

FORM 5
SUBMISSION ON PROPOSED QUEENSTOWN LAKES DISTRICT PLAN

Clause 6 of Schedule 1, Resource Management Act 1991

To: Queenstown Lakes District Council

Submitter Details:

Name of submitter: Trojan Holdings Limited & Beach Street Holdings Limited

Address for Service: Trojan Holdings Limited & Beach Street Holdings Limited
C/- Southern Planning Group
PO Box 1081
Queenstown 9348

Attention: Tim Williams
tim@southernplanning.co.nz
021 209 8149

1. This is a submission on the Proposed Queenstown Lakes District Plan.

2. Trade Competition

The submitter could not gain an advantage in trade competition through this submission.

3. Omitted

4. Trojan Holdings Limited (THL) and Beach Street Holdings Limited (BSHL) submission is that:

THL owns several properties located within the Queenstown Town Centre zone. 24 Beach Street (Lot 1 DP 25042) "**Stratton House**", 25 Shotover Street (Sec 9 -11 Block X Town of Queenstown & Sections 13 -15 Block X Towns of Queenstown) "**The Station**", 68 & 70 Stanley Street (Section 2 and Part Section 1 Block XII Town of Queenstown) "**Avis**".

BSHL owns 23 - 27 Beach Street (Lot 1 DP 12107, Lot 5 DP 11098, Section 21 Block VI Town of Queenstown and Section 20 Block VI Town of Queenstown).

The PDP zoning is identified on Proposed Planning Map 36 – Queenstown Central.

THL & BSHL in part **supports** the Proposed District Plan (PDP) on the following basis:

- 4.1 The PDP zones THL & BSHL land Town Centre Zone.
- 4.2 The PDP objectives, policies and rules that enable and promote development in the Town Centre Zone.
- 4.3 The PDP objectives and policies that support:
 - Rule 12.5.9.1 & 12.5.10.1 relating to height in Precinct 1, and
 - Rule 12.5.10.5 (a) Height Precinct 4 Recession Plane.

THL & BSHL in part **opposes** the Proposed District Plan (PDP) on the following basis:

- 4.4 The PDP objectives, policies and Queenstown Town Centre Design Guidelines 2015 that inform and supports Rule 12.4.6.1 Buildings (design and external appearance).
- 4.5 The PDP objectives, policies and Queenstown Town Centre Design Guidelines 2015 that inform and supports Rule 12.5.2.1 Building Setback and Rule 12.5.10.1 (d) Parapet and Recession Plane controls.
- 4.6 The PDP objectives, policies and Queenstown Town Centre Design Guidelines 2015 that inform and supports Rule 12.5.14 Glare.
- 4.7 The above rules do not promote the purpose of the Resource Management Act 1991 because they:
 - do not promote or give effect to Part 2 of the Act,
 - do not promote or give effect to the objectives and policies of the District Plan;
 - do not meet section 32 of the Act, and
 - are not the most appropriate method for achieving the objectives of the Proposed District Plan having regard to its efficiency and effectiveness, and taking into account the costs and benefits.

Without derogating from the generality of the above, THL & BSHL further states that:

- 4.8 The THL & BSHL land is zoned Town Centre Zone in the District Plan. THL & BSHL supports the zoning of this land Town Centre Zone in the PDP.
- 4.9 THL & BSHL supports the PDP objectives & policy framework to the extent it promotes a regime where no control over site coverage is provided in Town Centre Zone and no parapet height control would apply to **Stratton House**.
- 4.10 THL & BSHL supports the location of **The Station** and **Avis** within Height Precinct 1 and the accompanying height controls that promote a building height of 14 m via a restricted discretionary consent within Precinct 1.
- 4.11 THL & BSHL considers the height limits proposed in Height Precinct 1 will promote the efficient use of Town Centre sites.
- 4.12 THL & BSHL supports the recession plane controls applicable in Height Precinct 4 (Rule 12.5.10.5 (a)) particularly as it applies to **Stratton House**. The proposed recession plane will better enable for development on sites within Height Precinct 4 and therefore improve the efficient development of Town Centre zoned land.
- 4.13 THL & BSHL recommends Rule 12.5.10.5 (a) is clarified to remove the reference to the block description that follows on from the reference to Height Precinct 4 because:
- it is unclear what the description adds that is not already covered by the reference to the precinct,
 - the precinct boundaries are clearly defined on the Height Precinct Map, and
 - the addition of the description creates a suggestions that the scope of the rule is being confined further than the entirety of Height Precinct 4 which does not in fact appear to be the intention.

- 4.14 THL & BSHL opposes the PDP rule relating to buildings where it has changed the status of buildings and/or external appearance changes from controlled to restricted discretionary because:
- there is no monitoring or other evidence provided by Council in its s32 or other documents to identify that the existing controlled activity regime is ineffective or inefficient and therefore that a restricted discretionary status is justified,
 - requiring a restricted discretionary consent for all buildings and external alterations will create significant uncertainty, cost and complexity.
 - a controlled activity regime can provide appropriate control to ensure a good design outcome whilst providing certainty to landowners, and
 - in seeking to streamline and simplify the District Plan a controlled activity regime would be more appropriate.
- 4.15 THL & BSHL opposes the PDP rules relating to the setback of buildings, parapet height and recession plan control applicable to the north side of Beach Street because:
- these controls are contrary to the intentions of the review in seeking to enable an efficient use of a scarce resource,
 - these controls place significant limits on the development potential of the north side of Beach Street without any identifiable benefits.
 - a resource consent process can adequately provide for a suitable design response for buildings on the north side of Beach Street without arbitrarily imposing additional bulk and location controls.
 - the existing setbacks of buildings on the north side of Beach Street are varied and imposing a standard requirement on all sites will not reflect the positive effects a varied setback has on the streetscape.
 - the recession plane control is ineffective and unnecessary in encouraging sunlight into Beach Street. The angle of the sun is such that the recession plane control has no impact on the level of sunlight in the street.
- 4.16 THL & BSHL opposes the PDP rule relating to the control of glare as it unnecessarily restricts the range of colours and materials that can be used on

a building. In particular the rule would limit the choice of colours on buildings to those with a reflectance of between 0 and 36%.

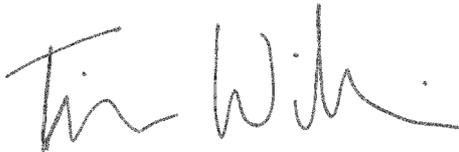
- 4.17 THL & BSHL considers a rule effectively limiting the choice of colours and materials is inefficient and unnecessary within a town centre environment. Appropriate controls exist to consider the external appearance of buildings and therefore colour without limiting those considerations through this rule.
- 4.18 Given the status of a breach of this rule the external appearance consideration of a building could be elevated to a non-complying activity. This is considered inappropriate given the wide range of colours and materials present within the Town Centre zone.
- 4.19 The implications of this rule are considered contrary to the general framework of the PDP and QLDC design guideline that do not support limiting the range of colours and materials on buildings as promoted in this rule and is not supported by any s32 analysis.

5. The submitter seeks the following decision from the Queenstown Lakes District Council:

- 5.1 The Proposed District Plan as notified is confirmed as it relates to:
- The zoning of THL & BSHL land Town Centre,
 - The removal of controls over site coverage,
 - The removal of a parapet height control applicable to **Stratton House**,
 - The location of Stratton House and Avis within Precinct 1 and Rules 12.5.9.1 & 12.5.10.1 enabling a height limit of 14m, and
 - The height recession plane control as provided in Rule 12.5.10.5 (a).
- 5.2 The Proposed District Plan is modified so:
- Rule 12.4.6.1 triggers a controlled activity consent not restricted discretionary,
 - Rule 12.5.2.1 Building Setback and Rule 12.5.10.1 (d) are deleted, and
 - Rule 12.5.14.4 is deleted.

5.3 Any consequential relief or alternative amendments to objectives and provisions to give effect to the matters raised in this submission.

6. **The submitter wishes to be heard in support of their submission.**
7. **If others make a similar submission the submitter will consider presenting a joint case with them at a hearing.**



(Tim Williams on behalf of THL & BSHL)

23 October 2015

FORM 6
FURTHER SUBMISSION ON PROPOSED QUEENSTOWN LAKES DISTRICT PLAN

Clause 8 of First Schedule, Resource Management Act 1991

To: Queenstown Lakes District Council

Submitter Details:

Name of submitter: Trojan Holdings Limited & Beach Street Holdings Limited

Address for Service: Trojan Holdings Limited & Beach Street Holdings Limited
C/- Southern Planning Group
PO Box 1081
Queenstown 9348

Attention: Tim Williams
tim@southernplanning.co.nz
021 209 8149

1. This is a further submission on the Proposed Queenstown Lakes District Plan.

2. The following submissions are opposed:

- Submission 82 – Toni Okkerse
- Submission 238 – NZIA Southern and Architecture + Women Southern
- Submission 417 – John Boyle

3. The following submissions are supported:

NA

4. The submitter has an interest in the proposal that is greater than the interest of the general public.

The submitter's interest is greater than the interest of the general public because Trojan Holdings Limited & Beach Street Holdings Limited was a submitter on the Proposed District Plan and owns land that is directly affected by outcomes requested in the submissions listed above.

5. The reasons for this submission are:

Submitter #	Support, Oppose or Neutral	Further Submission
82	Oppose	The submitter opposes this submission and considers requirements for parking within the CBD is inappropriate and inefficient. Amendments to height as detailed in the submission are inappropriate and inefficient. The submission and matters sought in it will therefore not promote or give effect to Part 2 of the Act. Matters raised in the submission do not meet section 32 of the Act. Are not the most appropriate method for achieving the objectives of the Proposed District Plan having regard to its efficiency and effectiveness, and taking into account the costs and benefits
238	Oppose	The submitter opposes this submission. Submission 238 will not promote or give effect to Part 2 of the Act. Matters raised in the submission do not meet section 32 of the Act. Are not the most appropriate method for achieving the objectives of the Proposed District Plan having regard to its efficiency and effectiveness, and taking into account the costs and benefits.
417	Oppose	The submitter opposes this submission and considers that operative provisions relating to height are not the most appropriate or effective method to promote or give effect to Part 2 of the Act. Matters raised in the submission do not meet section 32 of the Act. Are not the most appropriate method for achieving the objectives of the Proposed District Plan having regard to its efficiency and effectiveness, and taking into account the costs and benefits

6. The submitter seeks the following from the Queenstown Lakes District Council

- Submission 82 – Toni Okkerse be disallowed.
- Submission 238 – NZIA Southern and Architecture + Women Southern be disallowed.
- Submission 417 – John Boyle be disallowed.

7. The submitter wishes to be heard in support of their submission.

8. If others make a similar submission the submitter will consider presenting a joint case with them at a hearing.

A handwritten signature in black ink that reads "Tim Williams". The signature is written in a cursive, slightly slanted style.

Tim Williams (on behalf of Trojan Holdings Limited & Beach Street Holdings Limited)