

**BEFORE THE HEARINGS PANEL  
FOR THE QUEENSTOWN LAKES PROPOSED DISTRICT PLAN**

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

**AND**

**IN THE MATTER** Hearing Stream 06  
- Residential chapters

---

**STATEMENT OF EVIDENCE OF GARTH JAMES FALCONER  
ON BEHALF OF QUEENSTOWN LAKES DISTRICT COUNCIL**

**URBAN DESIGN**

**14 September 2016**

---

---

 **Simpson Grierson**  
Barristers & Solicitors

J G A Winchester / S J Scott  
Telephone: +64-3-968 4018  
Facsimile: +64-3-379 5023  
Email: sarah.scott@simpsongrierson.com  
PO Box 874  
SOLICITORS  
CHRISTCHURCH 8140

## TABLE OF CONTENTS

1. INTRODUCTION .....	2
2. EXECUTIVE SUMMARY .....	4
3. LOW DENSITY RESIDENTIAL CHAPTER 7 .....	6
4. MEDIUM DENSITY RESIDENTIAL CHAPTER 8 .....	11
5. HIGH DENSITY RESIDENTIAL CHAPTER 9 .....	17
6. LARGE LOT RESIDENTIAL CHAPTER 11 .....	24

## 1. INTRODUCTION

1.1 My full name is Garth James Falconer. I am the sole director and owner of Reset Urban Design Ltd, a specialist urban design and landscape architecture practice. I have been in this position since July 2008. I was previously the founding Director of Isthmus Group.

1.2 I hold a Master of Urban Design from Oxford Brookes University, a Post-Graduate Diploma in Landscape Architecture from Lincoln University and a Bachelor of Arts (Geography and Sociology) from the University of Auckland. I have over 26 years' experience leading design teams on large scale urban projects around New Zealand. I have been involved in formulating the Auckland Plan (2012) for Auckland Council and a number of leading comprehensive housing developments such as Hobsonville Point, Addison and Redoubt Ridge.

1.3 I am the author of the recently published book "Living in Paradox: an urban design history of kainga, towns and cities in New Zealand" (2015) which has received national and international critical acclaim. Several sections in the book background the history of housing development and include case studies of current best practice.

1.4 I have recently relocated to Wanaka and have been involved with the Queenstown Lakes District Council's (QLDC) Park Team on the formation of the Wanaka Lakefront Development Plan 2016-2046.<sup>1</sup> I provided written evidence<sup>2</sup> to this Panel on behalf of the Council on the Subdivision chapter of the Proposed District Plan (PDP), and appeared at the Subdivision hearing to present that evidence. I have now been asked by QLDC to provide evidence in relation to urban design matters for the following chapters of the PDP:

- (a) Low Density Residential, Chapter 7;
- (b) Medium Density Residential, Chapter 8;
- (c) High Density Residential, Chapter 9; and
- (d) Large Lot Residential, Chapter 11.

<sup>1</sup>  
<sup>2</sup>

<http://www.qldc.govt.nz/your-council/your-views/wanaka-lakefront-development-plan/>.  
Dated 29 June 2016.

**1.5** I note that whilst this is a Council hearing I can confirm that I have read the Code of Conduct for Expert Witnesses contained in the Environment Court Practice Note 2014 and that I agree to comply with it. I confirm that I have considered all the material facts that I am aware of that might alter or detract from the opinions that I express, and that this evidence is within my area of expertise, except where I state that I am relying on the evidence of another person.

**1.6** The key documents I have used, or referred to, in forming my view while preparing this brief of evidence are :

- (a) The notified versions of Chapters 7, 8, 9, 11 and 27 (the latter being the Subdivision Chapter), and the respective s 32 reports;
- (b) QLDC Land Development and Subdivision Code of Practice; and
- (c) Modelling of Proposed High Density Residential Zone (Boffa Miskell) dated 24 August 2016 (**Boffa Miskell report**).

**1.7** My evidence will cover:

*Low Density Residential Zone (LDRZ) – Chapter 7*

- (a) background to the LDRZ;
- (b) the objectives, policies and rules;
- (c) building height / height along Frankton Road; and
- (d) recession planes.

*Medium Density Residential Zone (MDRZ) – Chapter 8*

- (e) background to the MDRZ;
- (f) Density and Height;
- (g) the objectives, policies and rules;
- (h) the role of the Urban Design Panel;
- (i) Scurr Heights;
- (j) recession planes;
- (k) Wanaka Transition Overlay setback;
- (l) road setback;
- (m) continuous building length;
- (n) privacy; and

- (o) the Frankton MDRZ.

*High Density Residential Zone (HDRZ) – Chapter 9*

- (p) background to the HDRZ;
- (q) the objectives, policies and rules;
- (r) role of the Urban Design Panel;
- (s) Boffa Miskell's modelling Study;
- (t) Heights;
- (u) recession planes;
- (v) Floor Area Ratio (**FAR**)
- (w) site coverage;
- (x) continuous building length;
- (y) Kawarau Falls HDRZ – height;
- (z) Pounamu Hotel Site – Frankton Road;
- (aa) Height along Frankton Road; and
- (bb) minimum lot size.

*Large Lot Residential Zone (LLRZ) – Chapter 11*

- (cc) background to the LLRZ; and
- (dd) minimum lot size.

- 1.8** When I refer to "revised chapters" in this evidence, I am referring to the revised chapter, which will be Appendix 1 to the respective section 42A report.

## **2. EXECUTIVE SUMMARY**

- 2.1** The PDP for the Queenstown Lakes District (**District**) has adopted a compact urban form model based on establishing urban growth boundaries. This provides the context for requiring greater efficiencies throughout the different residential zones and increases the importance of good design.

- 2.2** The LDRZ is the most prolific and the PDP includes significant initiatives to improve the performance of traditional low rise detached development. The policies, objectives and rules for this zone outline concerns for quality outcomes. I have supported and added several recommendations largely to improve consistency. These suggestions

include the requirement for stronger design controls when subdividing existing lots ('gentle density'), the steepening of recession planes is supported to allow more flexibility in providing two storey design, and defined outdoor living courts should be a feature retained from ODP.

- 2.3** The MDRZ is where a lot of change is anticipated as this type of development (duplexes, terraces and small townhouses) becomes more popular. In a denser living environment there are a host of matters to be considered. I believe that a specific Medium Density Residential Design Guideline needs to be prepared as it would be helpful for applicants and shorten the processing of applications. Increased use of the existing Urban Design Panel is also recommended to improve the discussions around design. I have also supported a lower minimum lot size (150m<sup>2</sup>) and increasing the maximum height to 10m to allow for three level development.
- 2.4** The HDRZ requires even more design consideration and I have further recommended specific design guidelines and use of the Urban Design Panel. The sensitivity in relation to setbacks and recession planes in this zone has been well researched with the Boffa Miskell modelling study providing evidence for the proposed rules. Based on the modelling study I believe that reference to Floor Area Ratio (**FAR**) controls in deciding development envelopes is not supportable. I have supported refinement of some of the controls on site coverage and building length. There have been a number of specific submissions relating to controls of individual properties which have required testing of consistency of rules, and in some case specific contextual considerations.
- 2.5** At the other end of the spectrum in terms of residential density, the LLRZ currently has a minimum lot size of 4000m<sup>2</sup>. The original reason for large lots was to make a transition to the rural environment and to provide a diversity of housing choice. In general, I consider the minimum lot size could readily decrease to 2000m<sup>2</sup> without losing transition and amenity. This change would develop greater efficiency of landuse. There are several specific areas where due to landscape values and natural hazards, it is in my view appropriate to retain the existing lot size.

### 3. LOW DENSITY RESIDENTIAL - CHAPTER 7

#### Background

- 3.1 The PDP has adopted a compact urban form model based on establishing urban growth boundaries. The PDP includes a LDRZ located within the urban growth boundaries on the notified planning maps. This is by area the largest residential zone and its purpose is to retain the traditional low suburban densities based on freestanding, detached houses of a low height (on their own section).
- 3.2 In line with the shift to a compact urban form model the Council has revised provisions within this zone in the PDP to encourage greater efficiency, including increased density, heights, and provision for a broader range of activities. Commercial activities which are not considered to be "small scale" are however discouraged.
- 3.3 The major change from the Operative District Plan to the PDP for the LDRZ is the proposed base density of 450m<sup>2</sup> for both land use and subdivision, with the provision for a 300m<sup>2</sup> maximum density as a controlled activity, with a maximum height of 5.5m for an additional dwelling.
- 3.4 Overall, I believe the changes to the PDP represent a continued move to more flexible rules, encouraging infill development whilst retaining a low density residential character and amenity.

#### Review of Objectives and Policies

- 3.5 Objective 7.2.1 in the Revised Chapter<sup>3</sup> provides:

*Development provides for a low density residential living environment with high amenity values for residents, adjoining sites and the street.*

3 See Appendix 1 to the Low Density Residential Zone Section 42A report, Ms Amanda Leith, dated 14 September 2016.

**3.6** Supporting this baseline objective, redrafted Policy 7.2.1.2 [notified Policy 7.2.1.2] requires an intensity of development that is "sympathetic to the existing built character of predominantly one to two storeys".

**3.7** I consider that most of the new residential development completed in the District over the last thirty or forty years is uniformly low density and fits this description. Typically, section sizes are large from 600m<sup>2</sup> to 1000m<sup>2</sup>. If new development is expected to be compatible with the existing pattern then there will be little change. I support redrafted Policy 7.2.1.2, which is more broadly reworded to include "sympathetic to the existing built character".

**3.8** Redrafted Policy 7.2.1.3 (notified Policy 7.2.2.2) provides:

*Ensure the height, building coverage, and bulk and location of development maintains the lower intensity character of the zone and protects amenity values in terms of privacy, access to sunlight, views, and impacts arising from building dominance.*

**3.9** This policy appears to be a catch all for building positioning on the site along with setbacks and maximum site coverage. A further suggested positive shift to encourage greater efficiency of land use within the LDRZ would be to define the maximum size of a low density lot. As noted earlier, many lots are around the 1000m<sup>2</sup> size. I consider that a lower maximum of 800m<sup>2</sup> would create the opportunity for more lots whilst allowing the policy intentions relating to amenity to be achieved.

**3.10** Redrafted Objective 7.2.2 (notified Objective 7.2.3) provides:

*Development of higher 'gentle density' occurs where it responds appropriately and sensitively to the context and character of the locality and does not occur within the Queenstown Airport Air Noise Boundary or Outer Control Boundary.*

**3.11** I understand the reference to 'gentle density' refers to the ability to develop a section to a minimum of 300m<sup>2</sup> net site area, which creates

a medium density scale of infill development. This appears to be a facility which can be incorporated anywhere in the LDRZ, whether an existing or a new subdivision. I support this facility to allow some increase in density. In addition it is my view that for better activation of the street, sections that can be subdivided in a way that both lots have access to the street should be encouraged rather than the development of rear lots.

**3.12** Redrafted Policy 7.2.2.1 (notified Policy 7.2.3.1) extends the provision for gentle density to "*fit well within its immediate context*". This addresses potential dominance effects and privacy. The policy also "*provides street activation through connection between front doors and the street*".

**3.13** I support the first two bullet points in redrafted Policy 7.2.2.1 about managing dominance effects and privacy. However, I consider that the bullet point on street activation does not go far enough and should mention low fencing on the street side of the house, separating driveways and maintaining garages behind the line of the front door. Also for privacy it should be noted that the rear yard should not be overlooked as private space, and should contain a living court with good solar access of not less than 4.5m diameter. Given these concerns I support NZIA's submission (238) which seeks to maintain the existing ODP Rule 7.5.5.2(viii) within the PDP. In my opinion a provision for a specific living court may sit better in redrafted Rule 7.5.6 (notified Rule 7.5.5), Building Coverage in addition to the existing provisions for landscaped areas.

### **Review of Rules**

**3.14** Redrafted Rule 7.4.9.1 allows as a permitted activity, no greater than one residential unit per 450m<sup>2</sup>, except in the Queenstown Heights overlay area (one per 1500m<sup>2</sup>). Redrafted Rule 7.4.10.1 allows, as a controlled activity, one unit per 300m<sup>2</sup> (except for Queenstown Heights and sites within the Queenstown Airport Air Noise Boundary and Outer Control Boundary). The controlled aspects include use of the Arrowtown Design Guidelines (recently notified through Variation 1), setbacks, street frontage, breaking up building mass, parking and

access, landscape areas contributing to the visual amenity of streets, and taking account of any natural hazards.

- 3.15** 300m<sup>2</sup> sites could potentially detract from the LDRZ if design quality is not high. I suggest that for sites less than 450m<sup>2</sup>, a restricted discretionary rather than controlled resource consent should be required, and the matters of control could be amended to matters of discretion.

### **Building height / height along Frankton Road**

- 3.16** In the Revised Chapter I support redrafted Rule 7.5.1 for Building Heights for flat sites and Rule 7.5.2 Building height (for sloping sites).
- 3.17** Two level buildings and additions to buildings to increase their height to 2 storeys can add greater efficiency of land use and a height allowance for a gable or pitched roof can support local architectural character. In my opinion, a maximum height of 6m plus 2m for roof making a maximum of 8m for Wanaka (Notified Rule 7.5.1.1 provides a maximum height of 7m) would be more appropriate. However, I note that there is no scope in submissions to make this change.
- 3.18** I also note that in the Revised Chapter, redrafted Rule 7.5.3(b) provides that if a site under 900m is demolished the replacement of two homes cannot exceed 5.5m maximum height. If all other controls are met then I consider that this rule should be deleted or changed to Restricted Discretionary, as the low density zone supports one to two level homes and within this envelope two level homes can optimise the site's capacity.
- 3.19** Land along Frankton Road has valued views of the lake, and new Rule 7.5.16 restricts the height of buildings to below that of the centre line of the road in order to ensure that lake views can be obtained. I support the reasoning for this rule and that the new Rule 7.5.16 be clear and consistent.

## **Recession planes**

- 3.20** Redrafted Rule 7.5.8 Recession Planes aims to ensure separation of buildings from boundaries for privacy and outlook. In the Revised Chapter, the southern boundaries have a lower sloping gradient (35 degrees) than the northern boundaries (55 degrees), while the west/east boundaries recession plane is for 45 degrees.
- 3.21** These recession planes are a change from the ODP which had a broader 25 degree plane from all boundaries. I support these proposed recession planes as steepening up the gradient for the recession plane allows for more flexibility in two level buildings and the shadow study diagram<sup>4</sup> shows little difference between 25 and 35 degrees. I also note these proposed recession planes as they are the same as the ones used in Auckland and Christchurch, and are the same as proposed for medium and high density residential zones in the PDP.
- 3.22** Redrafted Rule 7.5.9 Minimum Boundary setbacks provides that the setback for a road boundary is 4.5m and the side and rear boundaries is 2m.
- 3.23** While I consider that these boundary setbacks are well scaled and clear, it is my opinion that more generous setbacks are required for the rear boundary to create a private and usable rear yard. Therefore, I suggest the retention of the ODP standards which are 4.5m from the road, two 2m (side) setbacks and one 4.5m. Ideally for maximum solar orientation, roads should be running north south, so rear yards are usually on the east west boundaries. However as specifics vary according to site topography and house layout, I believe it is best to retain the ODP provision that allows the developer to define where the larger (4.5m minimum) setback lies.

4 The shadow study diagram is contained in Appendix 9 of the Low Density Residential Zone Section 42A report, Ms Amanda Leith, dated 14 September 2016.

## **4. MEDIUM DENSITY RESIDENTIAL - CHAPTER 8**

### **Background**

- 4.1** The MDRZ provides for increased densities close to existing town centres and shopping areas. The building form will provide for a range of housing, typically including terrace, semi-detached houses (duplexes), and small townhouses that will generally be under two storeys. Recognising that these types of homes and the increased density may fit well with existing character in some centres within the District such as Arrowtown though in other centres this type of development presents a number of design challenges which are addressed in the policies, objectives and rules of this chapter.
- 4.2** A base density of one dwelling per 250m<sup>2</sup> is proposed for the MDRZ.
- 4.3** Increased amenity controls are provided in the MDRZ to ensure high quality design.
- 4.4** The Arrowtown Design Guidelines 2016 provide specific design criteria for built forms in that area.
- 4.5** The MDRZ caters for residential activity but is also supportive of community based facilities.
- 4.6** There have been a number of submissions in opposition to the MDRZ, in particular regarding existing character, with some wanting more control and others seeking retention of the notified LDRZ provisions.

### **Density and Height**

- 4.7** A maximum density of one dwelling per 250m<sup>2</sup> is proposed for the MDRZ.
- 4.8** For the anticipated use of terrace housing, semi attached duplexes and small townhouses, I believe this is a relatively conservative maximum. The Ministry for the Environment definition for medium

density housing allows housing under 350m<sup>2</sup> for terrace houses, attached, small townhouses, and apartments up to 4 storeys.<sup>5</sup> A Housing New Zealand study defines Medium density housing as being between 150m and 350m<sup>2</sup> for both brown and greenfield.<sup>6</sup> Given that terrace housing is often on a lot of around 180 to 200m<sup>2</sup> I suggest a site density of 150m<sup>2</sup> and 350m<sup>2</sup> is more supportive of a broader range of medium density residential house types. This would also clearly define the zone purpose between High Density and Low Density.

- 4.9** Redrafted Rule 8.4.11 includes a number of matters of discretion. These matters include sustainable construction techniques, visual privacy from neighbours, positively addressing the street, and contextual design quality.
- 4.10** I consider that these matters of discretion are positive, although there are a number of other design matters to be considered when dealing with medium density. For example space between buildings, on site facilities, vehicle access and materials are also relevant. These could be added as matters of discretion, although I consider that the provision of a Medium Density Residential Design Guideline would more fully cover these and other areas and encourage good design outcomes.
- 4.11** Redrafted Rule 8.5.1 sets out maximum heights for Arrowtown and Wanaka of 7m, and all other locations have a maximum height of 8m.
- 4.12** These maximum heights are restrictive as they only allow for a two storey house. I consider that three level terrace houses and small townhouses are familiar to medium density dwellings in other parts of the country. Although no submissions have been received on this specific point, I therefore consider that a 10m permitted maximum height should be included in redrafted Rule 8.5.1 as it would allow for a three level building and a roof.

5 Medium Density Housing: Case Study Assessment Methodology, Ministry for the Environment, Wellington, 2012.

6 Best Practice in Medium Density Housing Design, Housing New Zealand Corporation, 2004.

## **Review of Objectives, Policies and Rules**

- 4.13** There are a number of redrafted objectives and policies at 8.2.1 to 8.2.13 that outline urban design outcomes for the MDRZ. I consider that these objectives and policies are detailed and generally support good design outcomes.
- 4.14** There are also specific objectives for Arrowtown and Wanaka that reflect their specific character (notified 8.2.6 and 8.2.12; redrafted 8.2.5 and 8.2.10).
- 4.15** Medium density housing is a relatively new form of residential development in New Zealand. The dominance of low density residential development has allowed a relaxed planning approach to design. However, most towns and cities across New Zealand have sought to contain urban sprawl and have encouraged the development of more consolidated forms of residential living. What is referred to as medium density is an area of strong focus within residential design and provision.
- 4.16** As people are living closer together in medium density areas, design is a critical element. Some earlier examples of medium density housing were not well designed and have created a poor appreciation of the building type.
- 4.17** I note that most of the proposed objectives are about design and suggest that the use of a specific Medium Density Residential design guideline for the zone would be a better and more succinct way to address a number of these issues and to encourage better design.
- 4.18** A number of local authorities have produced design guidelines for medium density housing e.g. Waitakere and North Shore were early examples with Hamilton and Selwyn District Council being more recent. As there are currently no Medium Density Residential Design Guidelines prepared for the District there will be an unavoidable gap until these are prepared.

- 4.19** In addition I consider that in my view, Design Guidelines similar to those produced for Arrowtown (notified as Variation 1) should include sections on other parts of the District that have a special character.

#### **Role of Urban Design Panel**

- 4.20** Another way to provide design review is to require development proposals to be reviewed by an urban design panel, which is a constituted group of multi-disciplinary design professionals.
- 4.21** A urban design panel process can speed up the submission and processing of development applications, giving both the applicant and Council greater clarity on design requirements.
- 4.22** The Queenstown Urban Design Panel was established in 2006 and has focused mainly on commercial developments, although all applicants can request the service. Despite early reservations, I understand that review by the Urban Design Panel has generally been welcomed by the development community as improving the process and outcomes.
- 4.23** Medium density design is an area where I anticipate there will be more development, and where design is a critical element. I would therefore support a requirement in the PDP for a review by the Urban Design Panel.

#### **Scurr Heights**

- 4.24** Scurr Heights is a Greenfields development site in Wanaka. It is an elevated site with extensive views of Lake Wanaka and the surrounding mountains.
- 4.25** At the upper sections of Scurr Heights, along the eastern boundary with the adjoining established residential development, there is a walk and cycleway which provides high quality access and views.
- 4.26** In order to retain views from encroaching new development on Scurr Heights I support an increased setback of 6m and height limit of 5.5m

for housing adjacent to the walkway (Redrafted Rules 8.5.8.2(a) and 8.5.1.1(a)).

### **Recession Planes**

- 4.27** Redrafted Rule 8.5.6 Recession plane notes a setback of 2.5m with recession planes of 55 degrees for northern, 45 degrees for east and west, and 35 degrees for southern boundaries. These planes do not apply when a site boundary adjoins a town centre zone, fronts the road, or a park or reserve.
- 4.28** Recession planes are important planning design controls to ensure adequate solar access and minimise shading effects on neighbouring properties.
- 4.29** I understand that some submitters (512 and 536) have sought a reduction from a non-complying to restricted discretionary activity status for the proposed recession planes on the basis of adverse effects on neighbours and potential mitigation of landscape. The recession planes should in my view be a standard rule for consistency rather than individual assessment. As I have noted earlier, the proposed recession planes are the same as others that have been long established in other local authorities around the country, such as Auckland and Christchurch.
- 4.30** In response to two submissions (268 and 648) requesting specific lowering of the recession planes in Arrowtown, I agree that Arrowtown's valley siting means lower levels of sunlight during the winter. However, that has been its traditional condition and its relatively dense urban form would suffer if greater setbacks and lower heights were required.<sup>7</sup>

### **Wanaka Transition Overlay Setback**

- 4.31** Where the MDRZ adjoins the Wanaka Town Centre Transition Overlay there is a change of density and land use.

7 The relevant rule is 8.5.6.

- 4.32** In response to concerns for the standard of design in this area I support the discretionary provisions in redrafted Rule 8.4.2.2. However, the minimum boundary setback of 1.5m (redrafted Rule 8.5.8) should be specifically increased for a rear boundary to 3m, as same as the front, to allow for adequate building separation, access and storage.

### **Road Setback**

- 4.33** Redrafted Rule 8.5.8 provides for a general road boundary setback of 3m with the setback from State Highway boundaries and garages of 4.5m. I agree with these setbacks as the 4.5m setback for a garage allows for a car to park on the driveway. A setback of 3m for the remainder of the house is also appropriate and helps decrease garage dominance.
- 4.34** Exemptions from this rule in my opinion should be garages to be built up to the boundary in rear laneways (that back onto rear yards). On steeper sites where access is made difficult, garages could be built to the site boundary.
- 4.35** Redrafted Policy 8.2.2.3 notes the concern with garages dominating the street frontage. It is difficult with the issues of a tighter site to provide definite rules around controlling the limits of garages and carports. In general, I support garages not exceeding 50% of the building frontage as viewed from the road, as drafted in new Rule 8.5.14, though I suggest adding to this rule that garages should not extend past the front of the house.

### **Continuous Building Length**

- 4.36** Medium density housing has different types of housing forms compared to low density and many of these are attached housing forms, such as terrace and duplexes.
- 4.37** In the MDRZ, terrace houses can range from 5m to 8m in width and the construction of up to three dwellings per site is a permitted

activity. I support new Rule 8.5.9 for a 24m maximum building length. This allows for three dwellings.

### **Privacy**

**4.38** Notified Rule 8.5.10 required upper level windows to be set above the floor by 1.5m.

**4.39** I consider that the privacy matter is already adequately addressed through the setback and recession plane rules. Consequently, I consider that notified Rule 8.5.10 should be deleted.

### **Frankton Medium Density Residential Zone**

**4.40** The section of State Highway 6 along Frankton has high amenity views. Therefore a landscape plan and maintenance program were suggested for sites under notified Rule 8.5.3.3 (redrafted Rule 8.5.3.2).

**4.41** I do support notified Rule 8.5.3.3 although I suggest that the word "minimum" be applied to the planting of two groundcover plants per square metre within 4m of the SH6 road boundary; to gain complete ground coverage within two years is in my view more appropriate. An approved plant list should also be included in redrafted Rule 8.5.3.2. There could be plants on the approved planting list that are smaller and require three or four plants to the square metre.

## **5. HIGH DENSITY RESIDENTIAL - CHAPTER 9**

### **Background**

**5.1** The HDRZ provides for intensive development within close proximity to town centres and with easy access to walking, cycling and public transport. The building form will provide for apartment living greater than two storeys in Queenstown, and two storeys in Wanaka. There is no HDRZ proposed for Arrowtown.

- 5.2 Small scale commercial and community facilities are to be accommodated as supportive to the more intensive land use.
- 5.3 Given the urban context of the development it is anticipated that protection of existing amenity values will change as the character of the area becomes more intensive.
- 5.4 The large visitor element to the District can also be accommodated in this zone.
- 5.5 Provision of apartments adds to the diversity of the housing range and to affordability.
- 5.6 Generally across New Zealand, high density residential development is not a widespread or familiar type of development, and there is usually a lot of reservation in the broader community about the quality of living and effects on neighbourhood character. However in Queenstown there is a long established presence of high density residential apartments, hotels and other forms of visitor accommodation.

### **Review of Objectives, Policies and Rules**

- 5.7 There are six objectives listed for the HDRZ.
- 5.8 My review of these objectives and policies is that whilst they are relatively short (in contrast there are 13 objectives for the LDRZ) they are reasonably detailed and generally support good design outcomes.
- 5.9 I consider that most of the objectives and policies are about design, which is replicated in the rules. Similar to my recommendation with the MDRZ, I consider that preparation of a specific High Density Residential Design Guideline for the zone would allow an expanded approach to address design considerations including providing a response to context and possible design alternatives. Granting a discretionary activity consent could be contingent on meeting High Density Residential design guidelines which would allow the objectives, policies and rules to be more succinct.

## **Role of Urban Design Panel**

- 5.10** I have set out above, the role of the Queenstown Urban Design Panel.
- 5.11** Across all forms of activity (discretionary to non-complying) in the HDRZ, I would support the review by the Urban Design Panel as a well suited device to aid the design process. I note this service is already available to applicants if they request it.
- 5.12** The HDRZ is centrally located in both Queenstown and Wanaka, in areas where a transition to higher density is anticipated. Design quality is critical to good outcomes in these areas. However, there are no specific design guidelines in place to direct assessment or to act as a terms of reference for the Urban Design Panel.
- 5.13** To give urban design considerations more weight, I consider that the mandatory use of the Urban Design Panel for HDRZ developments with more than six units would be beneficial. The cost and further management required of such a process is, in my opinion, outweighed by the benefits of good design. However if this process were not mandatory, as an alternative, the use of the Urban Design Panel could be further be encouraged through High Density Residential design guidelines; or consideration for non-notification by the consenting planner.

## **Boffa Miskell Modelling Study**

- 5.14** A modelling study of building form for High Density Residential areas in Queenstown and Wanaka has been updated in August this year by Boffa Miskell (the original was commissioned in 2006).<sup>8</sup>
- 5.15** The study aimed to test the application of varying planning controls against the resulting physical form, using a flat section of 1000m<sup>2</sup> and a sloping section of 1375m<sup>2</sup>.

8 See Appendix 5 to the High Density Residential Zone Section 42A report, Ms Kim Banks, dated 14 September 2016.

- 5.16** The results of the modelling demonstrate that applying the site coverage, setbacks and recession planes provides a built outcome that works efficiently (yield together with service requirements) even on a relatively small site, which is typical of low density redevelopment (scenario 1 and 2 in Boffa Miskell's report).
- 5.17** The FAR applied with the other planning controls makes little difference (scenario 3 and 4 in the report), although without recession planes, FAR controls result in a low squat building that would impinge on neighbouring properties (scenario 5 in Boffa Miskell's report).
- 5.18** The sloping sites modelled show a lower form and yield than flat sites as would be expected. The increase of heights on sloping sites (scenario 7) to 3 storeys (12m) creates a bulkier building form and residual open space. The lower stepped form appears in my view, to be more efficient.

## **Heights**

- 5.19** Redrafted Rule 9.5.1 provides the permitted maximum height of 12m for Queenstown and 8m for Wanaka. This would allow a 4 level and 2 level building respectively on a flat site.
- 5.20** As a consequence of the review of submissions, it is now proposed that as a Restricted Discretionary activity the maximum height be increased to four storeys (15m) for flat sites in Queenstown to allow greater flexibility in larger developments together with the application of recession planes. I agree with this increase in the maximum height because it allows for higher density and greater flexibility in the HDRZ.
- 5.21** Sloping sites (greater than 6 degrees over the site) have a permitted maximum height of 7m and as a restricted discretionary activity status, a maximum of 10m. This would apply to some sections of the HDRZ in Wanaka as well as Queenstown. I agree with the use of the Restricted Discretionary activity status as it allows for individual assessment, but focused on the key areas of concern.

## **Recession Planes**

- 5.22** Notified Rule 9.5.6 (redrafted Rule 9.5.5) Recession planes requires a setback of 2.5m and recession planes of 55 degrees for northern, 45 degrees for east and west, 35 degrees for southern boundaries. These planes do not apply when a site boundary adjoins a town centre zone, fronts the road, or a park or reserve. These provisions fit within other examples from other local authorities such as Auckland and Christchurch.
- 5.23** Recession planes are important planning design controls that ensure adequate solar access and minimise shading effects on neighbouring properties.
- 5.24** Many parts of central Queenstown have steep south facing sites. Therefore, I consider the lower angle for the south face is required for solar access. I continue to support this rule as notified.

## **Floor Area Ratio**

- 5.25** A FAR was included in notified Rule 9.5.5 to control the height and bulk of buildings. Some submissions have sought for this to be deleted, amended or clarified.<sup>9</sup>
- 5.26** The maximum height in the HRDZ of four levels a relatively low level. FAR controls have generally been developed for use in tall building situations, in tight downtown urban areas of large cities. The existing provisions of recession planes, site coverage and setback controls are in my view more accurate and useful as controls in the lower height context and one with neighbouring sensitivities.
- 5.27** The Modelling Study completed by Boffa Miskell demonstrates that utilising the FAR planning scenario would tend to result in squatter broader buildings that impinge on neighbouring properties. This can be seen on the modelling drafts (scenarios 1 versus 3, 2 versus 4 and

9 See for example, Bruce McLeod (166), who seeks for the meaning of the rule to be clarified.

5), in the Modelling Report, which is attached to Ms Bank's section 42A report in Appendix 5.

- 5.28** For all these reasons I recommend that the references to FAR are removed.

### **Site Coverage**

- 5.29** Notified Rule 9.5.4 specifies a site coverage of 70% for flat sites and 65% for sloping sites. The notified site coverage for flat sites (70%) has been increased from 65% under 7.5.5.2(i) of the ODP. The ODP does not distinguish between sloping and flat sites in terms of building coverage. Basements and verandas above the ground level are not controlled.

- 5.30** The difference in site coverage for sloping sites of 5% makes little difference and I consider it is not necessary. Given the applicable standards of sloping sites, topography and design of the building I do not consider it is necessary to have dispensation of 5% for a sloping site. Parking also will largely tend to be internal to the building in the HDRZ. I would therefore support a consistent site coverage of 70% for both flat and sloping sites.

### **Continuous Building Length**

- 5.31** Notified Rule 9.5.8 (redrafted Rule 9.5.7) provides for a maximum length of a building above one storey of 30m.

- 5.32** With apartment complexes aggregating numbers for development and operational feasibility, the scale tends to the larger extent. I consider that a limit of 30m for building length is reasonable and fits well with in existing examples in Queenstown. A High Density Residential Design Guideline could also add provisions to modulate the form of the building.

### **Kawarau Falls - height**

- 5.33** The HDRZ adjacent to the Kawarau Bridge is a north facing sloping site.
- 5.34** Peninsula Road is on the southern boundary and serves the larger Kelvin Heights suburb. This road sits in a context of unbuilt landscape and has superb views across the lake and to the surrounding mountain ranges.
- 5.35** In this context I consider that a lower maximum height of 7m on this southern boundary would be appropriate.

### **Pounamu Hotel Site - Frankton Road**

- 5.36** This is a large apartment complex that has a long low stepped appearance from Frankton Rd.
- 5.37** There has been a number of submission points made by the Pounamu Body Corporate Committee about controls on the undeveloped portions to the rear of the Pounamu Hotel site (referred to as 'Lot 5').
- 5.38** I agree with the points the reporting planner Ms Banks makes about provision of open landscaped space and the open views of the lake from the site.<sup>10</sup>
- 5.39** In terms of future development effects on the adjoining sites, the recession planes, site coverage and height controls are in place.
- 5.40** I do not believe that there is a distinct character to the adjoining neighbourhood. There is a lot of new development and the neighbourhood appears to still be in transition.

10 See [8.16] of the High Density Residential Zone Section 42A Report, Ms Kim Banks, dated 14 September 2016.

- 5.41** For these reasons I do not consider that any site specific changes to the provisions are needed for this site. However, given the prominence and scale of the site I believe that any future development proposal should be encouraged to go through the Urban Design Panel; or given specific attention through urban design guidelines, should these be developed.

#### **Height along Frankton Road**

- 5.42** This area has valued views of the lake from the Frankton Road and planning provisions restrict the height of building to below that of the centre line of the road. There is a provision that allows 10% of the road length to go up one level. In my opinion this is complicated and compromises the intent of the planning controls in this area, which is simply to maintain free unobstructed views from the road across to the lake. My recommendation is that this provision is deleted.

#### **Minimum Lot Size**

- 5.43** The minimum lot size from the subdivision chapter is noted at 450m<sup>2</sup> and whilst this is larger than the minimum lot size for medium density, a large lot size is required to produce a building that can provide access and is well proportioned with the added height provision. I recommend that this minimum lot size should be maintained.

## **6. LARGE LOT RESIDENTIAL - CHAPTER 11**

### **Background**

- 6.1** All of the LLRZ areas are within Wanaka. This is an area which differs from the Rural Residential Zone due to its location within the urban growth boundaries and having a greater density of lots.
- 6.2** In line with the shift to a compact urban form model, the PDP has revised provisions within this zone to encourage greater efficiency including revision of minimum lot sizes, maximum site coverage and heights.

## **Minimum Lot Size**

- 6.3** A number of submitters (many including 322, 1110 and 1126) have proposed that reducing the minimum lot size from 4000m<sup>2</sup> to 2000m<sup>2</sup> across the entire LLRZ would support a more efficient use of land.
- 6.4** In the section 42A report, Ms Leith (the reporting planner) has considered each of the LLRZ areas in terms of existing development, proximity to the town centre and the natural landscapes.
- 6.5** Three areas are considered suitable for a reduced minimum lot size. The first is next to Aubrey Road, the second close to Wanaka Town Centre on Golf Course Road, and the other is close to Albert Town Centre and is largely subdivided to a similar scale. I support these recommendations for the reasons given in the section 42A report.
- 6.6** Given the change to more density within the Urban Growth Boundaries I believe in general each zone should be supporting greater densities. The LDRZ is already very extensive and the Rural Residential zone is to be found solely outside the Urban Growth Boundary. I note also a number of LLRZ areas are well within the Urban Growth Boundary.
- 6.7** The minimum lot size of 4000m<sup>2</sup> is a very large lot. The original reason for large lots was to make a transition to the rural environment and to provide a diversity of housing choice. In general, I consider the minimum lot size could readily decrease to 2000m<sup>2</sup> without losing the transition and developing greater efficiency of land use.
- 6.8** Redrafted Objective 11.2.1 seeks to maintain high levels of residential amenity. With large setbacks, two storey height limit and low site coverage, the difference in the size of the lot is not affected by a reduction to 2000m<sup>2</sup> which would still allow a large garden and landscape plantings.
- 6.9** I note that Ms Leith has worked through each specific area and has recommended several areas of LLRZ to remain at 4000m. I agree with all of her recommendations for the reasons that the areas are on

the periphery (Mt Aspiring Road), already largely developed (sections of Aubrey Road) or within Outstanding Natural Feature (sections of Aubrey, and at the base of Mount Iron) and a Natural Hazard (Studholme Road).

A handwritten signature in black ink, consisting of several overlapping loops and a long horizontal stroke extending to the right.

**Garth Falconer**  
**14 September 2016**