

**BEFORE THE QUEENSTOWN LAKES DISTRICT COUNCIL**

IN THE MATTER

of the Resource Management Act 1991

AND

IN THE MATTER OF

Plan Change 50 (Queenstown Town Centre  
Zone Extension) to the Queenstown Lakes  
District Plan

**STATEMENT OF SCOTT FREEMAN**

## Introduction

1. My name is Scott Freeman and I appear today in relation Plan Change 50: Queenstown Town Centre Zone Extension ("PC 50").
2. I am a Director and Shareholder of Maximum Mojo Holdings Limited ("Mojo"). Mojo has owned the property located at 19 Man Street since late 2003. The former 1950's dwelling located on this property was converted into a professional office at the beginning of 2013 – this building now houses my company.
3. I have lived in Queenstown since the beginning of 1997. I am a qualified resource management planning consultant with over 17 years experience. I have previously worked for the Queenstown Lakes District Council and have been a planning consultant since late 1999. I established my own planning consultancy (Southern Planning Group) in 2003.
4. It is important to emphasise that I am not appearing today as a planning expert due to my vested interest of being a property owner who is affected by PC 50. However, when formulating my views and writing this text, it is difficult to avoid the use of planning terminology I use on a daily basis. Ultimately, the weight placed on my views will be at the discretion of the Commissioners who will decide PC 50.
5. I appear in support of the following submitters in terms of PC 50:
  - Maximum Mojo Holdings Limited (50/16)
  - The Dairy Guesthouse 2003 Limited (50/26)
  - Any Old Fish Company Limited (50/28)
6. As stated above, Mojo is the registered owner of the property located at 19 Man Street.
7. The Dairy Guesthouse 2003 Limited ("Dairy Guesthouse") is the registered owner of the property located 10 Isle Street and 21 Brecon Street.
8. Any Old Fish Company Limited ("Any Old Fish") is the registered owner of the property located at 37 Man Street.
9. The three submitters outlined above all own land within the proposed Isle Street Sub-Zone which forms part of the proposed extended Queenstown Town Centre Zone ("QTCZ"). The submitters have collectively worked together in considering PC 50 from the start of the consultation phase (pre-lodgement of PC 50) to this point. This collaboration has occurred between the submitters due to the generally mutually shared views on PC 50, in particular the proposed provisions that relate to the Isle Street Sub-Zone.

## The Submitter's views on the notified version of PC 50

10. The submitter's focus is on the proposed Isle Street Sub-Zone.

11. The submitter's agree that the two rectangular shaped blocks located to the north of Man Street (within the proposed Isle Street Sub-Zone) should be included in the expansion of the QTCZ as proposed by PC 50.
12. In the original submissions, the submitter's outlined that whilst the Isle Street Sub-Zone was not given the same focus or detail of assessments as the Lakeview Sub-Zone, the Isle Street Sub-Zone is vitally important as it provides a logical expansion of the QTCZ and greatly assists in justifying the rezoning of the Lakeview site.
13. Without the Isle Street Sub-Zone, the Lakeview Sub-Zone would be an isolated piece of commercial zoning, separate from the QTCZ. In the submitter's view, both sub-zones are intricately linked in terms of function and the appropriate expansion of the QTCZ. The submitters believe that the two sub-zones cannot and should not be separated.
14. The submitter's consider that the mixed use approach for the Isle Street Sub-Zone is the correct approach as promoted by PC 50. This will allow the land contained within the Isle Street Sub-Zone to evolve over time to support the existing QTCZ and the Lakeview Sub-Zone.
15. However, whilst a rigorous planning, architectural and urban design analysis was adopted for the Lakeview Sub-Zone, the submitters considered that the same level of detail was not given to the Isle Street Sub-Zone. In the submitter's view, the notified building development controls for the Isle Street Sub-Zone were inappropriate and would create significant tension for a mixed use area.
16. The original submissions outlined the specific concerns with the notified planning provisions for the Isle Street Sub-Zone. The notified planning provisions primary at issue for the submitter's related to the proposed building height recession lines, internal building setbacks and the ability to park vehicles within the road boundary setbacks.

**The Submitter's views on the recommended version of PC 50**

17. The submitters encouraged the Council to undertake a more detailed analysis of the bulk and location provisions that would apply to the Isle Street Sub-Zone. In this regard, the submitters have assessed the Statements of Evidence compiled by Mr John Kyle (in particular Appendix C that accompanies this evidence) and Mr Clinton Bird.
18. By in large, the submitters are generally comfortable with the additional analysis and the latest planning provisions that relate to the Isle Street Sub-Zone, as provided by Mr Bird in particular. However, the submitter's consider there are a few minor points of clarification that should be explored with the latest planning provisions. Such will be addressed below.
19. From an overview perspective, the submitter's understand the challenge of creating new planning provisions for the Isle Street Sub-Zone. Such challenges are succinctly outlined in paragraphs 10.50 to 10.53 of Mr Birds' Statement of Evidence.
20. In this regard, the submitter's believe that Mr Bird has summed the situation up well, by stating there will be some short term pain (i.e. potential loss of residential amenity for properties that stay residential for some time) versus the long term gain by taking the

opportunity to enable appropriate development within the Isle Street Sub-Zone which will bolster not only the existing QTCZ, but the Lakeview Sub-Zone as well.

21. Mr Bird has asked the question of 'How urban should the Isle Street Sub-Zone become?'. In responding to his own question, Mr Bird states that 'more urban than the two Isle Street blocks currently are, but not quite as fully urban as the existing Town Centre'. The submitters agree with this approach.
22. The submitter's views on the latest planning provisions (at issue in the original submissions) that relate to the Isle Street Sub-Zone are as follows.

#### Building Height Controls

23. The submitter's agree with the maximum building height limit of 12m above ground level (plus 2m roof bonus) as outlined in Rules 10.6.5.1(xi)(e) & (f). This height limit, in particular with the allowance of the 2m roof bonus, will enable greater efficiencies in terms of building design, functioning and layout, and a much better building aesthetic.
24. The notified version of PC 50 promoted the following recession lines via Rule 10.6.5.1(xi)(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.*

25. The submitter's raised a number of valid concerns in relation to the application of the proposed recession lines within the Isle Street Sub-Zone. These issues have largely been picked up (and further assessed) by Mr Bird in paragraphs 10.63 to 10.70 of his Statement of Evidence.
26. Overall, the submitter's agree with Mr Bird (and Mr Kyle/Mr Bryce) that the recession lines should be deleted from the Isle Street Sub-Zone. This is on the basis that 'odd looking, lop-sided building form, which appears to be leaning towards the north-eastern boundary' will occur. The submitter's further agree with paragraph 10.70 of Mr Bird's Statement of Evidence, which concludes:

*In my opinion, the objective of extending the Queenstown Town Centre zone across the Isle Street sub-zone, to connect it with the Lakeview sub-zone, requires a built form and streetscape character outcome which is unquestionably urban in character and, in my opinion, the currently proposed recession plane controls will not promote or achieve such an outcome.*

27. In place of the deleted recession lines, Mr Kyle and Mr Bird support the proposed Rule 10.6.5.1(xi)(i). This rule states:

*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 set back.*
- *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.*

28. The submitter's are supportive of the intent of the new rule outlined above. As the submitter's understand, the building setback at 8m in height will only apply to one internal 'side' boundary.

29. Using the property at 19 Man Street as an example, we understand the following outcomes can eventuate building height wise based on a complying building:

- A building can be built directly adjoining the Man Street road boundary of the property, up to 12m in height, plus roof bonus (no building height setback applies). Alternatively, a building can be built a maximum of 1.5m back from the Man Street road boundary, to 12m in height.
- On the south-western boundary (i.e. the left side boundary when viewing into the property from Man Street), the maximum height of a building within 3.2m from this boundary is 8m. The roof bonus does not apply within the 3.2m from this boundary.
- On the northern 'rear' boundary, a building can be built 12m in height (plus the 2m roof bonus), 6m back from this rear boundary.
- On the north-eastern boundary (i.e. the right side boundary when viewing into the property from Man Street), a building can be built up to 12m in height (plus 2m roof bonus), directly adjoining this boundary.

30. In the submitter's view, the interpretation of Rule 10.6.5.1(xi)(i) will potentially be confusing in the future due to the various orientations used (or not used) in the rule. The submitter's recommend the use of a specific interpretative diagram(s) within Appendix 4 of the District Plan. This diagram should also provide for the scenario whereby properties are amalgamated in the future.

31. The submitter's are supportive of the proposal to delete the minimum building setback of 1.5m from the internal boundaries as promoted by the notified Rule 10.6.5.1(iv)(g). The submitter's agree with the rationale of Mr Bird in this regard.

32. The submitter's are supportive of the new Rule 10.6.5.1(iv)(g) which provides for a 6m building setback from the rear yard boundary. If Rule 10.6.5.1(iv)(g) becomes operative, then in future a 12m central gap will exist within the two blocks that make up the Isle Street Sub-Zone. This gap will have a range of benefits, namely allowing some additional light into the properties/buildings that adjoin the gap, maintenance of some views and a useable area for car parking and other on-site outdoor activities.

33. However, the submitter's believe that further clarification needs to occur for corner sites within the Isle Street Sub-Zone in terms of the 6m 'rear' building setback. Reading the new

Rule 10.6.5.1(iv)(g) on face value, it would appear that a corner site like that owned by the Dairy Guesthouse could in fact have two 6m building setbacks, due to having two road frontages. Only one 6m 'rear' building setback should apply.

34. The Dairy Guesthouse is comfortable with the amendments to Rule 10.6.5.1(f) that protects car parking areas within the road setbacks.
35. Both the Dairy Guesthouse and Any Old Fish submitted that pedestrian links and a service lane should run through the two blocks within the Isle Street Sub-Zone. With the promotion of the 6m 'rear' setback running through the two blocks, there is the opportunity to future proof two service lanes within the two blocks contained within the Isle Street Sub-Zone.
36. However, for the service lane to be provided for, careful treatment will need to occur at the four ends of the two blocks (i.e. properties facing Hay, Brecon and Camp Streets). If properties are unduly affected at the end of the two blocks from a building perspective through the provision of a service lane, incentives such as additional building height could be provided, over and above what is presently proposed. The 6m 'rear' setbacks on properties located at each end of the block will need to be lined up appropriately.
37. Overall, the development of the Isle Street Sub Zone will bring about significant change to this area. Controlled appropriately from a District Plan perspective, I believe the Isle Street Sub Zone will be an asset to not only the existing QTCZ, but the Lakeview Sub-Zone as well.
38. Thank you for taking the time to hear this statement.

Scott Freeman

21<sup>st</sup> December 2014