

Good afternoon Commissioners. Thank you for the opportunity to speak to my submission. First, I would like to strongly reiterate what it said. In a nutshell, my most serious concerns are;

- lack of evidence that this level of Town Centre expansion is either necessary or beneficial,
- a lack of commitment to affordable housing,
- lack of integration with the Town Centre chapter objectives and rules that were unanimously accepted by Council for notification next May, and
- lack of surety of good urban planning outcomes.

Necessary expansion?

The resource management issue supposedly addressed by this plan change is a shortage of commercially zoned land in the Queenstown Town Centre. However, nowhere is this shortage defined.

The McDermott Miller report does say there is an “acute shortage of vacant land zoned Town Centre, meaning Queenstown Town Centre has to either expand or be redeveloped more intensely...”

The proposed district plan Town Centre chapter - adopted for public notification by Council last month - has allowed exactly that – greater intensification. I do not believe the McDermott Miller report has been updated with this greater capacity modelled.

The Queenstown Town Centre Section 32 evaluation report is relevant here. On page 5, it says: “it is also noted that consultation with the development community as part of this S 32 evaluation confirms that it is the ground floor retail space within the Town Centre that is the scarce resource, but that there is still available above ground floor space and ample capacity for additional levels to be added, if this proves feasible.”

Earlier in the same paragraph, this report notes that the peer review of the McDermott Miller report “questions how realistic the high-growth scenarios are and considers the development in Frankton poses less of a risk to the Town Centre than the McDermott Miller report suggests.”

The danger of this plan change is that by incorporating such a huge swathe of land under the Town Centre banner, Council risks diminishing the vibrancy of the true downtown just as much as if all the activity thus allowed moved out to Frankton as feared.

What is the tipping point of over-expansion? How much vacant land (as opposed to intensification) is required? To my knowledge, this analysis has not been done. Can the commission rule in favour of the plan change without this analysis giving them comfort that PC 50 is the best and most appropriate resource management solution to this issue?

The plan change is very enabling. The only elements defined in the structure and heights plans are roads, reserves and heights. This means that an eventual developer could, conceivably, decide to stretch retail and commercial uses into what is currently imagined to be residential space. Similarly,

with the current rules, both the Isle Street sub zones could become predominantly office and retail space.

Perhaps you can point me to the analysis that should have been done to show;

- The level of need for Town Centre expansion, and of what types (e.g., ground floor retail, first floor offices, educational institute) - in terms of both footprint and GFA - for the 10 years of the proposed plan.
- How much of this will be achieved by the greater intensification of the existing Town Centre as allowed for under the proposed district plan Town Centre chapter.
- The expansion that would be allowed under PC 50 - and what defines this? Currently, I cannot understand what minimum or maximum footprint/GFA expansion PC 50 rules would allow.

Without knowing this, it would be difficult to understand the actual effects of PC 50 on the viability and vibrancy of the existing Town Centre. And therefore, I believe, wrong to judge in favour of it.

Affordable housing

The lack of any commitment to affordable housing is, I believe, a very sad indictment on this council plan change. It shows a lack of political and moral leadership and is contrary to three very explicit Council resolutions. My original submission covered two of these in full, which I summarise briefly below;

1/

December 19, 2013, Council unanimously resolved to include as one of the development principles for the Lakeview site the following: *Development at the site mitigates any adverse impacts on housing affordability and ensures that equivalent affordable housing options are enabled in a manner consistent with the stakeholder deeds agreed as part of Plan Change 24.*

In terms of mitigating “adverse effects” - the site now provides affordable housing for 300 people - and saying that their current leases run out in 2015 does not nullify this fact. And stakeholder deeds agreed to as part of Plan Change 24 have generally ranged between two and five% of the value of developed sites, mostly given to the community through the Queenstown Community Housing Trust.

2/

Plan change 24 itself has just three policies, which are to be applied to the assessment of proposed changes to the district plan. So this hearing and your decision is obviously the time to rule on this.

I find it shameful that Council can put forward a plan change without any reference – much less commitment – to these policies.

- There is no commitment to providing opportunities for low and moderate income households to live in this plan change area, as required under policy one.

- There is no commitment to ensuring that the huge increase in density, height and building coverage allowed under this plan change will see a concomitant contribution to affordable housing, as required under policy two.
- And there is not even a solitary mention of enabling delivery of community housing through a voluntary retention mechanism, as required under policy three.

The rather desultory Assessment of Environmental Effects includes just one sentence - that the "integrated commercial – mixed use development... could include visitor accommodation; high-density residential accommodation (to help progress acknowledged housing affordability issues in the district..." (Overview, ii). It also, on page 24, misquotes the current affordable housing objective, which it then goes on to ignore. Hardly a thorough assessment of environmental effects - nor a ringing endorsement of either intention or likely outcome.

3/

Moving on to the third Council resolution that this proposed plan change nullifies, from October 12, 2009, in which councillors voted "that the Council shall apply the provisions of Plan Change 24: Affordable and Community Housing when progressing development of Council – owned land." The relevant agenda item specifically identified the subject site as one in which "Council would comply with all obligations placed on any developer in the course of providing development land to the market."

Again, Plan Change 50 does not meet this commitment.

It beggars belief that both Plan Change 50 and the AEE can so wilfully ignore council's own affordable housing plan change and contradict three specific council resolutions - not to mention something that so fundamentally impacts on our community's wellbeing and the very economic progress that this plan change purports to be progressing.

I believe Plan Change 50 **must** include specific commitments to affordable and community housing in line with Plan Change 24 stakeholder deeds to date, as per the above Council resolutions, and as a fundamental principle of community leadership. If Council does not lead on this front - how can we expect anyone else to?

Lack of integration with adopted Queenstown Town Centre chapter

Hopefully you now have the version that was adopted for public notification at last month's Council meeting. I acknowledge this chapter lacks the regulatory heft of a notified proposed plan, but only because we are holding a raft of accepted chapters for bulk notification in May. It is a matter of timing, not intent.

It would seem to make both common and resource management sense for PC 50 to not conflict with the chapter it is destined to become part of in six months' time.

You will note that there are significant changes in the narrative and objectives to the version you have in your report. This renders obsolete some of PC 50's recommendations and will require

considerable thought to be given to the replacement text that will not have been presented to submitters to this hearing.

Particularly relevant are the following objectives and policies:

Objective 3 – An increasingly vibrant Town Centre that continues to prosper while maintaining a reasonable level of residential amenity within and beyond the Town Centre Zone.

Policies

10.3.3.2 Minimise conflicts between the Town Centre and the adjacent residential zone by avoiding high levels of night time noise being generated on the periphery of the Town Centre and controlling the height and design of buildings at the zone boundary.

10.3.3.3 Recognise the important contribution that night time activity makes to the vibrancy and economic prosperity of the Town Centre and specifically provide for those activities, while mitigating effects on residential amenity by:

Enabling night time dining and socialising, both indoors and outdoors, to varying degrees throughout the Town Centre;

Providing for noisier night time activity within the entertainment precinct in order to minimise effects on adjacent residential zones; and

Ensuring that the nature and scale of licensed premises located in the Town Centre Transition subzone is compatible with adjoining residential zones.

Objective 4 - A compact Town Centre that is safe and easily accessible for both visitors and residents.

Policies

10.3.4.1 Encourage a reduction in the dominance of vehicles within the Queenstown Town Centre and a shift in priority toward providing for public transport and providing safe and pleasant pedestrian and cycle access to and through the Town Centre.

10.3.4.2 Ensure that the Town Centre remains compact and easily walkable by avoiding outward expansion of the Town Centre Zone or commercial activities beyond the Transitional Town Centre Zones.

10.3.4.3 Encourage walking to and within the Town Centre by improving the quality of the pedestrian experience by:

Maintaining and enhancing the existing network of pedestrian linkages and ensuring these are of a high quality;

Requiring new pedestrian linkages in appropriate locations when redevelopment occurs;

Strictly limiting outward expansion of the Town Centre Zone and commercial activity beyond it

Central to the implementation of Objective Three is the Council's decision to concentrate noise, vibrancy and its downside cousin - nuisance - in the core downtown bar area. This policy has two primary purposes - to protect vibrancy of the downtown core and to protect residential amenity for those living or staying nearby.

So we have higher noise limits for the entertainment precinct - then a step down to the Town Centre zone - a further step down to the Town Centre Transition zone - and down further again for adjacent High-Density Residential.

A similar approach is reflected in liquor licensing rules - restricted discretionary in the Queenstown Town Centre versus discretionary in the Transition zone. It is also restricted discretionary in the Business Mixed Use zone.

This is contrary to the advice given in the Mitchell Partnerships AEE (page 13), which claims that licensed premises in the Queenstown Town Centre Transition zone are a controlled activity.

As the PC 50 report and AEE acknowledge, the Isle Street subzone is currently predominantly residential and is likely to remain so. By stretching the Town Centre zone rules over noise and licensing over this area as well as the primary Lakeview site, residential amenity is lost for existing residents.

I haven't seen any analysis by Mr Chiles about the implications in terms of noise contours of such a decision. Compare this to the considerable analysis done for looking at sound levels in different entertainment precinct options Council had commissioned earlier, showing the 40 to 65 DB contours stretching up Queenstown Hill, down Gorge Road and across the bay.

I am certainly no noise expert, but would assume that if downtown noise levels are allowed further up the hill at hours currently restricted to downtown bars, that this will have a significant negative residential amenity effect stretching far further out and affecting far more residents, as there is no land in the way to block the sound waves.

Bars and restaurants should not be allowed as of right in areas acknowledged to be predominantly residential. Especially with downtown noise limits in the natural amphitheatre that is Queenstown Bay.

These issues of residential amenity also link back to housing affordability. It is acknowledged that the need to acoustically insulate will reduce housing affordability in the area. Why not instead follow the lead of the proposed plan's Queenstown Town Centre chapter and restrict Town Centre noise levels to the core Town Centre?

To mitigate my concerns on this front, I would like to see at maximum the Town Centre Transition Zone rather than the Town Centre Zone applied to the land that Commissioners decide should be included in PC 50.

This would help minimise the loss of residential amenity for those living in or near the Town Centre, ensure the core Town Centre retains its vibrancy and help retain affordable housing - while still allowing flexibility for well mitigated exceptions where justified.

Re Objective Four: it is difficult to see how the proposed level of expansion can meet this objective. However, if and when the commissioners decide on an appropriate level of expansion, consideration of public and non-vehicular transport should be strongly included. This includes all the "rollable" transport forms – from prams through to zimmer frames.

Lack of good urban outcomes and a few random rules comments to finish with...

I do not pretend to be a landscape or urban planning expert but will quickly make some layperson's observations;

Height: while I accept that additional height helps with creating affordable housing options, this should be concentrated against the hill where it does not overpower the existing downtown or Queenstown Bay. And strong design guidelines should ensure resultant buildings do not become dominant monoliths without view shafts.

I am particularly concerned about the rule that allows Isle Street subzone buildings on sites greater than 2000 m² to go to 15.5 m high, with no apparent restrictions. This is too monolithic, too high and too close to downtown. I have not seen any landscape/urban planning/visual impact justification for this increase in height for large-scale buildings - which must inherently have a far greater impact on both their neighbours and downtown. I believe Isle Street maximum should be 12 m, as shown in PC 50's height plan. At the very least, the proposed plan Town Centre Transition zone ruling 10.3.7.b should be applied - requiring approval of a structure plan with the specified matters of discretion for developments of this size.

Outline plan: the structure plan and height plan provide minimal guidance for how PC 50 land will develop - structurally, functionally or aesthetically. There is zero guarantee that a developer will actually provide any particular level of high-density residential. There is zero guarantee that any will be affordable or community housing. Council is aiming for an MOU with a single developer. There is no guarantee of this either. Under PC 50 as written, I believe we could end up with fragmented, ad hoc and disjointed development. I believe an outline plan designating actual land use and some further policies/rules as to the level of urban design, affordable and community housing et cetera are required.

Urban design panel: having seen the benefits of Urban Design Panel review on various projects around town, I believe this should be an inherent part of this outline plan stage and any structure plan as required under 10.3.7.b above. The panel has broad experience, knowledge and expertise that would cumulatively add considerable depth and value to assessment of these plans and the relevant assessment matters.

Public space: there is little attention paid to the purposes of public reserve in the plan change, despite the fact that it contains a considerable amount of reserve land. PC 50's objective three, policy 3.5 talks of "appropriately scaled and located public spaces" - hardly inspiring or aspiring. What about appearance, connectivity, recreational use, community hub...? I reiterate, the Ngai Tahu pools site cannot be considered public - people will have to pay to enter it.

Rule 10.6.5.1.iv.f: it seems a large private cost (for no specified public gain) to put on landowners to say they cannot park vehicles in their front yard, especially when street-side parking is likely to become more limited when the Man Street bypass occurs and not all existing buildings have garages.

Rule 10.6.5.1.vii.e: if Transitional Town Centre zoning (at maximum) is applied to the Isle St sub zone, then perhaps mechanical ventilation systems would not be needed, retaining an element more affordability.

Conclusion

PC 50 names one resource management issue, Mitchell Partnerships' AEE claims three as the fundamental *raison d'être* of PC 50. The specific reason for PC 50 that both manage to avoid mentioning is, however, the key one - facilitating the development of a convention centre. I think it is fair comment to say that if the convention centre had not been mooted, this proposed plan change would not exist.

But is that sufficient reason to promote such a major extension to the Town Centre, based on so little analysis of the actual extent of this need and its effects on existing CBD businesses? On so little analysis in terms of impacts on residential amenity of anyone living in Queenstown Bay? With zero commitment to affordable housing, which the people with the low paid, casual and part-time jobs that the convention centre will in main part create will most definitely need? And outside of the district plan review process, of which it should be a logical part?

In terms of analysis, I note for example that the AEE quotes the figure of 460 full-time jobs being created by the convention centre. The study that came up with this figure referred to full-time job equivalents - few of them would actually be full time. The other economic impact study said that the convention centre would create 120 full-time equivalent jobs - across the region, not just in Queenstown. One study was done by Berl, the other by the New Zealand Institute of Economic Research. The reason for this quite distinct difference in supposed economic impact has not yet been explained.

And while many people might want to see a convention centre on the Lakeview site, who really wants to see bars and businesses stretch up the hill? Not existing bar and business owners, and not residents.

Who really wants 15.5metre high buildings just one street up from downtown?

I seriously question the extent of PC 50 as proposed. I think it would have serious consequences for both the vibrancy of downtown - which it purports to support - and downtown residential amenity.

While I understand that PC 50 might be seen as giving greater surety to the convention centre proposal than applying for resource consent, I do not believe it to be the appropriate mechanism.

In summary, I believe PC 50 to be the proverbial hammer to crack the convention centre nut. The resource management issue used to justify the plan change has been neither adequately defined nor proven.

Where and how the Town Centre should be expanded in this direction should be part of the district plan review. And Council should apply for a resource consent for the convention centre - or PC 50 should be drawn back into the area it was originally mooted to be - the Lakeview site alone.