standard.

- (ii) Ensure that any material associated with the earthworks activity is not positioned on a site within 7m of a water body or where it may dam or divert or contaminate water.

- (c) Any person carrying out earthworks shall implement appropriate dust control measures to avoid nuisance effects of dust beyond the boundary of the site. Refer to the Queenstown Lakes District earthworks guideline to assist in the achievement of this standard.

### 4. Protection of Archaeological sites and sites of cultural heritage

- (a) The activity shall not modify, damage or destroy any Waahi Tapu, Waahi Taoka or archaeological sites that are identified in Appendix 3 of the Plan, or in the Kai Tahu ki Otago Natural Resource Management Plan.

- (b) The activity shall not affect Ngai Tahu's cultural, spiritual and traditional association with land adjacent to or within Statutory Acknowledgment Areas.

### xi Building and Façade Height

- (a) In that area bound by Man, Brecon, Shotover and Hay streets but excluding the Town Centre Transition sub-zone and that land legally described as Sections 23, 24, 25 and 26 Block IX Town of Queenstown, the maximum building height shall be 12 metres above ground level and, in addition, no part of any building shall be more than 4 metres higher than the nearest point of Man Street (legal boundary of Man Street); and
- (b) In that area legally described as Sections 23, 24, 25 and 26 Block IX Town of Queenstown, the maximum building height shall be 12 metres above ground level and, in addition, no part of any building shall be more than 1.5 metres higher than the nearest point of Man Street (legal boundary of Man Street); and
- (c) Except in the Lakeview sub-zone and the Isle Street sub-zone No part of any building shall protrude through a recession line inclined towards the site at an angle of 45 degrees commencing from a line 10 metres above the street boundary.
- (d) In the Lakeview sub-zone, the maximum building height shall not exceed the height limits specified on Figure 3: Lakeview sub-zone Height Limit Plan.
- (e) In the Isle Street sub-zone, the maximum building height shall be 12m above ground level.
- (f) In the Lakeview and Isle Street sub-zones maximum building height limits may be exceeded by the use of a roof bonus

which provides for an additional maximum height of 2m. The roof bonus shall not enable an additional floor to be achieved. The roof bonus may be incorporated into the space of the upper-most floor level permitted by the maximum building height rule. Where the roof bonus is utilised no additional structures (including lift shafts) or plant or equipment shall be accommodated on top of the roof.

- (g) In the Lakeview sub-zone, no part of any building shall protrude through a recession line inclined towards the site at an angle of 25° commencing from a line 2.5 metres above the Glasgow Street boundary.
- (h) In the Lakeview sub-zone, no part of any building shall protrude through a recession line inclined towards the site at an angle of 45° commencing from a line 4.5 metres above the Thompson Street boundary.
- ~~(i) For all internal boundaries within the Isle Street sub-zone no part of any building shall protrude through a recession line inclined towards the site at an angle of 45° commencing from a line 5 metres above ground level of the site boundary for the Southern, Eastern and Western (and including North-western, South-western and South-east) boundaries of the site. There are no recession plane requirements for the northern/north-east property boundaries.~~
- (i) In the Isle Street sub-zone, on south and south western side boundaries of a site adjoining a building used for residential activities which had building consent issued on or before 17 September 2014:

- No part of any building above 8m in height shall be within 3.2m from the relevant boundary; and the roof bonus shall not apply within this 3.2m setback.
- This setback control does not apply where any building on an adjoining site has been issued building consent after 17 September 2014, in which case no side yard setback is required.

Refer to the building restriction area shown on Planning Map 36 and the interpretative diagrams contained in Appendix 4.

Note:

- Diagrammatic Profiles A, B and C show the effect of site standard (a) in an indicative diagram – site specific surveying is necessary to ascertain how the rules apply to any development on the site.
- Diagrammatic Profiles D and E show the effect of site standard (b) in an indicative diagram – site specific surveying is necessary to ascertain how the rules apply to any development on the site.

## **xii Premises licensed for the Sale of Liquor**

- (a) Premises within The Town Centre Transition sub-zone which are licensed for the sale of liquor under the Sale of Liquor Act 1989, for the consumption of liquor on the premises between the hours of 11pm and 7am with respect to the scale of the activity, car parking, retention of amenity, noise and hours of operation. This rule shall not apply to the sale of liquor.
  - To any person who is living on the premises;
  - To any person who is present on the premises for the purpose of dining.

### **xiii Lakeview sub-zone Structure Plan**

The layout of the Lakeview sub-zone shall be in general accordance with Figure 2: Lakeview sub-zone Structure Plan. Departures from Figure 2: Lakeview sub-zone Structure Plan shall not exceed 5m change in any direction. This 5m departure from the Structure Plan does not apply to the direct extensions of the existing widths and alignments of Isle Street (south westwards beyond Hay Street through to the intersection with Thompson Street) and Thompson Street (northwards beyond Man Street) into the Lakeview sub-zone, which shall be in general accordance with the Structure Plan.

The extension of Hay Street (and the Hay Street viewshaft) through the Lakeview sub-zone, as shown on the Structure Plan, shall not be developed, required or enforced while Designation 211 remains in place.

The Lakeview sub-zone Structure Plan does not preclude the widening of Thompson Street, including a corner splay, which may encroach the Lakeview sub-zone.

If there is a proposal to re-align Cemetery Road along the northern boundary of the sub-zone and connecting to Brecon Street then it is deemed that this shall not comprise an exceedance of this site standard.

Nothing in this rule shall provide for secondary view shaft identified on Figure 2: Lakeview sub-zone Structure Plan and sites in the western part of the Lakeview sub-zone to extend across the legal boundary of adjoining land to the west described as Lots 3 and 4 DP 9388 Deposited Plan 9388.

### **xiv Active Frontages in the Lakeview sub-zone**

For buildings in sites adjoining an active frontage.(refer Figure 2: Lakeview sub-zone Structure Plan) the following standards shall apply:

- (a) Buildings shall contribute to the enhancement of the appearance of the Lakeview sub-zone and retail activities by:
  - a. Providing at least 5m of the frontage width or 80% of the frontage width, whichever is greater, of clear glazing (or equivalent);
  - b. Being capable of use for displaying goods and services to passing pedestrians;
  - c. Not having painted, covered or otherwise altered clear glazed areas so as to render them ineffective in achieving the purpose of this rule;
  - d. Having a minimum ground floor internal floor to floor height of 4.5m above ground level.
  - e. Having a minimum ground floor internal depth of 8m from the active frontage.
- (b) Vehicular access across sites with active frontages shall not use any more than 10% of the defined active frontage.
- (c) The principal public entrance to a building shall be provided from the active frontage.
- (d) No residential activity shall be located on the ground floor of a building adjoining an active frontage.

### **xv Premises Licensed for the Sale of Liquor in the Lakeview sub-zone and the Isle Street sub-zone**

- (a) Sound from premises licensed for the sale of liquor measured in accordance with NZS 6801:2008 and assessed in accordance

with NZS 6802:2008 shall not exceed the following noise limits at any point within any other site in this zone:

- (i) night-time (2200 to 0800 hrs) 50 dB LAeq(15 min)
- (ii) night-time (2200 to 0800 hrs) 70 dB LAFmax
- (b) Sound from premises licensed for the sale of liquor which is received in another zone shall comply with the noise limits set in the zone standards for that zone.
- (c) The noise limits in (a) shall not apply to construction sound which shall be assessed in accordance and comply with NZS 6803:1999.
- (e) The noise limits in (a) shall not apply to sound from sources outside the scope of NZS 6802:2008. Sound from these sources shall be assessed in accordance with the relevant New Zealand Standard, either NZS 6805:1992, or NZS 6808:1998. For the avoidance of doubt the reference to airports in this clause does not include helipads other than helipads located within any land designated for Aerodrome Purposes in this Plan.

#### **xvi Visitor Accommodation in the Lakeview sub-zone and the Isle Street sub-zone**

Visitor Accommodation activities in the Lakeview sub-zone and the Isle Street sub-zone shall achieve the following noise insulation standard:

A mechanical ventilation system shall be installed for all critical listening environments in accordance with Table 1 in Appendix 13.

All elements of the façade of any critical listening environment shall have an airborne sound insulation of at least 40 dB Rw+Ctr determined in accordance with ISO 10140 and ISO 717-1.

### **10.6.5.2 Zone Standards**

#### **i Building and Facade Height**

- (a) The maximum building height shall be 12 m except that:
  - In the specific area identified on Planning Map No. 36 where the maximum height shall be 8m; and
  - For any buildings located on a wharf or jetty where the maximum height shall be 4 m above RL 312.0 masl (412.0m Otago Datum).
  - In Precinct 2 of the Special Character Area the maximum height shall be 8m;
  - In that area bound by Man, Brecon, Shotover and Hay streets but excluding the Town Centre Transitional sub-zone and that land legally described as Sections 23, 24, 25 and 26 Block IX Town of Queenstown, no part of any building shall be more than 4 metres higher than the nearest point of Man Street (legal boundary of Man Street);
  - In that area legally described as Sections 23, 24, 25 and 26 Block IX Town of Queenstown, the maximum building height shall be 12 metres above ground level and, in addition, no part of any building shall be more than 1.5 metres higher than the nearest point of Man Street (legal boundary of Man Street);
  - In the Town Centre Transitional sub-zone the maximum building height shall be 8m above ground level, provided that in addition any part of a building may extend up to the maximum permitted height at the nearest point of the sub-zone internal boundary.

~~• In the Isle Street sub-zone where:~~

~~a site is greater than 2,000m<sup>2</sup> in area; and~~  
~~has frontage to both Man Street and Isle Street~~

~~then the maximum building height shall be 15.5m above ground level.~~

- The maximum height for buildings on Lot 1 DP 15307 shall be defined by the measurements and images held with the electronic file described as Lot 1 DP 15307– Building Height. Refer Appendix 4 – Interpretative Diagrams, Diagram 8, except that the height of any lift or plant tower on Lot 1 DP 15307 shall be permitted to exceed this height limit by up to an additional 3 metres, provided that the area of that additional over-run shall have a total area of no more than 40m<sup>2</sup> and shall be located at least 10 metres from a road boundary.
- For land legally described as Sections 14, 15, 16, 17 Block VIII Town of Queenstown, Lots 1 and 2 DP 444132, and Lot 1 DP 7187 Zone Standard 7.5.5.3(v) will apply for all building heights.
- This rule does not apply to the Lakeview sub-zone.
- Refer to the building restriction area shown on Planning Map 36 and the interpretative diagrams contained in Appendix 4.

Note:

Diagrammatic Profiles A, B and C show the effect of zone standard (a) (fourth bullet point) in an indicative diagram – site specific surveying is necessary to ascertain how the rules apply to any development on the site

Diagrammatic Profiles D and E show the effect of zone standard (a) (fifth bullet point) in an indicative diagram – site specific surveying is necessary to ascertain how the rules apply to any development on the site

- (b) On that land bounded by Man, Duke and Brecon streets, the following shall apply in addition to (a) above:
  - No building shall protrude through a horizontal plane drawn at RL 332.20 masl (being 432.20 Otago datum), except that decorative parapets may encroach beyond this by a maximum of up to 0.9 metre. This rule shall not apply to any lift tower within a visitor accommodation development in this area, which exceeds the maximum height permitted for buildings by 1 metre or less; and
  - No part of any building shall protrude through a recession line inclined towards the site at an angle of 45° commencing from a line 10 metres above the street boundary.
  - Refer to the building restriction area shown on Planning Map 36 and the interpretative diagrams contained on Appendix 4.
- (c) In **Precinct 1** of the **Special Character Area**, the following shall apply in addition to (a) above:
  - the street front parapet shall be between 7.5 and 8.5m in height; and
  - no part of any building shall protrude through a recession line inclined towards the site at an angle of 45 degrees commencing from a line 7.5m above any street boundary.
- (d) In **Precinct 3** of the **Special Character Area** the following shall apply in addition to (a) above:

- For buildings on the south side of Beach Street the road frontage parapet height and the recession line shall be the same as for Precinct 1 of the Special Character Area.
- For buildings on the north side of Beach Street:
- the street front parapet shall be between 6.0 and 6.5m in height; and
- no part of any building, except a street front parapet shall protrude through a recession line inclined towards the site at an angle of 30 degrees commencing from a line 6.0m above any street boundary.

- (e) For all other sites within the zone where there is a 12 metre maximum building height, no part of any building shall protrude through a recession line inclined towards the site at an angle of 45 degrees commencing from a line 10m above the street boundary. This standard does not apply to the Lakeview sub-zone or the Isle Street sub-zone.

## ii Noise

- (a) Sound from activities measured in accordance with NZS 6801:2008 and assessed in accordance with NZS 6802:2008 shall not exceed the following noise limits at any point within any other site in this zone:
- |       |            |                    |                                 |
|-------|------------|--------------------|---------------------------------|
| (i)   | daytime    | (0800 to 2200 hrs) | 60 dB $L_{Aeq}(15 \text{ min})$ |
| (ii)  | night-time | (2200 to 0800 hrs) | 50 dB $L_{Aeq}(15 \text{ min})$ |
| (iii) | night-time | (2200 to 0800 hrs) | 70 dB $L_{AFmax}$               |

- (b) Sound from activities in the Town Centre Transition sub-zone and from activities located on land bounded by Hay Street, Man Street, Lake Street and Beach Street measured in accordance with NZS 6801:2008 and assessed in accordance with NZS 6802:2008 shall not exceed the following noise limits at any point within any other site in this zone:

- |       |            |                    |                                 |
|-------|------------|--------------------|---------------------------------|
| (i)   | daytime    | (0800 to 2200 hrs) | 50 dB $L_{Aeq}(15 \text{ min})$ |
| (ii)  | night-time | (2200 to 0800 hrs) | 40 dB $L_{Aeq}(15 \text{ min})$ |
| (iii) | night-time | (2200 to 0800 hrs) | 70 dB $L_{AFmax}$               |

- (c) Sound from activities which is received in another zone shall comply with the noise limits set in the zone standards for that zone.
- (d) The noise limits in (a) and (b) shall not apply to construction sound which shall be assessed in accordance and comply with NZS 6803: 1999.
- (e) The noise limits in (a) and (b) shall not apply to sound from sources outside the scope of NZS 6802:2008. Sound from these sources shall be assessed in accordance with the relevant New Zealand Standard, either NZS 6805:1992, or NZS 6808:1998. For the avoidance of doubt the reference to airports in this clause does not include helipads other than helipads located within any land designated for Aerodrome Purposes in this Plan.
- (f) These noise standards (a) through (e) do not apply to premises licensed for the sale of liquor in the Lakeview sub-zone or the Isle Street sub-zone at night-time (2200 to 0800 hrs) when site standard 10.6.5.1(xv) applies.

## iii Glare

- (a) All exterior lighting installed on sites or buildings within the zone shall be directed away from adjacent sites, roads and public places, except footpath or pedestrian link amenity lighting.
- (b) No activity in this zone shall result in a greater than 10 lux spill (horizontal or vertical) of light onto any property within the zone, measured at any point inside the boundary of any adjoining property.
- (c) No activity shall result in a greater than 3 lux spill (horizontal or vertical) of light onto any adjoining property which is zoned High Density Residential measured at any point more than 2m inside the boundary of the adjoining property.
- (d) All roofs of buildings shall be finished or treated so they do not give rise to glare when viewed from any public place or neighbouring property.

#### **iv Retail Activities in the Lakeview sub-zone and the Isle Street sub-zone**

- (i) Retail activities in the **Lakeview sub-zone** and the **Isle Street sub-zone** shall not exceed a maximum gross floor area of 400m<sup>2</sup> per tenancy.

#### **10.6.6 Resource Consents - Assessment Matters**

The Assessment Matters which apply to the consideration of resource consents in the Queenstown Town Centre Zone are specified in Rule 10.10



Figure 2 Lakeview sub-zone Structure Plan



Figure 3 Lakeview sub-zone Height Limit Plan



## 10.7 Wanaka Town Centre Zone Rules

### 10.7.1 Zone Purpose

The purpose of this zone is to recognise and preserve the significant elements which contribute to the character of the Wanaka town centre and to enhance those elements by encouraging the intensification of activity within the town centre rather than peripheral expansion of the centre.

The zone makes provision for a wide range of activities necessary to retain the importance of Wanaka's role as the dominant rural servicing centre in the Upper Clutha. The town centre is generally bounded by Ardmore Street, Brownston Street and Dungarvon Street.

### 10.7.2 District Rules

Attention is drawn to the following District Wide Rules which may apply in addition to any relevant Zone Rules. If the provisions of the District Wide Rules are not met then consent will be required in respect of that matter:

- |                                                               |                        |
|---------------------------------------------------------------|------------------------|
| (i) Heritage Protection                                       | - Refer Part 13        |
| (ii) Transport                                                | - Refer Part 14        |
| (iii) Subdivision, Development<br>and Financial Contributions | - <b>Refer Part 15</b> |
| (iv) Hazardous Substances                                     | - <b>Refer Part 16</b> |
| (v) Utilities                                                 | - Refer Part 17        |
| (vi) Signs                                                    | - Refer Part 18        |
| (vii) Relocated Buildings and Temporary Activities            | - Refer Part 19        |

### 10.7.3 Activities

#### 10.7.3.1 Permitted Activities

Any Activity which complies with all the relevant **Site** and **Zone** Standards and is not listed as a **Controlled, Discretionary, Non-Complying or Prohibited Activity** shall be a **Permitted Activity**.

#### 10.7.3.2 Controlled Activities

The following Activities shall be **Controlled Activities** provided that they are not listed as a **Prohibited, Non-Complying or Discretionary Activity** and they comply with all the relevant **Site and Zone** Standards. The matters in respect of which the Council has reserved control are listed with each **Controlled Activity**.

##### i Buildings

All buildings in respect of external appearance, materials, signage, lighting and impact on the streetscape.

##### ii Verandas

All verandas in respect of design, external appearance, materials and impact on and relationship to adjoining verandas.

##### iii Visitor Accommodation

Visitor Accommodation in respect of:

- (a) Building external appearance
- (b) Setback from internal boundaries

- (c) Setback from roads
- (d) Access
- (e) Landscaping
- (f) Screening of outdoor storage and parking areas.

### 10.7.3.3 Discretionary Activities

The following Activities shall be **Discretionary Activities** provided they are not listed as **Prohibited or Non-Complying Activity** and they comply with all the relevant **Zone** Standards.

#### i Premises Licensed for the Sale of Liquor

Premises licensed for the sale of liquor under the Sale of Liquor Act 1989, for the consumption of liquor on the premises between the hours of 11pm and 7am with the Council's discretion restricted to hours of operation and the effects on residential zones. This rule shall not apply to the sale of liquor:

- to any person who is living on the premises;
- to any person who is present on the premises for the purpose of dining.

- ii Any Activity which is not listed as a **Non-Complying or Prohibited Activity** and complies with all the **Zone Standards** but does comply with one or more of the **Site Standards** shall be a **Discretionary Activity** with the exercise of the Council's discretion being restricted to the matter(s) specified in the standard(s) not complied with.

### 10.7.3.4 Non Complying Activities

The following Activities shall be **Non-Complying Activities** provided that they are not listed as a Prohibited Activity.

- i **Factory Farming**
- ii **Forestry Activities**
- iii **Mining Activities**
- iv **Airport**

The take-off or landing of aircraft other than for emergency rescues or fire-fighting.

#### v Residential Flat

- vi Any Activity which is not listed as a **Prohibited Activity** and does not comply with one or more of the relevant **Zone** Standards.

### 10.7.3.5 Prohibited Activities

The following activities shall be **Prohibited Activities**

- i Panelbeating, spray painting, motor vehicle repair or dismantling, fibreglassing, sheet metal work, bottle or scrap storage, motorbody building or fish or meat processing, or any activity requiring an Offensive Trade Licence under the Health Act 1956.

### 10.7.4 Non-Notification of Applications

Any application for a resource consent for the following matters may be considered without the need to obtain the written approval of affected persons and need not be notified in accordance with Section 93 of the Resource Management Act 1991, unless the Council considers special circumstances exist in relation to any such application.

- (i) All applications for **Controlled** Activities.
- (ii) Applications for the exercise of the Council's discretion in respect of the following **Site** Standards:

- **Building Coverage**
- **Residential Activities**

## **10.7.5 Standards**

### **10.7.5.1 Site Standards**

#### **i Building Coverage**

Maximum building coverage - 80%

#### **ii Setback from Internal Boundaries**

Where the site adjoins a Low Density Residential or High Density Residential Zone or public open space the setback shall be 4.5m.

#### **iii Retailing**

The use of the ground floor fronting onto the street of every building fronting Helwick Street shall be limited to retail activities, restaurants, pedestrian accessways to other ground floor activities and entrances to independent businesses above ground floor.

#### **iv Street Scene**

##### **(a) Setback of Buildings**

Buildings shall be built up to the street boundary along the full street frontage of the site except where a pedestrian link is provided. Nothing in this rule shall preclude the inclusion of recessed entrances within any facade up to a depth of 1.5m and a width of 2m.

##### **(b) Minimum Facade Height**

The minimum street facade of all buildings within the zone shall be 3m.

#### **(c) Setback of buildings adjoining open spaces**

All buildings adjoining public open spaces, other than formed roads, shall be set back not less than 4.5m from the site boundary.

#### **v Storage**

For all buildings with frontage to Helwick Street, Dunmore Street and Ardmore Street (west of Bullock Creek) storage areas shall be situated within the building or accessed from a service lane at the rear of the property.

In all other parts of this Zone storage areas shall be screened from view from all public places and adjoining zones by a solid fence of not less than 2m height.

#### **vi Sunlight and Outlook of Residential Neighbours**

Buildings within this zone shall not project beyond a recession line constructed at an angle of 34° inclined towards the site from points 3m above Low Density Residential or High Density Residential Zone boundaries. Except that gable ends may project beyond the recession line where the maximum height of the gable end is no greater than 2.5m above the recession line.

#### **vii Verandas**

Every building with road frontage to Helwick Street, Dunmore Street and Ardmore Street shall, on its erection or on being reconstructed or altered in a way that substantially changes its external appearance, be provided with a veranda which shall be situated no higher than 3m above pavement level and shall provide continuous cover for pedestrians.

#### **viii Residential Activities**

All residential activities shall be restricted to first floor level or above.



Any building or part of a building used for residential activities shall provide a separate outdoor living area for the exclusive use of each separate residential unit. The outdoor living area shall have a minimum area of 5m<sup>2</sup> and a least dimension of 2m. This living area must be located immediately adjacent to and have direct access from the residential unit.

#### ix Flood Risk

No building greater than 20m<sup>2</sup> shall be constructed or relocated with a ground floor level less than RL 281.9masl (381.9m Otago Datum) at Wanaka.

\* Note: This ground floor minimum includes 1.3 metres to allow for wave action where necessary

#### x Earthworks [NOTE – TO BE REMOVED VIA SEPARATE COUNCIL PLAN CHANGE 49]

The following limitations apply to all earthworks (as defined in this Plan), except for earthworks associated with a subdivision that has both resource consent and engineering approval.

##### 1. Earthworks

(a) The total volume of earthworks does not exceed **100m<sup>3</sup>** per site (within a 12 month period). For clarification of “volume”, see interpretative diagram 5.

(b) The maximum area of bare soil exposed from any earthworks where the average depth is greater than 0.5m shall not exceed **200m<sup>2</sup>** in area within that site (within a 12 month period).

(c) Where any earthworks are undertaken within 7m of a Water body the total volume shall not exceed **20m<sup>3</sup>** (notwithstanding provision 17.2.2).

(d) No earthworks shall:

- (i) expose any groundwater aquifer;
- (ii) cause artificial drainage of any groundwater aquifer;
- (iii) cause temporary ponding of any surface water.

##### 2. Height of cut and fill and slope

(a) The vertical height of any cut or fill shall not be greater than the distance of the top of the cut or the toe of the fill from the site boundary (see interpretative diagram 6). Except where the cut or fill is retained, in which case it may be located up to the boundary, if less or equal to 0.5m in height.

(b) The maximum height of any cut shall not exceed 2.4 metres.

(c) The maximum height of any fill shall not exceed 2 metres.

##### 3. Environmental Protection Measures

(a) Where vegetation clearance associated with earthworks results in areas of exposed soil, these areas shall be revegetated within 12 months of the completion of the operations.

(b) Any person carrying out earthworks shall:

- (i) Implement erosion and sediment control measures to avoid soil erosion or any sediment entering any water body. Refer to the Queenstown Lakes District earthworks guideline to assist in the achievement of this standard.

- (ii) Ensure that any material associated with the earthworks activity is not positioned on a site within 7m of a water body or where it may dam or divert or contaminate water.

- (c) Any person carrying out earthworks shall implement appropriate dust control measures to avoid nuisance effects of dust beyond the boundary of the site. Refer to the Queenstown Lakes District earthworks guideline to assist in the achievement of this standard.

#### 4. Protection of Archaeological sites and sites of cultural heritage

- (a) The activity shall not modify, damage or destroy any Waahi Tapu, Waahi Taoka or archaeological sites that are identified in Appendix 3 of the Plan, or in the Kai Tahu ki Otago Natural Resource Management Plan.
- (b) The activity shall not affect Ngai Tahu's cultural, spiritual and traditional association with land adjacent to or within Statutory Acknowledgment Areas.

### 10.7.5.2 Zone Standards

#### i Building and Facade Height

The maximum building height shall be:

- 8m to the eave line
- 10m to the ridge line.

#### ii Noise

- (a) Sound from activities measured in accordance with NZS 6801:2008 and assessed in accordance with NZS 6802:2008 shall not exceed the following noise limits at any point within any other site in this zone:

- (i) daytime (0800 to 2200 hrs) 60 dB  $L_{Aeq(15 \text{ min})}$
- (ii) night-time (2200 to 0800 hrs) 50 dB  $L_{Aeq(15 \text{ min})}$
- (iii) night-time (2200 to 0800 hrs) 70 dB  $L_{AFmax}$

- (b) Sound from activities which is received in another zone shall comply with the noise limits set in the zone standards for that zone.
- (c) The noise limits in (a) shall not apply to construction sound which shall be assessed in accordance and comply with NZS 6803:1999.
- (d) The noise limits in (a) shall not apply to sound associated with airports or windfarms. Sound from these sources shall be assessed in accordance and comply with the relevant New Zealand Standard, either NZS 6805:1992, or NZS 6808:1998. For the avoidance of doubt the reference to airports in this clause does not include helipads other than helipads located within any land designated for Aerodrome Purposes in this Plan.

#### iii Glare

- (a) All exterior lighting installed on sites or buildings within the shall be directed away from adjacent sites, roads and public places, except footpath or pedestrian link amenity lighting.
- (b) No activity shall result in a greater than 10 lux spill (horizontal or vertical) of light onto any adjoining property within the Zone, measured at any point inside the boundary of any adjoining property.
- (c) No activity shall result in a greater than 3 lux spill (horizontal or vertical) of light onto any adjoining property which is zoned Low Density Residential or High Density Residential measured at any point more than 2m inside the boundary of the adjoining property.

- (d) All roofs of buildings shall be finished or treated so they do not give rise to glare when viewed from any public place or neighbouring property.

#### iv Service Lanes

Any development, redevelopment or substantial alteration of any site or property within this zone shall make provision for such service lane or through-site pedestrian access as indicated on Planning Map No. 21. Such provision shall be taken into account in the assessment of development levies applicable to the development, redevelopment or alteration. Service lanes shall be subdivided and vested in the Council.

### 10.7.6 Resource Consents - Assessment Matters

The resource consent Assessment Matters which apply to the consideration of resource consents in the Wanaka Town Centre Zone are specified in Rule 10.10.

## 10.8 Arrowtown Town Centre Zone Rules

### 10.8.1 Zone Purpose

The Town Centre covers the area of land bounded by Berkshire Street, Ramshaw Lane, Wiltshire Street and Arrow Lane.

The purpose of this zone is to recognise and conserve the significant physical and natural resources which contribute to the character of the town centre and enhance these by encouraging compatible land use activities and an intensification of activity rather than permitting peripheral expansion. In addition, the zone provisions seek to enhance those elements which give rise to the particular sense of place, building scale and atmosphere that is characteristic of Arrowtown.

The zone makes provision for a wide range of activities necessary to retain the Arrowtown's role as a major visitor attraction and as a centre servicing the day to day needs of the resident population.

### 10.8.2 District Rules

Attention is drawn to the following District Wide Rules which may apply in addition to any relevant Zone Rules. If the provisions of the District Wide Rules are not met then consent will be required in respect of that matter:

- |                                                            |                 |
|------------------------------------------------------------|-----------------|
| (i) Heritage Protection                                    | - Refer Part 13 |
| (ii) Transport                                             | - Refer Part 14 |
| (iii) Subdivision, Development and Financial Contributions | - Refer Part 15 |
| (iv) Hazardous Substances                                  | - Refer Part 16 |
| (v) Utilities                                              | - Refer Part 17 |
| (vi) Signs                                                 | - Refer Part 18 |
| (vii) Relocated Buildings and Temporary Activities         | - Refer Part 19 |

### 10.8.3 Activities

#### 10.8.3.1 Permitted Activities

Any Activity which complies with all the relevant **Site** and **Zone** Standards and is not listed as a **Controlled, Discretionary, Non-Complying or Prohibited Activity** shall be a **Permitted Activity**.

#### 10.8.3.2 Controlled Activities

The following Activities shall be **Controlled Activities** provided they are not listed as a **Prohibited, Non-Complying or Discretionary Activity** and they comply with all the relevant **Site and Zone** Standards. The matters in respect of which the Council has reserved control are listed with each **Controlled Activity**.

##### i Verandas

All verandas in respect of design, external appearance, materials and impact on and relationship to adjoining verandas.



## ii Visitor Accommodation

Visitor Accommodation in respect of:

- (a) Building external appearance
- (b) Setback from internal boundaries
- (c) Setback from roads
- (d) Access
- (e) Landscaping
- (f) Screening of outdoor storage and parking areas.

### 10.8.3.3 Discretionary Activities

The following Activities shall be **Discretionary Activities** provided they are not listed as a **Prohibited or Non-Complying Activity** and they comply with all the relevant **Zone** Standards.

#### i Premises Licensed for the Sale of Liquor

Premises licensed for the sale of liquor under the Sale of Liquor Act 1989 for the consumption of liquor on the premises between the hours of 11pm and 7am with the Council's discretion restricted to hours of operation and the effects on residential zones. This rule shall not apply to the sale of liquor:

- to any person who is living on the premises;
- to any person who is present on the premises for the purpose of dining.

#### ii Buildings

All new buildings including external alterations to existing buildings, with the Council's discretion restricted to the external appearance, materials, signage, lighting, streetscape, relationship to heritage values, compatibility with adjoining buildings and the retention of pedestrian linkages between Arrow Lane, Buckingham Street and Ramshaw Lane.

- iii Any Activity which is not listed as a **Non-Complying or Prohibited Activity** and complies with all the **Zone Standards** but does comply with one or more of the **Site Standards** shall be a **Discretionary Activity** with the exercise of the Council's discretion being restricted to the matter(s) specified in the standard(s) not complied with.

### 10.8.3.4 Non-Complying Activities

The following Activities shall be **Non-Complying Activities** provided they are not listed as a Prohibited Activity.

#### i Factory Farming

#### ii Forestry Activities

#### iii Mining Activities

#### iv Airport

The take-off or landing of aircraft other than for emergency rescues or fire-fighting.

#### v Residential Flat

- vi Any Activity which is not listed as a **Prohibited Activity** and does not comply with one or more of the relevant **Zone** Standards.

### 10.8.3.5 Prohibited Activities

The following activities shall be **Prohibited Activities**

- i Panelbeating, spray painting, motor vehicle repair or dismantling, fibreglassing, sheet metal work, bottle or scrap storage, motorbody building or fish or meat processing or any activity requiring an Offensive Trade Licence under the Health Act 1956.

#### 10.8.4 Non-Notification of Applications

Any application for a resource consent for the following matters may be considered without the need to obtain the written approval of affected persons and need not be notified in accordance with Section 93 of the Resource Management Act 1991, unless the Council considers special circumstances exist in relation to any such application.

- i All applications for **Controlled** Activities.
- ii Application for the exercise of the Council's discretion in respect of the following **Site** Standards:
  - **Building Coverage**
  - **Residential Activities.**

#### 10.8.5 Standards

##### 10.8.5.1 Site Standards

##### i Building Coverage

Maximum building coverage 90%

##### ii Setback from Internal Boundaries

There shall be a setback of 3m from any rear boundary.

##### iii Retailing

The use of the ground floor of every building fronting onto that section of Buckingham Street located within the Zone shall be limited to retail activities, places of entertainment, pedestrian access to other ground floor activities, restaurants, the reception area of visitor accommodation and to the entrance to independent businesses above ground floor level.

##### iv Street Scene

The minimum street facade of all buildings within the zone shall be 3m.

##### v Outdoor Storage

For all buildings with frontage to Buckingham Street storage areas shall be situated within the building or accessed from a service lane at the rear of the property.

Where a storage area does not form part of a building the storage area shall be screened from view from all public places and adjoining zones by a solid fence of not less than 2m height.

##### vi Sunlight and Outlook of Residential Neighbours

Buildings within this zone shall not project beyond a recession line constructed at an angle of 35° inclined towards the site from points 5m above the site boundaries. Except that gable ends may project beyond the recession line where the maximum height of the gable end is no greater than 2m above the recession line.

##### vii Residential Activities

All residential activities shall be restricted to first floor level or above. Any building or part of a building used for residential activities shall provide a separate outdoor living area for the exclusive use of each separate residential unit. The outdoor living area shall have a minimum area of 5m<sup>2</sup> a least dimension of 2m. This living area must be located immediately adjacent to and have direct access from the residential unit.

##### viii Loading

Notwithstanding the requirements in Rule 14 (Transport) concerning the provision of loading spaces, there shall be no vehicle access to any loading or storage space from Buckingham Street, except where there is

no practical alternative access available from Ramshaw Lane or Arrow Lane.

#### ix Earthworks [NOTE – TO BE REMOVED VIA SEPARATE COUNCIL PLAN CHANGE 49]

The following limitations apply to all earthworks (as defined in this Plan), except for earthworks associated with a subdivision that has both resource consent and engineering approval.

##### 1. Earthworks

- (a) The total volume of earthworks does not exceed **100m<sup>3</sup>** per site (within a 12 month period). For clarification of “volume”, see interpretative diagram 5.
- (b) The maximum area of bare soil exposed from any earthworks where the average depth is greater than 0.5m shall not exceed **200m<sup>2</sup>** in area within that site (within a 12 month period).
- (c) Where any earthworks are undertaken within 7m of a Water body the total volume shall not exceed **20m<sup>3</sup>** (notwithstanding provision 17.2.2).
- (d) No earthworks shall:
  - (i) expose any groundwater aquifer;
  - (ii) cause artificial drainage of any groundwater aquifer;
  - (iii) cause temporary ponding of any surface water.

##### 2. Height of cut and fill and slope

- (a) The vertical height of any cut or fill shall not be greater than the distance of the top of the cut or the toe of the fill from the site boundary (see interpretative diagram 6). Except where

the cut or fill is retained, in which case it may be located up to the boundary, if less or equal to 0.5m in height.

- (b) The maximum height of any cut shall not exceed 2.4 metres.
- (c) The maximum height of any fill shall not exceed 2 metres.

##### 3. Environmental Protection Measures

- (a) Where vegetation clearance associated with earthworks results in areas of exposed soil, these areas shall be revegetated within 12 months of the completion of the operations.
- (b) Any person carrying out earthworks shall:
  - (i) Implement erosion and sediment control measures to avoid soil erosion or any sediment entering any water body. Refer to the Queenstown Lakes District earthworks guideline to assist in the achievement of this standard.
  - (ii) Ensure that any material associated with the earthworks activity is not positioned on a site within 7m of a water body or where it may dam or divert or contaminate water.
- (c) Any person carrying out earthworks shall implement appropriate dust control measures to avoid nuisance effects of dust beyond the boundary of the site. Refer to the Queenstown Lakes District earthworks guideline to assist in the achievement of this standard.

##### 4. Protection of Archaeological sites and sites of cultural heritage

- (a) The activity shall not modify, damage or destroy any Waahi Tapu, Waahi Taoka or archaeological sites that are identified

in Appendix 3 of the Plan, or in the Kai Tahu ki Otago Natural Resource Management Plan.

- (b) The activity shall not affect Ngai Tahu's cultural, spiritual and traditional association with land adjacent to or within Statutory Acknowledgment Areas.

### 10.8.5.2 Zone Standards

#### i Building Height

The maximum building height shall be 7m.

#### ii Noise

- (a) Sound from activities measured in accordance with NZS 6801:2008 and assessed in accordance with NZS 6802:2008 shall not exceed the following noise limits at any point within any other site in this zone:
- |       |            |                    |                    |
|-------|------------|--------------------|--------------------|
| (i)   | daytime    | (0800 to 2200 hrs) | 60 dB LAeq(15 min) |
| (ii)  | night-time | (2200 to 0800 hrs) | 50 dB LAeq(15 min) |
| (iii) | night-time | (2200 to 0800 hrs) | 70 dB LAfmax       |
- (b) Sound from activities which is received in another zone shall comply with the noise limits set in the zone standards for that zone.
- (c) The noise limits in (a) shall not apply to construction sound which shall be assessed in accordance and comply with NZS 6803:1999.
- (d) The noise limits in (a) shall not apply to sound associated with airports or windfarms. Sound from these sources shall be assessed in accordance and comply with the relevant New Zealand Standard, either NZS 6805:1992, or NZS 6808:1998.

For the avoidance of doubt the reference to airports in this clause does not include helipads other than helipads located within any land designated for Aerodrome Purposes in this Plan.

#### iii Glare

- (a) All exterior lighting installed on sites or buildings within the zone shall be directed away from adjacent sites, roads and public places, except footpath or pedestrian link amenity lighting.
- (b) No activity in this zone shall result in a greater than 10 lux spill (horizontal or vertical) of light onto any property within the zone, measured at any point inside the boundary of any adjoining property.
- (c) No activity shall result in a greater than 3 lux spill (horizontal or vertical) of light onto any adjoining property which is zoned Residential Arrowtown Historic Management or Low Density Residential measured at any point more than 2m inside the boundary of the adjoining property.
- (d) All roofs of buildings shall be finished or treated so they do not give rise to glare when viewed from any public place or neighbouring property.

### 10.8.6 Resource Consents - Assessment Matters

The Assessment Matters which apply to the consideration of resource consents in the Arrowtown Town Centre Zone are specified in Rule 10.10.

## 10.9 Corner Shopping Centre Zones Rule

### 10.9.1 Zone Purpose

The purpose of the zone is to provide convenient access to goods and services, community activities and local opportunities for employment. No expansion of the zone is proposed and the zone will continue to accommodate business activities of a modest scale. It is recognised the

activity structure of the centre may change and convert to a range of uses including residential, office and retail as appropriate.

## 10.9.2 District Rules

Attention is drawn to the following District Wide Rules which may apply in addition to any relevant Zone Rules. If the provisions of the District Wide Rules are not met, then consent will be required in respect of that matter:

- |                                                            |                 |
|------------------------------------------------------------|-----------------|
| (i) Heritage Protection                                    | - Refer Part 13 |
| (ii) Transport                                             | - Refer Part 14 |
| (iii) Subdivision, Development and Financial Contributions | - Refer Part 15 |
| (iv) Hazardous Substances                                  | - Refer Part 16 |
| (v) Utilities                                              | - Refer Part 17 |
| (vi) Signs                                                 | - Refer Part 18 |
| (vii) Relocated Buildings and Temporary Activities         | - Refer Part 19 |

## 10.9.3 Activities

### 10.9.3.1 Permitted Activities

Any Activity which complies with all the relevant **Site** and **Zone** Standards and is not listed as a **Controlled, Discretionary, Non-Complying or Prohibited Activity** shall be a **Permitted Activity**.

### 10.9.3.2 Controlled Activities

The following Activities shall be **Controlled Activities** provided that they are not listed as a **Prohibited, Non-Complying or Discretionary Activity** and they comply with all the relevant **Site and Zone** Standards. The matters in respect of which the Council has reserved control are listed with each **Controlled Activity**.

#### i Buildings

All buildings in respect of external appearance, signage, lighting, materials and impact on the streetscape.

#### ii Verandas

All verandas in respect of design, materials, external appearance and impact on and relationship to adjoining verandas.

### 10.9.3.3 Discretionary Activities

The following Activities shall be **Discretionary Activities** provided that they are not listed as a **Prohibited or Non-Complying Activity** and they comply with all the relevant **Zone** Standards.

#### i Visitor Accommodation

Visitor Accommodation.

#### ii Premises Licensed for the Sale of Liquor

Premises licensed for the sale of liquor under the Sale of Liquor Act 1989, for the consumption of liquor on the premises between the hours of 11pm and 7am with the Council's discretion restricted to hours of operation and the effects on residential zones. This rule shall not apply to the sale of liquor:

- to any person living on the premises;
- to any person present on the premises for the purpose of dining.

#### iii Any Activity which is not listed as a **Non-Complying or Prohibited Activity** and complies with all the **Zone Standards** but does comply with one or more of the **Site Standards** shall be a **Discretionary Activity** with the exercise of the Council's discretion being restricted to the matter(s) specified in the standard(s) not complied with.

### 10.9.3.4 Non-Complying Activities

The following Activities shall be **Non-Complying Activities** provided they are not listed as a Prohibited Activity.

- i **Factory Farming**
- ii **Forestry Activities**
- iii **Mining Activities**
- iv **Airport**

The take-off or landing of aircraft other than for emergency rescues or fire-fighting.

- v **Residential Flat**
- vi Any Activity which is not listed as a **Prohibited Activity** and does not comply with one or more of the relevant **Zone** Standards.

#### 10.9.3.5 Prohibited Activities

The following activities shall be **Prohibited Activities**

- i Panelbeating, spray painting, motor vehicle repair or dismantling, fibreglassing, sheet metal work, bottle or scrap storage, motorbody building or fish or meat processing, or any activity requiring an Offensive Trade Licence under the Health Act 1956.

#### 10.9.4 Non-Notification of Applications

Any application for a resource consent for the following matters may be considered without the need to obtain the written approval of affected persons and need not be notified in accordance with section 93 of the Resource Management Act 1991, unless the Council considers special circumstances exist in relation to any such application.

- i All applications for **Controlled** Activities.
- ii Applications for the exercise of the Council's discretion in respect of the following **Site** Standards:
  - **Building Coverage**
  - **Residential Activities**

#### 10.9.5 Standards

##### 10.9.5.1 Site Standards

- i **Building Coverage**

Maximum building coverage - 75%.

- ii **Setback from Internal Boundaries**

Where the site adjoins a Low Density Residential or High Density Residential Zone or public open space the setback shall be 4.5m.

- iii **Street Scene**

Buildings shall be built up to the street boundary along the full street frontage of the site except where a pedestrian link is provided. Nothing in this rule shall preclude the inclusion of recessed entrances within any facade up to a depth of 1.5m and a width of 2m.

- iv **Storage**

All storage areas shall be screened from view from all public places and adjoining zones by a solid fence of not less than 2m height.

- v **Residential Activities**

All residential activities shall be restricted to first floor level or above.

Any building or part of a building used for residential activities shall provide a separate outdoor living area for the exclusive use of each separate residential unit. The outdoor living area shall have a minimum area of 5m<sup>2</sup> and a least dimension of 2m. This living area must be located immediately adjacent to and have direct access from the residential unit.

#### vi Earthworks [NOTE – TO BE REMOVED VIA SEPARATE COUNCIL PLAN CHANGE 49]

The following limitations apply to all earthworks (as defined in this Plan), except for earthworks associated with a subdivision that has both resource consent and engineering approval.

##### 1. Earthworks

(a) The total volume of earthworks does not exceed **100m<sup>3</sup>** per site (within a 12 month period). For clarification of “volume” see interpretative diagram 5.

(b) The maximum area of bare soil exposed from any earthworks where the average depth is greater than 0.5m shall not exceed **200m<sup>2</sup>** in area within that site.

(c) Where any earthworks are undertaken within 7m of a Water body the total volume shall not exceed **20m<sup>3</sup>** (notwithstanding provision 17.2.2).

(d) No earthworks shall:

- (i) expose any groundwater aquifer;
- (ii) cause artificial drainage of any groundwater aquifer;
- (iii) cause temporary ponding of any surface water.

##### 2. Height of cut and fill and slope

(a) The height of any cut or fill shall not be greater than the distance of the cut or fill from the site boundary (see interpretative diagram 6). Except where the cut or fill is retained, in which case it may be located up to the boundary, if less or equal to 0.5m in height.

(b) The maximum height of any cut shall not exceed 2.4 metres.

(c) The maximum height of any fill shall not exceed 2 metres.

##### 3. Environmental Protection Measures

(a) Where vegetation clearance associated with earthworks results in areas of exposed soil, these areas shall be revegetated within 12 months of the completion of the operations.

(b) Any person carrying out earthworks shall:

(i) Implement erosion and sediment control measures to avoid soil erosion or any sediment entering any water body. Refer to the Queenstown Lakes District earthworks guideline to assist in the achievement of this standard.

(ii) Ensure that any material associated with the earthworks activity is not positioned on a site within 7m of a water body or where it may dam or divert or contaminate water.

(c) Any person carrying out earthworks shall implement appropriate dust control measures to avoid nuisance effects of dust beyond the boundary of the site. Refer to the Queenstown Lakes District earthworks guideline to assist in the achievement of this standard.

##### 4. Protection of Archaeological sites and sites of cultural heritage

(a) The activity shall not interfere with or destroy any Waahi Tapu, Waahi Taoka or archaeological sites that are identified in Appendix 3 of the Plan, or in the Kai Tahu ki Otago Natural Resource Management Plan.

- (b) The activity shall not affect Ngai Tahu's cultural, spiritual and traditional association with land adjacent to or within Statutory Acknowledgment Areas.

### 10.9.5.2 Zone Standards

#### i Building Height

The maximum building height shall be 8 m.

#### ii Noise

- (a) Sound from activities measured in accordance with NZS 6801:2008 and assessed in accordance with NZS 6802:2008 shall not exceed the following noise limits at any point within any other site in this zone:
- |       |            |                    |                    |
|-------|------------|--------------------|--------------------|
| (i)   | daytime    | (0800 to 2200 hrs) | 60 dB LAeq(15 min) |
| (ii)  | night-time | (2200 to 0800 hrs) | 50 dB LAeq(15 min) |
| (iii) | night-time | (2200 to 0800 hrs) | 70 dB LAFmax       |
- (b) Sound from activities which is received in another zone shall comply with the noise limits set in the zone standards for that zone.
- (c) The noise limits in (a) shall not apply to construction sound which shall be assessed in accordance and comply with NZS 6803:1999.
- (d) The noise limits in (a) shall not apply to sound associated with airports or windfarms. Sound from these sources shall be assessed in accordance and comply with the relevant New Zealand Standard, either NZS 6805:1992, or NZS 6808:1998. For the avoidance of doubt the reference to airports in this clause does not include helipads other than helipads located within any land designated for Aerodrome Purposes in this Plan.
- (e) The noise limits in (a) shall not apply to sound from aircraft operations at Queenstown Airport.

#### iii Glare

- (a) All exterior lighting installed on sites or buildings within the zone shall be directed away from adjacent sites, roads and public places, except footpath or pedestrian link amenity lighting.
- (b) No activity shall result in a greater than 10 lux spill (horizontal or vertical) of light onto any adjoining property within the zone, measured at any point inside the boundary of any adjoining property.
- (c) No activity shall result in a greater than 3 lux spill (horizontal or vertical) of light onto any adjoining property which is zoned Low Density Residential or High Density Residential measured at any point more than 2m inside the boundary of the adjoining property.
- (d) All roofs of buildings shall be finished or treated so they do not give rise to glare when viewed from any public place or neighbouring property.

### 10.9.6 Resource Consents - Assessment Matters

The resource consent Assessment Matters which apply to the consideration of resource consents in the Corner Shopping Centre Zones are specified in Rule 10.10.



## 10.10 Resource Consents - Assessment Matters:

### Queenstown, Wanaka, Arrowtown Town Centre Zones, Corner Shopping Centre Zones:

#### 10.10.1 General

- i The Assessment Matters are other methods or matters included in the District Plan, in order to enable the Council to implement the Plan's policies and fulfil its functions and duties under the Act.
- ii In considering resource consents for land use activities, in addition to the applicable provisions of the Act, the Council shall apply the relevant *Assessment Matters* set out in Clause 10.10.2 below.
- iii In the case of *Controlled and Discretionary Activities*, where the exercise of the Council's discretion is restricted to the matter(s) specified in a particular standard(s) only, the assessment matters taken into account shall only be those relevant to that/these standard(s).
- iv In the case of *Controlled Activities*, the assessment matters shall only apply in respect to *conditions* that may be imposed on a consent.
- v Where an activity is a *Discretionary Activity* because it does not comply with one or more relevant Site Standards, but is also specified as a *Controlled Activity* in respect of other matter(s), the Council shall also apply the relevant assessment matters for the Controlled Activity when considering the imposition of conditions on any consent to the discretionary activity.

#### 10.10.2 Assessment Matters

In considering whether or not to grant consent or impose conditions, the Council shall have regard to, but not be limited by, the following assessment matters:

#### i Building Height

- (a) Whether any earthworks have been carried out on the site prior to the date of notification, 10 October 1995, that have lowered the level of the site.
- (b) Whether there are rules requiring the site to be built up.
- (c) With regard to proposals that breach one or more zone standard(s) and for the Lakeview sub-zone and the Isle Street sub-zone proposals that breach site standards 10.6.5.1 (xi) and 10.6.5.1(i)(d) and (e) whether and the extent to which the proposal will facilitate the provision of a range of Residential Activity that contributes to housing affordability in the District.

Note: Assessment matter 10.10.2(i)(c) provides guidance as to the circumstances where resource consents shall be assessed against the objective and policies of 4.10.1 of the District Plan.

#### ii Controlled Activities - Buildings - Wanaka Town Centre

Conditions may be imposed to ensure:

- (a) The design of the building blends well with and contributes to an integrated built form.
- (b) The external appearance of the building is sympathetic to the surrounding natural and built environment. The use of stone, schist, plaster or natural timber is encouraged below the roof line.
- (c) The roof line reflects and complements the surrounding topography. The pitch of roofs, except in the case of canopies, verandas or where existing buildings needed to be matched, should be between 25°-45° from the horizontal.

- (d) The views along a street or of an outstanding natural feature have been taken into account.
- (e) The building facade reflects the importance of open space on to which it fronts, and the detail of the facade is sympathetic to other buildings in the vicinity, having regard to:

Building materials

Glazing treatment

Symmetry

External appearance

Vertical and horizontal emphasis

#### **Controlled Activities Rule 10.6.3.2(vi) - Buildings - Queenstown Town Centre Lakeview sub-zone**

#### **Urban Design Principles (refer Rule 10.6.3.2(vi)(d))**

##### **1. Public Spaces**

- The design of buildings fronting parks and the Square contribute to the amenity of the public spaces.
- The relationship between buildings at 34 Brecon Street and the Lakeview Camping Ground, and the Queenstown Cemetery is taken into account.

##### **2. Street Edges (including Active Frontages)**

- Built form contributes to providing a high quality, spatially

well-defined and contained streetscape and associated urban amenity.

- Visual interest is provided through a variety of building forms and frontages in terms of footprint, height and design.
- Buildings should avoid blank walls which are visible from public spaces.
- Where provided, car parking is accessible and does not dominate the streetscape.
- Buildings and streetscape design comply with CPTED principles.

##### **3. Sustainable Buildings**

- The adoption of sustainable building design principles using sustainable materials, passive and active solar energy collection (where this is workable), water conservation techniques and/or, grey water recycling.

##### **4. Landscaping**

- (i) Planting and landscaping is designed to:
  - Maintain access to winter sun.
  - Integrate site landscape design with the wider context.
  - Comply with CPTED principles.

#### **For Controlled Activity Rule 10.6.3.2 (vii) Convention Centres**

##### **Design and Layout**

- 1) The external scale and design and appearance, of buildings (including materials and colours), equipment and structures:

- Provide visual interest through a variety of forms in terms of footprint, height and design.
- Break down the building bulk and scale by architectural articulation and modulation of building form.
- Minimise adverse effects of shading on adjacent public spaces (including footpaths).
- Contribute positively to local public spaces and streetscape character and amenity through bulk, scale, architectural articulation and modulation, rooflines and the choice of materials and colours.
- Visually enhance those parts of the site visible from public spaces e.g. major arterial transport corridor frontages, Queenstown Bay and the Square.

### **Transportation**

- 2) Parking, loading, manoeuvring areas and outdoor service areas are ~~been~~ designed and located to:
- Protect amenity values of the Square, the streetscape and adjoining sites by screening and landscaping.
  - Be away from the front of the site and the primary entrances to buildings.
  - Ensure traffic flows minimise adverse effects on amenity values.
  - Minimise traffic conflicts and provide safe and efficient vehicle circulation on the site.
  - Create an attractive environment that maintains safety and amenity for pedestrians.
  - ~~Where applicable,~~ Integrate with adjacent activities and development in terms of the provision of entrances,

publicly accessible spaces, parking (including the degree to which the parking resource is available for use by other activities in the sub-zone), and where appropriate provide for the adoption of demand-managed transport options utilising walking, cycling and passenger transport options as alternatives to providing for car parking and pedestrian linkages beyond the site, linking to the Queenstown commercial centre.

### **Landscaping**

3) Planting and landscaping is designed to:

- Maintain access to winter sun.
- Integrate site landscape design with that of the Square.
- Comply with CPTED principles.

### **iii Controlled Activities - Buildings - Queenstown Town Centre (Refer also Assessment Matters vii and viii) excluding the Lakeview sub-zone**

Conditions may be imposed to ensure:

- (a) The building has been considered as part of the surrounding urban environment in terms of how it reflects its location within the town and the nature of open spaces which it may face.
- (b) The individual design elements of the building are in scale with the relatively fine grained individual site development which may have individual characteristics of the town centre in situations where sites are to be aggregated.
- (c) The design of the ground floor frontage of the building maintains a sense of variety which is desirable in promoting diversity.

- (d) The views along a street to a landmark, a significant building, or the Lake have been considered in the design of the building, and that the external appearance of buildings on prominent sites has taken into account their importance in terminating vistas or framing views.

- (e) The building facade reflects the importance of open space on to which it fronts, and the detail of the facade is sympathetic to other buildings in the vicinity, having regard to:

Building materials

Glazing treatment

Symmetry

External appearance

Vertical and horizontal emphasis

- (f) The top of a building has been treated as an important termination, as may be seen from numerous vantage points and the quality of the roof design.
- (g) The ground and first floor facades of the building establish a strong relationship to pedestrians, and the ground floor appears accessible.
- (h) Any buildings proposed along the lake frontage strongly recognise the unique quality of the open space and waterfront amenity.
- (i) The adverse effects of any colour scheme which incorporates colours, which act as a form of advertising on the visual coherence and harmony of the locality, are avoided or mitigated.

#### **iv Controlled Activity – Verandas**

Conditions may be imposed to ensure:

The external appearance, of verandas avoids or mitigates adverse effects on:

- neighbouring buildings and verandas
- the extent to which the veranda effects the use and enjoyment of the streetscape
- the appearance of the building.

#### **v Controlled Activity - Visitor Accommodation in the Town Centre Transition sub-zone**

In considering imposing conditions on visitor accommodation in the Town Centre Transition sub-zone, those matters listed in Section 7.7.2 (ii) shall be considered.

#### **vi Controlled Activities - Commercial Activities within the Town Centre Waterfront Zone**

Conditions may be imposed to ensure that:

- (a) Any commercial activity does not create any adverse effect through additional traffic generation.
- (b) The location and design of vehicle access and loading areas is such that it ensures safe and efficient movement of pedestrians, and vehicles on adjoining roads.
- (c) Outdoor storage areas do not have an adverse effect on the visual amenity of the surrounding area, or impede pedestrian or vehicle movement.

#### **vii Discretionary Activity - Visitor Accommodation**

- (a) The extent to which the visitor accommodation will result in levels of traffic generation or pedestrian activity which are incompatible with the character of the surrounding area.
- (b) In considering imposing conditions on visitor accommodation in the Town Centre Transition sub-zone, those matters listed in Section 7.7.2 (vi) shall be considered.
- (c) Any adverse effects of the proposed visitor accommodation in terms of:
  - (i) Noise, vibration and lighting from vehicles entering and leaving the site or adjoining road, which is incompatible with the levels acceptable in a town centre zone environment.
  - (ii) Levels of traffic congestion or reduction in levels of traffic safety which are inconsistent with the classification of the adjoining road(s).
  - (iii) Pedestrian safety in the vicinity of the activity.
  - (iv) Any cumulative effect of traffic generation from the activity in conjunction with traffic generation from other activities in the vicinity.
- (d) The ability to mitigate any adverse effects of the additional traffic generation such as through the location and design of vehicle crossings, parking and loading areas, or through the provision of screening or through other factors which may reduce the effect of the additional traffic generation, such as infrequency of the activity, or limited total time over which the traffic movements occur.

#### **viii Controlled and Discretionary Activity - Licensed Premises**

In considering any application for the sale of liquor between the hours of 11pm and 7am, (10pm and 8am in the Lakeview and Isle Street sub-zones), the Council shall, in deciding whether to impose conditions, have regard to the following specific assessment matters:

- (a) The character, scale and intensity of the proposed use and its compatibility in relation to surrounding and/or adjoining residential neighbourhoods.
- (b) The effect on the existing and foreseeable future amenities of the neighbourhood, particularly in relation to noise and traffic generation.
- (c) The topography of the site and neighbouring areas.
- (d) The nature of existing and permitted future uses on nearby sites.
- (e) The adequacy and location of car parking for the site.
- (f) The adequacy of screening and buffer areas between the site and other uses.
- (g) The previous history of the site, and the relative impact of adverse effects caused by activities associated with sale of liquor.

#### **ix Discretionary Activity - Wharfs, Jetties and Buildings in the Queenstown Town Centre Waterfront Area**

- (a) The extent to which the proposal achieves the following design objectives:
  - (i) Creation of an exciting and vibrant waterfront which maximises the opportunities and attractions inherent in a visitor town situated on a lakeshore.
  - (ii) Provision of a continuous waterfront walkway from Horne Creek right through to St Omer Park.

- (iii) Maximisation of ability to cater for commercial boating activities to an extent compatible with maintenance of environmental standards and the nature and scale of existing activities.
- (iv) Provision for one central facility in Queenstown Bay for boat refuelling, bilge pumping, sewage pumping.

(b) The extent to which any proposed structures or buildings will:

- (i) enclose views across Queenstown Bay.
- (ii) result in a loss of the generally open character of the Queenstown Bay and its interface with the land .

Any assessment matters referred to in the Queenstown Bay Waterfront Development Plan which is available from the Council.

**x Discretionary Activity - Buildings in the Special Character Area - Queenstown Town Centre**

- (a) The nature and proportion of all design elements when compared with other buildings on adjacent sites. Where there are no adjacent buildings then reference shall be made to other buildings within the Special Character Area.
- (b) The design response of the building to the identified character of the relevant Special Character Precinct, and the way in which the building promotes the retention or enhancement of that character, having regard to:
  - Facade Design
  - Building materials
  - Symmetry

- External appearance
- Roof design
- Fenestration, including proportion of wall area to be glazed
- Proposed signage

(c) Whether the individual design elements of the building are in scale with the fine grained historical subdivision site pattern in situations where sites are to be aggregated.

(d) Whether the bulk and location of the building ensures the retention of the heritage values of existing neighbouring buildings and their setting.

Please also refer to the Planning Design Guide documents available from the Council.

**xi Discretionary Activity - Verandas, Arrowtown Town Centre Zone (Refer also Assessment Matter xvii)**

- (a) The effect on the visual integrity and character of the streetscape.
- (b) The design of the veranda. The construction of verandas should generally either be a simple skillion roof or bull nose with closed ends. Veranda posts should have a positive base detail which does not decrease in dimensions from the main support post. Veranda brackets are acceptable.

**xii Discretionary Activity - Buildings, Arrowtown Town Centre Zone**

- (a) The extent to which the external appearance of any finished surfaces which are not natural materials are based on heritage colours.
- (b) Whether the design of the ground floor frontage of the building maintains a sense of variety which is desirable in promoting diversity.

- (c) The extent to which the ground and first floor facades of the building establish a strong relationship to pedestrians, and whether the ground floor appears accessible.
- (d) The extent to which any building blends harmoniously with and contributes to the historic character of the town centre. New buildings do not necessarily need to replicate historic buildings styles. In this regard the following matters are considered important by the Council:

**(e) Building Form**

The extent to which building forms match the forms of the authentic historic buildings

- rectangular in plan form;
- main elevations facing the street;
- symmetrical in building form;
- only buildings on corners of Buckingham, Wiltshire and Berkshire Streets to have chamfered corners;
- overall form of the facade to be horizontal.

**(f) Roofing**

The extent to which roof design reflects the following:

- (h) Roofs should generally be gabled structures either expressed or behind a parapet. Hips at the rear are acceptable.
- (ii) Hipped roofs behind parapets are acceptable.
- (iii) Expressed gables to the street should generally roof the whole building with a single gable. The proportion of expressed gable buildings to parapet buildings should generally not be greater than existing currently.

- (iv) Pitches of roofs should generally be between 25 and 40 degrees and of verandas approximately 10 degrees.
- (v) Schist buildings should generally have semi circular return parapets.

**(g) Exterior Materials and Finishes**

The choice of building materials and their finishes generally shall be:

- schist with lime mortar with or without a low percentage of cement for walls and chimneys, with a natural finish or finished with a lime, sand plaster and/or a natural limewash;
- painted timber rusticated or shiplap weatherboards for walls;
- painted corrugated steel for roofs and side walls;
- painted timber for roof and wall coverboards, baseboards, and boxed corners;
- painted timber windows, glazing bars, sills, and frames;
- painted timber door panels, stiles, mullions, rails, glazing bars, sills, and frames;
- natural or limewashed bricks for chimneys;
- painted timber architraves to doors and windows for timber clad houses;
- limes and rendered architraves may be applied to schist buildings;
- painted galvanised steel for gutters and downpipes;

- painted timber tongue and groove flat boarding for parapets and pediments;
- painted timber cornices, string courses and other decorative elements;
- smooth painted cement render;
- painted timber framing to verandas.

#### **(h) Details**

The symmetry of existing entrances to buildings generally should be continued, with symmetry of entrance elements preferred.

Decoration to the body of the building, if applied, generally should be simple and use Neo-Classical details such as cornices, pilasters and string course.

Buildings with horizontal, stepped or raking parapets to the street are encouraged. Segmental, triangular or composite pediments to the parapets are also encouraged. Parapets should generally extend across the entire face of the building, and generally be in the same plane as the front wall of the building. The parapet should be framed by timber coverboards.

Timber framed buildings generally should have timber corner coverboards or boxed corners. Timber architraves generally should be applied around doors and windows which are not shopfronts.

The restoration of gas lamps is encouraged on the authentic buildings which originally had these items.

The choice of windows is between the domestic scaled glazing and the shop front style of glazing. The existing window opening proportions of the authentic buildings generally should be followed for either type of glazing.

Doors and doorways generally should follow the existing authentic buildings in overall proportion, including toplights and location within the facade.

#### **(i) Facade Dimensions**

Proportions for parapet height to wall should be between 1:3 and 1:1.5. Pediments should be less than the height of the parapet.

Shopfront window proportions generally should be square and follow the existing general dimensions of authentic heritage buildings. Openings of non-shop front windows generally should be between 1:1.5 and 1:3 width to height.

### **xiii Building Coverage**

- The effect of any increase or decrease of building coverage in terms of the building's bulk and scale on the amenities of the adjoining area, and adjoining buildings;
- The extent to which the major part or important features of an historic building are to be retained in any development/redevelopment;
- The extent to which any increase in coverage will jeopardise the provision of pedestrian linkages;
- The scale of any existing buildings in the area and the effects of any further cumulative increases in coverage;
- Any likely requirements for additional parking and access that will be generated having regard to the existing provisions on the site and/or in the locality.

### **xiv Historic Building Incentive**



- (a) The extent to which the historic building structure or facade is important to District heritage values.
- (b) The extent to which the building is an important element in the character of the area and especially to streetscape and adjoining buildings.

#### **xv Retailing**

- (a) The effect of non-retail activity on adjacent retailing.
- (b) Any likely adverse effects on street life of any non provision of retail frontage
- (c) The visual impact on the street facade of any non-retail activities.

#### **xvi Street Scene**

- (a) The effect of any increased or reduced setback or lowered or increased facade height on the visual impression of the streetscape;
- (b) The adequacy or provision of space for pedestrian movement;
- (c) The effect of any setback proposed on the existing pattern, height and design of the building facades including, where applicable, the provision of continuous veranda cover to any pedestrian area;
- (d) The provision of any type of landscaping in respect to any set-back requirement;
- (e) Any adverse effects on traffic movements by vehicle, public transport or pedestrians in terms of the proposed setback;
- (f) The impact of any increased or reduced setback, or lowering or raising of facade heights, or outdoor storage, on the appearance of the building and site from any public space;

- (g) The compatibility of the building with scale, facade height and setback of adjoining buildings;
- (h) Any other proposed or design features including the provision of street furniture to compensate for lack of building height or increased or reduced setback;
- (i) The quality and features of the external appearance of proposed buildings;
- (j) In Arrowtown, any particular effects of increased height above street facades on the integrity of the buildings within the zone.

#### **xvii Loading and Outdoor Storage**

- (a) The effect of any off-street loading or outdoor storage area on the visual amenity of the adjacent streets;
- (b) The effect of any off-street loading or outdoor storage area on the coherence and character of the adjacent streets;
- (c) The form, nature, type and servicing of any loading area and the effects of these on the surrounding locality.

#### **xvii Setback from Internal Boundaries and Sunlight and Outlook of Adjoining Residential Zone Neighbours**

- (a) Any adverse impacts on the use and enjoyment of residential properties, particularly outdoor living spaces or main living areas of dwellings;
- (b) The effect in terms of the area of adjoining land affected by increased shadowing and the number of properties involved;
- (c) The visual effects of building height, scale and appearance, in terms of dominance and loss of privacy on adjoining properties;

- (d) Any proposed landscaping provision adjacent to the boundary, and whether it would adversely effect or mitigate outlook from any affected residential property;
- (e) The use to be made of any buildings adjoining residential properties.

### **xviii Verandas**

- (a) The extent to which the veranda departs from a height above footpath level, measured to the underside of the veranda of between 2.5 m to 3.0 m and the effect of this on the general streetscape and the appearance of the subject building.
- (b) The extent to which the veranda is compatible, in terms of coverage provided, with those on neighbouring buildings.
- (c) The extent of footpath that may be exposed to adverse weather conditions if a veranda is not provided or if a continuing of veranda cover is not provided;
- (d) The volume of pedestrian movement in the vicinity of the building concerned;
- (e) The effect of any non provision of a veranda on the use, external appearance of adjoining buildings, and the continuity of the street facade;
- (f) The effect on the streetscape in general, and the appearance of the building, of a veranda which is to be situated higher than 3m above the footpath levels;
- (g) The effect on the use and enjoyment of the streetscape of any proposal to support the veranda by poles, columns or similar structural elements which extend from the ground to the veranda and which will be situated on the street.

- (h) The effect of any veranda on the manoeuvring of vehicles adjacent to the kerb in the vicinity of the veranda.

### **xix Residential Activities**

- (a) The compatibility of the activity and the building design with surrounding retail outlets;
- (b) The extent to which the development would compromise retail amenity, frontage and access;
- (c) The extent to which the living environment of any residents would be adversely impacted on.

### **xx Flood Risk**

- (a) The likelihood of the proposed activity being threatened by flooding or ponding;
- (b) The quantity of the assets that will be vulnerable to flooding as a result of the establishment of the activity;
- (c) The extent to which the construction of the building will result in the increased vulnerability of other sites to flooding.

### **xxi Earthworks [TO BE DELETED VIA A SEPARATE COUNCIL PLAN CHANGE 49]**

#### **1. Environmental Protection Measures**

- (a) The extent proposed sediment/erosion control techniques are adequate to ensure that sediment remains on-site.
- (b) Whether the earthworks will adversely affect stormwater and overland flows, and create adverse effects off-site.

- (c) Whether earthworks will be completed within a short period, reducing the duration of any adverse effects.
- (d) Where earthworks are proposed on a site with a gradient >18.5 degrees (1 in 3), whether a geotechnical report has been supplied to assess the stability of the earthworks.
- (e) Whether appropriate measures to control dust emissions are proposed.
- (f) Whether any groundwater is likely to be affected, and any mitigation measures are proposed to deal with any effects.  
NB: Any activity affecting groundwater may require resource consent from the Otago Regional Council.

## 2. Effects on landscape and visual amenity values

- (a) Whether the scale and location of any cut and fill will adversely affect:
  - the visual quality and amenity values of the landscape;
  - the natural landform of any ridgeline or visually prominent areas;
  - the visual amenity values of surrounding sites.
- (b) Whether the earthworks will take into account the sensitivity of the landscape.
- (c) The potential for cumulative effects on the natural form of existing landscapes.
- (d) The proposed rehabilitation of the site.

## 3. Effects on adjacent sites:

- (a) Whether the earthworks will adversely affect the stability of neighbouring sites.
- (b) Whether the earthworks will change surface drainage, and whether the adjoining land will be at a higher risk of inundation, or a raised water table.
- (c) Whether cut, fill and retaining are done in accordance with engineering standards.

## 4. General amenity values

- (a) Whether the removal of soil to or from the site will affect the surrounding roads and neighbourhood through the deposition of sediment, particularly where access to the site is gained through residential areas.
- (b) Whether the activity will generate noise, vibration and dust effects, which could detract from the amenity values of the surrounding area.
- (c) Whether natural ground levels will be altered.

## 5. Impacts on sites of cultural heritage value:

- (a) Whether the subject land contains Waahi Tapu or Waahi Taoka, or is adjacent to a Statutory Acknowledgment Area, and whether tangata whenua have been notified.
- (b) Whether the subject land contains a recorded archaeological site, and whether the NZ Historic Places Trust has been notified.

## 14.2 Transport Rules

### 14.2.1 Purpose

Ease of accessibility for people and goods by all modes of transport to all parts of the District is essential to the social, cultural and economic well being of the community. Accessibility is dependent on an efficient and safe transport network and the availability of safe and suitable loading and parking. Protection is provided for pedestrians on major traffic routes.

### 14.2.2 Activities

#### 14.2.2.1 Permitted Activities

Any activity which complies with all the **Site Standards** specified below and is not listed as a **Controlled** or **Discretionary** Activity shall be a **Permitted Activity**.

#### 14.2.2.2 Controlled Activities

The following shall be **Controlled Activities** provided they are not listed as a **Discretionary Activity** and comply with all the relevant **Site Standards**. The matter in respect of which the Council has reserved control and listed with each **Controlled Activity**:

- i **Car Parking Areas in the Town Centre, Business, Industrial A, and Industrial B Zones, Ballantyne Road Mixed Use Zone, Corner Shopping Centre Zone and Activity Area 2 of the Kingston Village Special Zone.**

Car parking areas in respect of their access, location, landscaping, separation from pedestrians, compatibility with surrounding activities and method of provision in the Town Centre, Business, Industrial, Corner Shopping Centre Zones and Activity Area 2 of the Kingston Village Special Zone.

#### 14.2.2.3 Discretionary Activities

The following shall be **Discretionary Activities**:

- i **Car parking for Non-Identified Activities**  
Car parking for any activity not identified in Table 1, and which is not a permitted or controlled activity within the zone in which it is located.
- ii Any activity which does not comply with the following **Site Standards** shall be a **Discretionary Activity** with the exercise of the Council's discretion being restricted to the matter(s) specified in that standard.

### 14.2.3 Non-Notification of Applications

An application for a resource consent for the following matters may be considered without the need to obtain a written approval of affected persons and need not be notified in accordance with Section 93 of the Resource Management Act 1991, unless the Council considers special circumstances exist in relation to any such application.

- i All applications for **Controlled** and **Discretionary** Activities.

### 14.2.4 Site Standards

#### 14.2.4.1 Parking and Loading

- i **Minimum Parking Space Numbers**  
Activities shall provide on-site parking space in accordance with Table 1 **except for**:
  - (a) Activities in the Town Centre Zones, (excluding the Town Centre Transition sub-zone and the Town Centre Lakeview sub-zone), which shall be subject to the existing car parking requirements.

**Table 1 - Parking Space Requirements**

Note: GFA = Gross Floor Area  
PFA = Public Floor Area

ACTIVITY	PARKING SPACES REQUIRED FOR:	
	RESIDENTS/ VISITOR	STAFF/ GUEST
<b>Residential units:</b>		
High Density Residential (HDR) Zone and Queenstown Town Centre Lakeview sub-zone		
i. Subzone A- Queenstown & Wanaka; Subzones B, B1, C Queenstown only unless listed in ii below and the Queenstown Town Centre Lakeview sub-zone	1 per unit	none
ii. Queenstown Subzone B, C: Thompson St-Lomond Cres-Glasgow St; and Queenstown Subzone C: Vancouver Drive-Belfast Tce; Aspen Grove	1.25 per unit	0.25 per unit (1) (2) (3)
All Other Zones & Wanaka HDR Sub-zones B, C	2 per unit	none
Residential Flat	1 per residential flat	
Elderly Persons Housing	1 per residential unit	
Homestays and Registered Homestays	1 per bedroom used for homestay.	
<b>Visitor Accommodation - unit type construction,</b> (includes all units containing a kitchen facility, e.g. motels, cabins):		
Wanaka Low Density		

ACTIVITY	PARKING SPACES REQUIRED FOR:	
	RESIDENTS/ VISITOR	STAFF/ GUEST
Residential Zone and Wanaka High Density Residential Subzones B&C	2 per unit	none
Queenstown Low Density Residential Zone and Queenstown High Density Residential Zone Subzone B, C: Thompson St-Lomond Cres-Glasgow St; and Subzone C: Vancouver Drive-Belfast Tce; Aspen Grove	1.25 per unit	0.25 per unit (1) (2) (3)
All Other Zones; HDR Subzone A; Queenstown HDR Subzones B, B1, C not listed above	1 per unit up to 15 units; thereafter 1 per 2 units. In addition 1 coach park per 30 units. (4)	1 per 10 units
Visitor Accommodation (guest room type construction, e.g. hotels)	1 per 3 guest rooms up to 60 guest rooms; thereafter 1 per 5 guest rooms. In addition 1 coach park per 50 guest rooms	1 per 20 beds
Visitor Accommodation (Backpacker Hostels)	1 per 5 guest beds. In addition 1 coach park per 50 guest rooms	1 per 20 beds
Queenstown Town Centre Lakeview sub-zone: Visitor Accommodation (unit type construction)	A maximum of 1 per unit up to 15 units, and a maximum of 1 per 2 units thereafter, for guests. In addition, a maximum of 1 per 10 units for staff.  A minimum of 1 coach park is provided per 30 units.	
Queenstown Town Centre Lakeview sub-zone: Visitor Accommodation (guest room type construction)	A maximum of 1 per 3 guest rooms up to 60 guest rooms, and a maximum of 1 per 5 guest rooms thereafter.  A minimum of 1 coach park is	


ACTIVITY	PARKING SPACES REQUIRED FOR:	
	RESIDENTS/ VISITOR	STAFF/ GUEST
	<u>provided per 50 units.</u>	
Commercial Activities (except for the Queenstown Town Centre Lakeview sub-zone where there is no minimum parking requirement)	1 per 25m <sup>2</sup> GFA	
Comprehensive Residential Development within the Low Density Residential Zone – excluding Wanaka	1.25 per residential unit	0.25 per residential unit (1) (2) (3)
Wanaka	2 per residential unit	none
Industrial Activity		1 per 25m <sup>2</sup> area used for manufacturing, fabricating, processing, or packing goods plus 1 per 100m <sup>2</sup> storage space
Industrial Activity-Frankton		3 per 100m <sup>2</sup> GFA Workshop Area and for unit storage businesses 1 per 10 storage units
Meeting places and entertainment facilities	1 per 10m <sup>2</sup> PFA or 10 seats, whichever is greater	
Motor vehicle repair and servicing	1 per 25m <sup>2</sup> of servicing area plus 2 per establishment for heavy commercial vehicle parking	1 per 25m <sup>2</sup> workshop area.
Drive-through facility	5 queuing spaces per booth or facility	
Sports fields	20 per hectare of playing area plus 2 coach parks per hectare	
Hospitals	1 per 5 beds	2 per 5 beds
Health Care Services	2 per professional staff	1 per professional staff plus 1 per 2 other full time staff, or 1 per consulting room (whichever is greater)
Offices	1 per 50m <sup>2</sup> GFA	
Restaurants (except for in the Queenstown Town	1 per 25m <sup>2</sup> PFA	1 per 100m <sup>2</sup> PFA (2 minimum)

ACTIVITY	PARKING SPACES REQUIRED FOR:	
	RESIDENTS/ VISITOR	STAFF/ GUEST
Centre Lakeview sub- zone)		
Taverns or Bars (except for in the Queenstown Town Centre Lakeview sub- zone)	2 per 25m <sup>2</sup> PFA	1 per 100m <sup>2</sup> PFA (2 minimum)
Educational	1 per 10 students over 15 years of age.	1 per 2 staff.
Daycare facilities		1 per 10 children.
Rural selling places	3 for the initial 25m <sup>2</sup> GFA and outdoor display area; and thereafter 1 per 25m <sup>2</sup> GFA and outdoor display area.	
Home Occupation (in addition to residential requirements) (except for in the Queenstown Town Centre Lakeview sub- zone)	1 per home	
Community Care Activities	1 per 6 residents	1 per 6 residents
Service Stations	1 per 25m <sup>2</sup> of GFA used for retail sales, plus 2 per air hose, plus 3 queuing spaces per car wash	3 per station
Service Activities	1 per 100m <sup>2</sup>	1 per 100m <sup>2</sup>
Warehousing	Nil	1 per 50m <sup>2</sup> GFA plus 1 per 100m <sup>2</sup> outdoor storage area
Convention Centre	1 car park per 10 persons or 1 car park per 10 m <sup>2</sup> of public floor area, whichever is greater. In addition, one coach park per 50 people the site is designed to accommodate.	
Commercial Recreational Activities within the Lakeview sub-zone	1 carpark per 5 people the facility is designed to accommodate.	




## **Appendix D**

Proposed Zoning Maps Depicting the Extent of the Plan Change











## TOWN CENTRE

-  Arrowtown Town Centre Zone
-  Queenstown Town Centre Zone
-  Wanaka Town Centre Zone
-  Corner Shopping Centre Zone
-  Lakeview, Isle Street & Town Centre Transition Sub-Zone
-  Visitor Accommodation Sub-Zone - Pre-Feb 2012
-  Visitor Accommodation Sub-Zone






## Queenstown Special Character Area

-  Precinct 1
-  Precinct 2
-  Precinct 3

## RESIDENTIAL





















-  High Density Residential Zone
-  Low Density Residential Zone
-  Residential Arrowtown Historic Management Zone
-  Arrowtown Scenic Protection Area
-  Community Facility Sub-Zone
-  High Density Residential Sub-Zone A
-  High Density Residential Sub-Zone B
-  High Density Residential Sub-Zone C
-  Medium Density Residential Sub-Zone
-  Queenstown Heights Low Density Sub-Zone

## ROADS





-  Road (Maps  $\geq 1:100,000$ )
-  Road (Maps  $< 1:100,000$ )
-  State Highway (Designation 84)
-  Legal Road
-  Unformed Road

## Legend for Planning Maps



### SPECIAL ZONE

-  Bendemeer Zone
-  Frankton Flats Zone
-  Meadow Park Zone
-  Quail Rise Zone
-  Remarkables Park Zone
-  Resort Zone
-  Rural Visitor Zone
-  Three Parks Zone
-  Ballantyne Road Mixed Use Zone
-  Mount Cardrona Station Special Zone
-  Kingston Village Special Zone
-  Shotover Country Special Zone
-  Penrith Park Zone
-  Penrith Park Vegetation Area A
-  Penrith Park Vegetation Area B
-  Penrith Park Visual Amenity Area
-  Deferred Rural Lifestyle Buffer Zone
-  Deferred Rural Lifestyle Zone
-  Hydro Generation Zone - Pre-Feb 2012
-  Hydro Generation Zone









### AIRPORT

-  Air Noise Boundary
-  Outer Control Boundary
-  Airport Mixed Use Zone
-  Airport Designation





### TOWNSHIP

-  Township Zone
-  Commercial Precinct















## RURAL

-  Gibbston Character Zone
-  Rural General Zone
-  Rural Lifestyle Zone
-  Rural Residential Zone
-  Rural Residential Sub-Zone
-  Ferry Hill Rural Residential Sub-Zone
-  Ski Area Sub-Zone - Pre-Feb 2012
-  Ski Area Sub-Zone

## HERITAGE

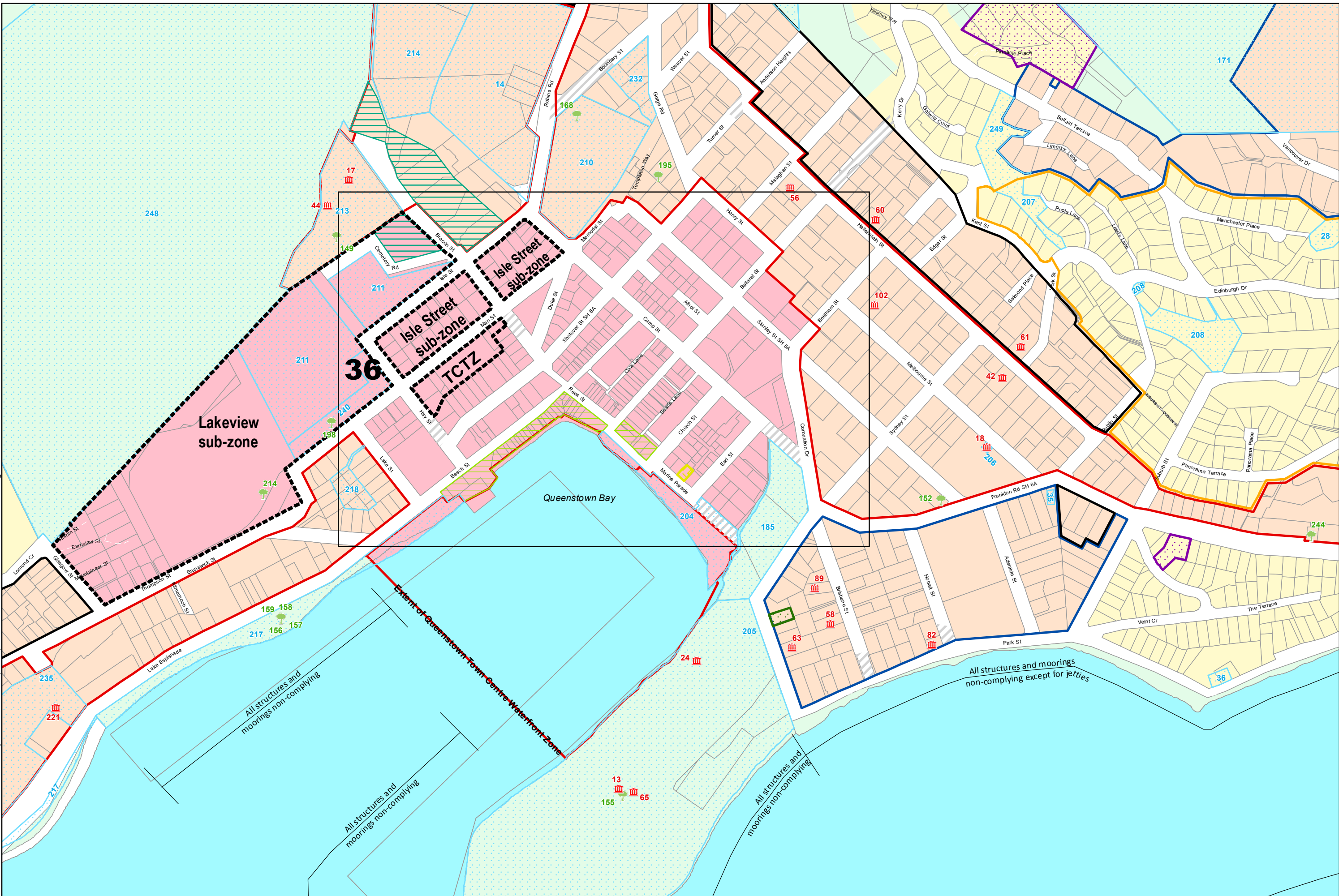
-  Protected Feature
-  Protected Tree (may represent many trees)
-  Protected Avenue of Trees/Veg (trees not in exact location)
-  Historic Precinct

## OTHER

-  Open Cemetery
-  Mount Aspiring National Park Boundary
-  Business Zone
-  Industrial A Zone
-  Industrial B Zone
-  Open Space Zone
-  Areas of Significant Indigenous Vegetation
-  Building Restriction Area
-  Maximum Building Height Restriction
-  Designation
-  Heritage Protection Order
-  Cadastral Boundary
-  Territorial Authority Boundary
-  Water (Zoned Rural unless otherwise shown)



Parcel boundaries derived from New Zealand Core Records System Vector Data (Corax) obtained from LINZ under the LINZ Licence Agreement

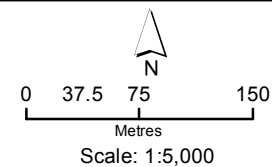


Queenstown Lakes District Council  
District Plan Maps

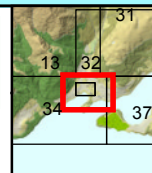
**PROPOSED**

**Queenstown**

Map Printed: August 2014

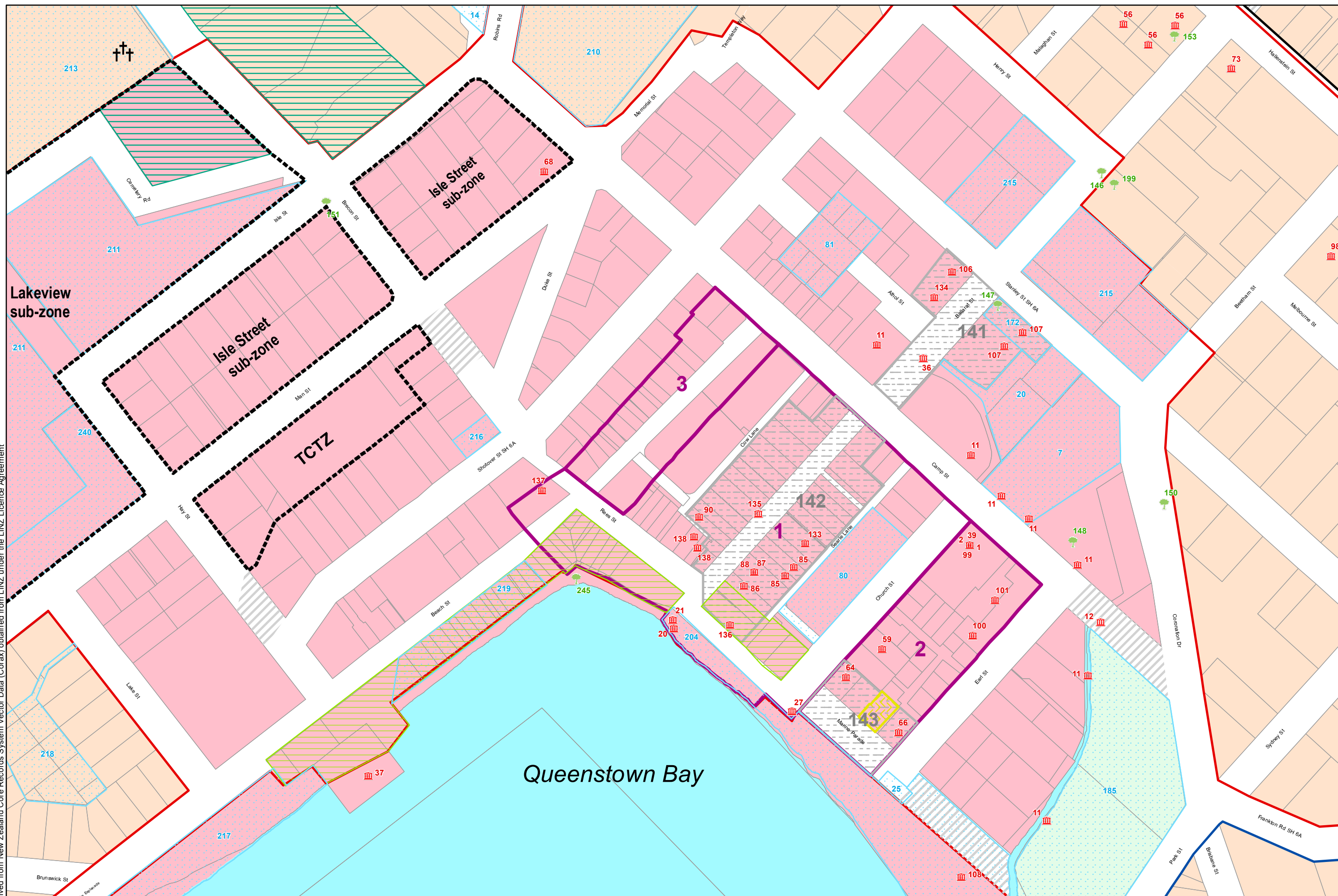


**QUEENSTOWN  
LAKES DISTRICT  
COUNCIL**  
Maps created by QLDC GIS Department



**35**





## **Appendix E**

### Section 32AA Further Evaluation

### Further Evaluation of Site Standards 10.6.5.1(iv) and (xi) under Section 32AA of the Act

- For the provisions: single underline and strike through – changes as notified September 2014.
- Double underline and double strike through – changes made to reflect submissions, made 10 November 2014. Discussed with Nigel Bryce (s42A report author). Mr Bryce either agrees with changes shown (reflected in the s42A report), or agrees in principal with changes shown, subject to evidence being provided.
- Text in red: evaluation of the changes made to the notified provisions as a result of submissions.

#### **Existing Queenstown Town Centre Objectives:**

##### *10.2.4 Objective 1 - Maintenance and Consolidation of the Town Centre*

*Maintenance and enhancement of the Queenstown Town Centre as the principal commercial, administration, cultural and visitor focus for the District.*

##### *10.2.4 Objective 2 - Character and Heritage*

*A town centre in which the built form, public space and linkages reflects, protects and enhances the distinctive built heritage and image which creates its essential character.*

**10.2.4 Proposed Objective.3 – A high quality, attractive environment within the Lakeview sub-zone where new business, tourist, community and high density residential activities will be the predominant use.**

##### *10.2.4 Objective 3— 4 - Accessibility and Parking*

*A town centre which is accessible to people.*

POLICY / RULE / METHOD	Assessment under section 32(2) of the Act		Assessment under section 32(1)(b)(ii) of the Act:
	Environmental, Economic, Social and Cultural Benefits	Environmental, Economic, Social and Cultural Costs	Having regard to the appropriateness of the provisions by assessing their efficiency and effectiveness in achieving the objectives
<b>RULES AND OTHER METHODS</b>			
<p><b>Proposed Amendment to 10.6.5.1 Site Standard</b></p> <p><b>iv Street Scene</b></p> <p><u>(d) In the Lakeview sub-zone, the minimum setback of any building from boundaries shared with Glasgow Street shall be 4.5 metres.</u></p> <p><u>(e) In the Isle Street sub-zone, the maximum setback of any building from road boundaries shall be 1.5 metres.— no setback is permitted for any building from boundaries shared with Brecon Street. The maximum setback of any building from other road boundaries shall be 1.5 metres.</u></p> <p><u>(f) From the 17<sup>th</sup> September 2014 on any site involving the construction of a new building(s) in the Isle Street sub-zone there shall be no parking of vehicles in the front yard. In the Isle Street sub-zone there shall be no parking of vehicles in front yards.</u></p> <p><u>(g) In the Isle Street sub-zone, the minimum setback of any building from other site boundaries shall be 1.5 metres. the rear</u></p>	<p>Managing building setbacks on sites will assist in achieving a high quality urban environment at the Lakeview sub-zone, and, coupled with height plane angles, will appropriately manage potential adverse effects of commercially scaled buildings adjacent to residential zones. For the Lakeview sub-zone, the boundary is shared with the High Density Residential Zone adjacent to Glasgow Street and Thompson Street. Due to the elevation of the site in relation to Thomson/Brunswick Street, and the location of reserve land on the Thompson Street corner of the Lakeview sub-zone, a setback from Thomson Street is not considered to be necessary.</p>	<p>These provisions provide restrictions on the use of sites. Where a development does not achieve the setbacks, resource consent will be required for a discretionary activity. It is considered that the costs associated with this rule are minor, and are outweighed by the benefits.</p> <p>No further costs have been identified in relation to the recommended amendments to amendment to clause (f) in relation to car parking in the front yard.</p> <p>In terms of the recommended changes to the boundary set back rules, the change will enable buildings to be built on the side</p>	<p><b>Efficiency:</b> This standard is clear and easily interpreted and is an efficient method for managing the effects of buildings and in particular the effects on streetscape and adjoining activities.</p> <p><b>Effectiveness:</b> This rule will be effective in providing effective management of the siting of buildings on a site. The recommended amendment to clause (f) will provide certainty to those existing uses in the Isle Street sub-zone which currently park in the front yard that this activity can continue without the burden of demonstrating existing use rights.</p> <p><b>Appropriateness:</b></p>

<p><u>yard boundary shall be 6m.</u></p>	<p>Following consideration of the submissions received on the plan change in relation to the Isle Street sub-zone, it is recommended that the provisions that relate to the Isle Street sub-zone be amended. The recommended changes to these Isle Street sub-zone rules seek to provide for a pedestrian focused environment along Brecon Street, by requiring buildings be immediately adjacent to this street frontage.</p> <p>The requirement for a minimum 1.5m setback from side boundaries is recommended to be removed and replaced with a 6m minimum setback from the rear boundary.</p> <p>The benefits of these provisions have been identified by Mr Bird in his evidence. He states that the provisions will enable and encourage attractively proportioned street elevations that would achieve a reasonable balance between achieving an urban as opposed to a sub-</p>	<p>yards, up to a height of 8m if adjacent to an existing residential use on the south and south-western boundaries. This will have an effect on the residential amenity values of the neighbouring property. However, this effect is considered to be acceptable and necessary to enable the transitioning of this sub-zone from a residential zone to the town centre zone.</p>	<p>The proposed Rule 10.6.5.1 (iv) (d)-(g) will assist in achieving proposed Objective 10.2.4.3 and is considered appropriate for managing the effects of built development at the Lakeview sub-zone and the Isle Street sub-zone.</p>
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	<p>urban character in the Isle Street sub-zone.</p> <p>The requirement for no car parking in front yards will enhance the streetscape of the Isle Street sub-zone.</p>		
<p><b>Proposed Amendment to Site Standard 10.6.5.1</b></p> <p><b>xi Building and Façade Height</b></p> <p>NB Clauses (a) through(h) are not included here</p> <p><del>(i) For all internal boundaries within the Isle Street sub-zone no part of any building shall protrude through a recession line inclined towards the site at an angle of 45° commencing from a line 5 metres above ground level of the site boundary for the Southern, Eastern and Western (and including North-western, South-western and South-east) boundaries of the site. There are no recession plane requirements for the northern/north-east property boundaries.</del></p> <p><u>(i) In the Isle Street sub-zone, on south and south western side boundaries of a site adjoining a building used for residential</u></p>	<p>These proposed provisions establish maximum building heights and recession planes for the Isle Street sub-zone.</p> <p>For the Isle Street sub-zone, the proposed provision will enable an increase in height limits that is currently provided under the current zoning. This will be beneficial in terms of providing for a more efficient use of what is a scarce land resource. Loss of views is managed through providing all landowners in the Isle St sub-zone with the same maximum height limits, resulting in an equitable situation.</p> <p>In consideration of the submissions received on the plan change, it is recommended that the provisions that relate to</p>	<p>No significant costs have been associated with the Lakeview sub-zone height limits.</p> <p>The Isle Street height limits will result in some loss of outlook for those properties on the northern side of the subzone. These adverse effects as assessed have been acceptable when considered against the positive effects of providing additional capacity in this sub-zone.</p> <p>No additional costs have been identified through the replacement of the recession planes rule with the building set back rule. While the recession plane rule has been deleted, the requirement to set a building back from a height of 8m will provide natural light to neighbouring</p>	<p><b>Efficiency:</b></p> <p>These provisions have been amended to provide height limits and <b>building set-back</b> for the areas included in this plan change. This will enable a more efficient use of the land in question.</p> <p><b>Effectiveness:</b></p> <p>Height limits and <b>building setbacks for the Isle Street sub-zone</b> are effective tools for managing the effects of built development <b>during the transitioning of this sub-zone</b> while providing for the efficient use of land. The proposed provisions are effective in maximising the efficient use of the land while managing the effects of this use.</p> <p><b>Appropriateness:</b></p> <p>Taking into account efficiency and effectiveness of this provision, the</p>



<p><u>activities which had building consent issued on or before 17 September 2014:</u></p> <ul style="list-style-type: none"> <li>• <u>No part of any building above 8m in height shall be within 3.2m from the relevant boundary; and the roof bonus shall not apply within this 3.2m set back.</u></li> <li>• <u>This setback control does not apply where any building on an adjoining site has been issued building consent after 17 September 2014, in which case no side yard setback is required.</u></li> </ul>	<p>the Isle Street sub-zone be revised. Along with the removal of the side yard setbacks, the recession plane rule is recommended to be removed and placed with a rule that enables buildings to be built to the side yard boundary up to 8 metres in height, at which point they must step back 3.2m in from the side yard boundary, and then may continue to 12m in height, plus the roof bonus.</p> <p>However, this step back requirement shall only apply where existing residential dwellings are located on the south and south western side boundaries of the developing site.</p> <p>Mr Bird has described the benefits of this provision in his evidence. He states that the provisions will enable and encourage attractively proportioned street elevations that would achieve a balance between:</p>	<p>properties to a degree considered appropriate for a zone transitioning from residential to town centre.</p>	<p>proposed amendments to this rule are appropriate. The provisions are considered to be appropriate and will assist in achieving Objective 10.2.4.1 and proposed Objective 10.2.4.3.</p>
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	<ul style="list-style-type: none"><li>(a) Achieving an urban as opposed to a sub-urban character in the Isle Street sub-zone;</li><li>(b) Allowing a reasonable degree of daylight into the north-eastern sides of those existing neighbouring properties which choose not to take advantage of the Plan Change controls;</li><li>(c) Not overly dominating existing adjoining properties by providing a step down in the height of new buildings as they approach existing residential neighbouring buildings;</li><li>(d) Enabling buildings to be built without any building setbacks applying to the side yards where the site is to the north or north-east of a site developed in accordance with the Plan Change 50 rules for the Isle Street sub-zone.</li></ul>		
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