



Section 32 Evaluation Report Queenstown Town Centre

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Section 32 Evaluation Report: Queenstown Town Centre

1. Introduction

This report is an evaluation of the proposed provisions relating to the management of effects of development in the Queenstown Town Centre Zone and has been carried under section 32 of the RMA.

2. Strategic Context

Section 32(1)(a) of the Resource Management Act 1991 requires that a Section 32 evaluation report must examine the extent to which the proposed objectives are the most appropriate way to achieve the purpose of the Act.

The purpose of the Act requires an integrated planning approach and direction:

5 Purpose

(1) The purpose of this Act is to promote the sustainable management of natural and physical resources.

(2) In this Act, sustainable management means managing the use, development, and protection of natural and physical resources in a way, or at a rate, which enables people and communities to provide for their social, economic, and cultural well-being and for their health and safety while—

(a) sustaining the potential of natural and physical resources (excluding minerals) to meet the reasonably foreseeable needs of future generations; and

(b) safeguarding the life-supporting capacity of air, water, soil, and ecosystems; and

(c) avoiding, remedying, or mitigating any adverse effects of activities on the environment.

The remaining provisions in Part 2 of the Act, particularly S.6, provide a framework upon which objectives to achieve the purpose of the Act and provisions to achieve the objectives can be built.

3. Regional Planning Documents

The District Plan must *give effect to* the operative RPS and must *have regard to* any proposed RPS. The operative RPS contains a number objectives and policies that are relevant to the Town Centre section of the District Plan. These are as follows:

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.

9.4.3 To avoid, remedy or mitigate the adverse effects of Otago's built environment on Otago's natural and physical resources.

Policies:

9.5.1 To recognise and provide for the relationship Kai Tahu have with the built environment of Otago through considering activities involving papatipu whenua that contribute to the community and cultural development of Kai Tahu.

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...*
- (c) *Promoting a safer transport system; and...*

9.5.4 To minimise the adverse effects of urban development and settlement, including structures, on Otago's environment through avoiding, remedying or mitigating:

...

- (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...*
 - (v) *Heritage values; or*
 - (vi) *Amenity values; or...*

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.*

The proposed Town Centre Zone provisions are consistent with and give effect to the relevant operative RPS provisions.

The Otago Regional Council ["ORC"] is currently in the process of reviewing the RPS 1998. In May 2014 the ORC published and consulted on the RPS 'Otago's future: Issues and Options Document, 2014' (www.orc.govt.nz). The proposed RPS was released for formal public notification on the 23 May 2015 and also contains a number of objectives and policies that are relevant, namely objectives 3.6 to 3.8 (incl.) & 4.3, and policies 3.6.6, 3.7.1 to 3.7.4 (incl.), 3.8.1, 4.3.3 & 4.3.4. The proposed provisions have regard to the relevant parts of the proposed RPS.

4. Strategic Directions

The following goals and objectives from the Strategic Directions chapter of the Proposed District Plan are relevant to this assessment:

Goal 1: To develop a prosperous, resilient and sustainable economy

Objective 1: To recognise, develop and sustain the Queenstown and Wanaka central business areas as the hubs of New Zealand's premier alpine resorts and the District's economy.

Goal 2: Strategic and integrated management of urban growth

Objective 1: To ensure urban development occurs in a logical manner: to promote a compact and integrated urban form; [...]

Goal 3: A quality built environment taking into account the character of individual communities

Objective 1: To achieve a built environment that ensures our urban areas are desirable places to live, work and play

Goal 6: To enable a safe and healthy community that is strong, diverse and inclusive for all people.

Objective 2: To ensure a mix of housing opportunities.

These goals and objectives are met by encouraging quality development and enhancement; avoiding commercial zoning that could undermine the role of the Town Centre; promoting growth in visitor activity and in investment in the Town Centres; and enabling a diverse range of housing options.

Determining the most appropriate methods to resolve the issues highlighted for the Queenstown Town Centre, will enable the Plan to give effect to relevant parts of the Strategic Directions chapter, and ultimately achieve the purpose of the Act.

As required by s32(1)(b) RMA, the following section considers various broad options considered to address each issue, and makes recommendations as to the most appropriate approach in each case.

5. Background documents, projects and consultation

The following Council documents and projects have been undertaken in recent years and have influenced this S 32 evaluation, grouped by issue (see Section 12 of this report for the full set of references and associated weblinks):

Strategic documents, relevant across the issues:

- Queenstown Town Centre Strategy (2009)
- Queenstown Town Centre Monitoring Report (2012)
- The Town Centre Transitional Zone Plan Change (Plan Change 50)
- The Town Centre Zone review work (commenced 2012)
- Inner Links Queenstown (2014)

Capacity within the Town Centre:

- Review of District Plan Business Zones Capacity and Development of Zoning Hierarchy (November 2013) hereafter referred to as 'the McDermott Miller report'
- Peer Review of the McDermott Miller report (January 2014)
- Growth projections (2014)

Expansions to the Town Centre:

- Queenstown Height Study - Landscape & Urban Design Assessment 2009. Section 32 Town Centre Fringe Report 2013.
- The Town Centre Transitional Zone Plan Change (plan change 50).

Bulk and location of buildings and quality urban design and built form

- The Inner Links Queenstown Urban Design Context Report (2014)
- The Queenstown Town Centre Character Guidelines (2007) and Queenstown Town Centre Design Guidelines (2015)
- Council shading model (2014)

Flood risk in the Queenstown Town Centre

- The Joint Flood Mitigation Strategy 'Learning to live with flooding' (2006).

The management of the Town Centre Waterfront (sub) Zone

- The Sunshine Bay, Queenstown Bay, Frankton, Kelvin Heights Foreshore Management Plan (1991)
- The Queenstown Bay Waterfront Development Plan (1994)
- The Jetties and Moorings Policy (June 2007)

Noise:

- The Queenstown Town Centre Noise Rules Review (April 2009)
- The Acoustics Report (for) Proposed Plan Change 42- Queenstown Town Centre (July 2011)
- Town Centre Noise discussion document (2010)

There have also been various legislative changes enacted since the District Plan became operative which are relevant and require amendments to the District Plan.

Consultation processes

Considerable consultation has been undertaken in recent years as part of the processes/ documents outlined above. Furthermore, as part of this S 32 evaluation, the following further targeted consultation has been undertaken:

- Consultation with landowners and developers within the Town Centre Zone
- Consultation with the Council's Resource Management Focus Group
- Workshops with elected members

The following further background investigations/ reports were also prepared as an integral part of preparing this S 32 report:

- Queenstown Town Centre Character Guidelines (2007 and Queenstown Town Centre Design Guidelines (2015)
- Queenstown Town Centre Shading model (2014)

6. Resource Management Issues

The Operative District Plan anticipates that the Queenstown Town Centre Zone will continue to function as one of the key commercial, retail, and entertainment areas of the district and will continue to be used by both residents and visitors alike. The proposed amendments to the operative provisions considered herein address a number of key issues (detailed below), as well as strengthening the existing policy framework by providing more directive objectives and policies.

The following issues are discussed in turn in this section of the evaluation:

1. Capacity for further development within the Town Centre Zone
2. The form and location of any expansions to the existing Town Centre Zone
3. Intensification and the appropriate height, bulk, and location of buildings
4. Quality urban design and built form
5. Flood Risk in the Queenstown Town Centre
6. Management of the interface between the Town Centre and lakefront
7. Noise issues and acoustic insulation
8. The need for integrated landuse and transport planning
- 9.

Issue 1 - Capacity for further development within the Town Centre Zone

Work has been commissioned recently by the Council to better understand the supply and demand for employment land and the projected growth in residents, visitors, and dwellings (as outlined in Section 5 above). Relevantly, this work provides an up-to-date picture of:

- Existing and projected growth in residential, visitor accommodation, dwelling and employment numbers;
- The ability for the existing Town Centre Zone to realistically meet this demand; and
- The transportation upgrades necessary to cope with predicted growth in and around the Town Centre.

The McDermott Miller report concludes that the supply of vacant Queenstown Town Centre land is effectively exhausted and recommends that the Queenstown Town Centre Zone must either expand or be intensified in order to discourage activities to locate elsewhere. It states that if this were to happen it would be a serious constraint to achieving tourism-driven growth if it is not addressed.

The report goes on to say that such growth requires intensification of the tourism industry and its concentration in an (expanded) Queenstown Town Centre. It states that expansion of the Queenstown Town Centre Zone will relieve pressure on land values in the Queenstown Town Centre and ensure that high value commercial activities can remain in the Town Centre rather than locate elsewhere.

In terms of the employment structure, the 'accommodation and food, services, arts, and recreation', and 'education and training' sectors grew the most over the four years to February 2012 while construction fell, and most office-based jobs either grew modestly or contracted. This indicates that there will be continued demand for tourism-related retail and other tourism-related industry; both of which will for a long time to come need to be located in the Town Centre in order to succeed. It also indicates that it would be appropriate for the District Plan to enable education and training facilities in and around the Town Centre in

order to meet continued demand in that sector but that providing for extensive growth in office space may be unnecessary. However, that is not to say that there is any downside to enabling such office uses but simply that there may not be a demand for it in the forthcoming future.

These conclusions are essentially endorsed by the peer review of that report, albeit that the peer review questions how realistic the higher growth scenarios are and considers that development in Frankton poses less of a risk to the Town Centre than the McDermott Miller report suggests. 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.

Issue 2 - The form and location of any expansions to the existing Town Centre Zone

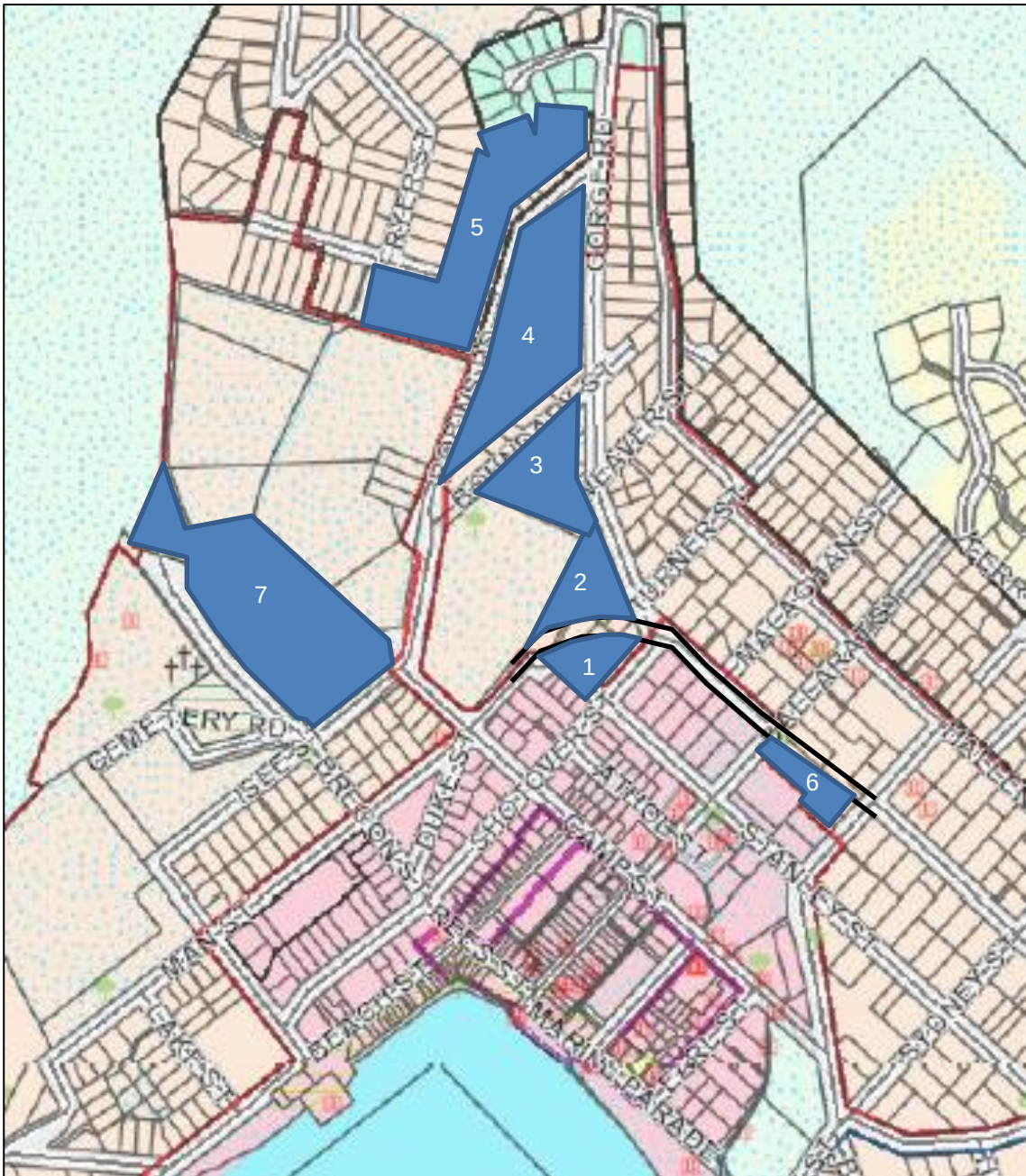
Work has been undertaken in recent years by the Council to better understand the issues and options around potential rezoning of land on the fringe of the Town Centre, what form it should take, and where it could be located (refer section 9.0 of this report). This option has been further considered in this S 32 evaluation.

Specific issues and opportunities related to the matter of expansion include:

- There is ongoing demand to locate non-residential activities within the High Density Residential Zone around the Town Centre and as a result, the character of certain peripheral areas (mainly the Man/Isle St area) is changing through incremental and potentially inconsistent resource consent decisions.
- The potential incompatibility between noise generated in the Town Centre and the desire to maintain reasonable amenity levels in the High Density Residential Zone, suggesting a transitional commercial zone may provide a good buffer between the two.
- The fact that landuse needs to provide an appropriate interface with the Inner Link Road
- The effect on walkability of the Town Centre, as a whole, if it were to expand outwards.
- Commercial and community uses such as community facilities, (private sector) education, and affordable office space are moving out to Frankton and other areas due to a lack of competitively priced, comparable leases in and around the Town Centre, which threatens the ability of the Town Centre to remain relevant to the local population.

Relevantly, Plan Change 50 provides important context to this issue. This proposes that an area of land extending from the existing Town Centre to (and including) the Lakeview site, the cemetery and to Lake Street be rezoned as a subzone of the Town Centre. This Section 32 evaluation does not provide any analysis of that proposed expansion other than to comment that this expansion effectively addresses the concerns of supply raised in the McDermott Miller report. Rather, given the context of plan change 50, this report evaluates the appropriateness of re-zoning *other* parts of the High Density Residential Zone to some form of Town Centre or transitional Town Centre Zone.

In this respect, there are three decisions that need to be made; whether more Town Centre zoned land is appropriate; if so, where this zoning should be located; and what zone provisions should be applied. The evaluation of these three decisions is included in Section 9.0 of this report and the following plans are provided to illustrate the various expansion options discussed in that section.



The following map illustrates the various options discussed in regards to determining a boundary for the rezoning of the block at the Gorge/ Henry/ Shotover Street intersection:



Issue 3 - The appropriate bulk and location of buildings in the Town Centre

This evaluation has been informed in part by the Queenstown Strategy 2009, Queenstown Town Centre Character Guidelines (2007), the Inner Links urban design context report (2014), the District Plan monitoring report (2012), consultation with the Council's Urban Design Panel (in 2012) and the development community, and by the Council's shading model and updated Design Guidelines (2015); both, produced as part of this s 32 evaluation.

The building coverage and height rules (including the recession plane requirements) are the most frequently breached performance standards yet are routinely approved on a non-notified basis. This raises the question whether these rules are overly onerous and inefficient and could be simplified and relaxed in order to enable more efficient landuse and better design while ensuring key amenity values and character attributes are preserved. Similarly, it needs to be investigated whether the various setback rules are appropriate.

Ironically many of those buildings that were granted consent to breach the rules actually achieve the District Plan objectives around quality design and many of those that meet the rules (or *almost* meet the rules) have done so to the detriment of design (e.g. unarticulated rooflines and roofscapes, plant protruding through the height plane, low ceiling to floor heights, and rooflines following the recession plane). This raises the question whether these rules could be amended to encourage better design. When considering height, it is noted that the Council's decision on proposed Plan Change 50 proposes a maximum height of 12 m plus a 2 m roof bonus in the Isle Street subzones (provided a recession plane of 45° commencing at 10m on the street boundary is adhered to), along with an allowance for buildings to go up to 15.5 m on sites over 2,000m² in the Isle Street (East) subzones, which front both Man and Isle Street². Detailed background material and the decision to that plan change are available at <http://www.qldc.govt.nz/assets/Uploads/Council-Documents/2015-Full-Council-Agendas/30-June-2015/Item-3/3a-PC-50-Report-and-recommendations-of-Commissioners.pdf?>

Issue 4 - Quality urban design and built form

The quality of overall urban design in the Queenstown Town Centre is a significant issue in terms of the centre retaining its appeal to residents and visitors alike and continue to prosper economically as an integral part of the community and a 'must see' destination. More specifically, the issues relate to:

- Whether the existing controlled activity status is sufficient to ensure quality built form
- Whether pedestrian links are appropriately encouraged and protected
- Whether key character attributes are appropriately protected
- Whether the edge of the proposed Inner Link will be of an appropriate character and of high urban design quality.

Issue 5 - Flood Risk in the Queenstown Town Centre

The Council's Flood Mitigation Strategy (2006) determined that, rather than construct physical works to control flooding the council would help the community manage the flood risk. Relevantly, it determined that the Council would:

- Enforce the minimum building floor levels specified in the Proposed District Plan;
- Encourage¹ developers to adopt higher levels (i.e. 312.8 masl) where the effect on amenity and mobility and streetscape is not adverse;
- Encourage flood proof building design and construction².

While much of the Queenstown Town Centre is flood prone, raising floor levels will often result in significant adverse effects on the streetscape due to height differences between the road level, the footpath and floor levels and issues of disabled access, etc. As such, the decision needs to be made whether the District Plan should attempt to avoid the flooding of premises or mitigate flooding in order to meet the purpose of the Act.

Issue 6 - Management of the interface between the Town Centre and lakefront

The Queenstown Bay is an important part of the Town Centre and it is important to ensure that the level of development and activity allowed in that area will contribute to achieving the objectives of the Town Centre. The key issue for consideration is whether the suite of rules strikes an appropriate balance between enabling commercial activity and vibrancy in the waterfront area while preserving its character and the views and sense of place that contributes to the Town Centre as a whole.

Issue 7 - Noise issues and the need to achieve vibrancy and a mix of activities within and around the Town Centre

In summary, the specific issues are that:

- The District Plan sends 'mixed messages' that the Town Centre should be a mixed use area and late night trading enables bars to stay open until 4 am in the Queenstown Town Centre yet the rules essentially don't enable outdoor dining or drinking after 10 pm.
- Such outdoor activity is an integral part of the Queenstown atmosphere and its vibrancy
- Conflict and complaints from noise are ongoing potentially in part because there is no obligation for sensitive uses (such as visitor accommodation and residential units) to be acoustically insulated and that the current rules create an unrealistically low expectation of noise levels will be in the Town Centre.

In recent years and as part of this District Plan review, the Council has commissioned specialist advice and undertaken extensive community consultation (as outlined in section 5.0 above) on the issue and options. As well as the advice contained in the reports from URS undertaken in 2009 and 2012, further advice was obtained from Dr Stephen Chiles of Chiles Limited as part of this S 32 process (see Section 12 of this report for a weblink to this document).

Issue 8 - Landuse and transportation planning

This is acknowledged as a fundamental component of the District Plan review. There are numerous issues related to transportation in and around the Town Centre, including parking; the future roading hierarchy within the Town Centre; and the relative priorities of pedestrians and vehicles in the Town Centre. While some transport-related matters are considered in this report in the context of the key issues outlined above, it is noted that many will, instead, be considered in the Section 32 report for Section 29 (Transport) of the proposed District Plan.

¹ Through Section 71 of the Building Act and 106 of the RMA

² Learning to Live with Flooding: A Flood Risk Management Strategy for the communities of Lakes Wakatipu and Wanaka, Pg7

7. Scale and Significance Evaluation

The level of detail of this evaluation is relative to the scale and significance of the implementation of the proposed provisions in the Town Centres chapter. In making this assessment, regard has been had to whether the objectives and provisions:

- Result in a significant variance from the existing baseline.
- Have effects on matters of national importance.
- Adversely affect those with specific interests, e.g. Tangata Whenua.
- Involve effects that have been considered implicitly or explicitly by higher order documents.
- Impose increased costs or restrictions on individuals, communities or businesses.

In summary, the provisions are considered significant from an environmental, economic, and social perspective.

8. Evaluation of proposed Objectives S32 (1)(a)

The purpose of the Act is to promote the sustainable management of natural and physical resources³. Section 32(1)(a) requires an evaluation of the extent to which the proposed objectives are the most appropriate way of achieving the purpose of the Act.

The proposed objectives are as follows:

Objective 1 - A Town Centre that remains relevant to residents and visitors alike and continues to be the District's principal mixed use centre of retail, commercial, administrative, entertainment, cultural, and tourism activity.

Objective 2 – Development that achieves high quality urban design outcomes and contributes to the town's character, heritage values, and sense of place.

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.

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

Objective 5 - Integrated management of the Queenstown Bay land-water interface, the activities at this interface and the establishment of a dynamic and attractive environment for the benefit of both residents and visitors.

Together the suite of proposed Town Centre Zone objectives is considered appropriate. In particular:

- Retaining the Town Centre as a key hub of commercial uses and employment and enabling efficient use of the land will ensure efficient use of existing infrastructure and enable people to provide for their economic wellbeing
- Retaining the town's mixed use character (i.e. including a diverse range of commercial uses) will ensure its resilience and flexibility into the future and, hence enable economic wellbeing and the efficient use of resources.
- Remaining relevant to residents as well as visitors means the Town Centre will contribute to the enjoyment and social wellbeing of both these important sectors of the community.

³ Sustainable management means managing the use, development, and protection of natural and physical resources in a way, or at a rate, which enables people and communities to provide for their social, economic, and cultural well-being and for their health and safety while—

(a) sustaining the potential of natural and physical resources (excluding minerals) to meet the reasonably foreseeable needs of future generations; and

(b) safeguarding the life-supporting capacity of air, water, soil, and ecosystems; and

(c) avoiding, remedying, or mitigating any adverse effects of activities on the environment.

- The emphasis on high quality urban design within the Town Centre (including maintaining its human scale, access to sunlight, quality public spaces, and unique character) will ensure it will remain a desirable destination and competitive with other commercial centres in the district and beyond.
- Maintaining a reasonable level of residential amenity will ensure the benefits of mixed use and walkability are retained.
- Retaining the compact nature of the Town Centre will encourage efficient use of land within the Town Centre and only limited outward growth will provide for the future generations to enjoy the high amenity, pedestrian focused character of the Town Centre and will retain the non-commercial character of surrounding residential neighbourhoods.
- The objectives acknowledges that limits must be placed on town centre activities to enable a mix of uses to occur without any one use being inappropriately compromised by the effects of another.
- Acknowledges the important role that public streets and spaces play in creating an attractive and easily navigable town centre. The town centre is relatively flat and very accessible on foot, however currently most people visiting the centre will arrive in a vehicle. A balance must be struck between providing convenience for vehicles, and levels of safety expected by pedestrians.
- The objectives are consistent with Goals 1, 2, and 3 of the draft Strategic Directions chapter.
- The objectives give effect to the RPS (objectives 9.4.1, 9.4.2 and 9.4.3 and policies 9.5.1, 9.5.2, 9.5.3, 9.5.4, 9.5.5) and have regard to the relevant proposed RPS objectives and policies

In summary, enabling the Queenstown Town Centre to continue to develop as a vibrant hub that offers a range of activities is crucial to its economic viability, and significantly contributes to the overall resilience of the community. Equally, applying appropriate limits on town centre activities enables appropriate levels of amenity to be enjoyed both within the town centre and in nearby residential zones.

9. Evaluation of the proposed provisions pursuant to S 32(1)(b)

The below table considers whether the proposed provisions are the most appropriate way to achieve the relevant objectives. In doing so, it considers the costs and benefits of the proposed provisions and whether they are effective and efficient. The proposed provisions are grouped by issue for the purposes of this evaluation.

Evaluation relating to issue 1 - Town Centre capacity and the feasibility of developing it as a truly mixed use centre	
Relevant Objectives	
<i>Objective 1: A Town Centre that remains relevant to residents and visitors alike and continues to be the district's principal mixed use centre of retail, commercial, administrative, entertainment, cultural, and tourism activity.</i> <i>Objective 4 - A compact town centre that is safe and easily accessible for both visitors and residents</i>	
Most appropriate provision(s) to achieve the objectives	Effectiveness and Efficiency
Policies: (12.2.1.1 - 12.2.1.4) (12.2.4.1, 12.2.4.2, 12.2.4.3, 12.2.4.6) These relate to: - Enabling increases in height provided amenity is not adversely affected and/ or is enhanced; - Providing affordable development opportunities on the edge; - Remaining compact, walkable, and safe - Becoming increasingly focused on pedestrians, cyclists, and public transport users. Rules: (12.6) (Planning maps 35 and 36). The rules and new zone boundaries enable a modest increase in capacity through: - Expansion within the proposed stage 1 of the Inner Link Road and within that area bounded by Horne Creek, the recreation	Effectiveness: The proposed provisions will be effective at achieving the objectives in that enabling more development within a slightly expanded Town Centre will increase land supply/ development capacity (albeit slightly) and hence contribute to improving the feasibility for a range for commercial activity to feasibly remain/ choose to locate within the Town Centre Zone. At the same time, the modest, logical, and defensible extent of the expansions will ensure the Town Centre remains compact and accessible. Benefits <i>Environmental</i> - The modest expansion and intensification proposed will retain its compact, walkable character and help to ensure this into the future. - The increased height will have no more than a minor effect on shading and will a scale of built form that is appropriate to the width of the various streets and surrounding building heights and height limits. - The fact that the proposed new boundaries are (or, in the future, will be) contained by designated community uses or roads will discourage the ad hoc spread of commercial uses beyond the zone and the rezoning of land to enable commercial uses beyond these legible boundaries. - These expansion areas are able to absorb the greater heights enabled by the proposed provisions. - There are some urban design benefits from enabling consistent landuses, built form and scale on both sides of the Inner Link Road at the Gorge Rd/ Stanley Street intersection, particularly as the Town Centre zone can be effectively and logically contained given the designations and Horne Creek provide strong topographical and regulatory boundaries. Furthermore, this is the lowest risk option given the uncertainty around the exact location of the road in this vicinity. <i>Economic</i> - While the economics of building upper floors may currently be challenging (relative to similar offerings in Frankton, for example), the provisions enable higher buildings in the future within environmental constraints. This modest increase in capacity, together with the zone expansions, should improve the feasibility of redevelopment and provide more affordable options for businesses wishing to remain/ locate in the Town Centre. Supplying more capacity in the Town Centre will support the continued growth of a tourism-led economy; recognising that the Town Centre is the hub for this sector.

reserve and Gorge Rd carpark (designations 210 and 232) • Expansion within the boundaries established by the Ministry of Education designation (QPS) and the Ben Lomond (gondola) reserve (designations 14, 214, 248, and 273) • Intensification of the existing Town Centre though increasing height, coverage, and relaxing recession planes in certain areas.	<i>Social</i> • Enabling more business, retail, office space, and community/ tourist facilities in the Town Centre will help to retain the local, mixed use character and vibrancy that brings to the Town Centre, guarding against it becoming simply a tourist-town of little relevance to the local community. Costs <i>Environmental costs</i> • The provisions enable a higher built form, which some could consider will affect the human scale of the Town Centre, even within the environmental constraints/ criteria of the provisions. <i>Economic costs</i> • There are costs associated with developing beyond 2 storeys, which may make such development uncompetitive with Frankton in the current climate. Therefore, the additional capacity enabled by increasing building heights in some areas may only eventuate in isolated cases and therefore cannot be relied on to, in fact, increase capacity. • Whilst the provision of more commercial land on Brecon Street could be seen as potentially diluting the vibrancy of the Town Centre and its ability to intensify, the sort of commercial activity that will develop in that area is unlikely to be comparable with what would establish in the core of the Town Centre and is likely to include activities such as secondary retail and office space and commercial recreational focused commercial activity. Furthermore, those sites on the east side of this block are largely community uses or utilities and, as such, the zoning is unlikely to result in a change in landuse. As such, the geographic area of this expansion is likely to over-state the actual realistic redevelopment that will occur there. <i>Social costs</i> Those residential areas adjacent to the new transitional areas/ expanded Town Centre areas will be subject to a change in character (e.g. those living on the uphill side of the Melbourne St extension will be opposite mixed use, rather than residential development). Efficiency (immediately and/or over time). Refer to the more detailed evaluations in relation to expansion and intensification.
Options less appropriate to achieve the objectives and policies:	
Option 1 - Status quo - To not provide additional capacity within and around the Queenstown Town Centre	Appropriateness: Assuming plan change 50 becomes operative generally in the form determined by the Council's decision, from purely a capacity perspective, it is not essential that further intensification or expansion is enabled. However, in terms of helping the feasibility of redevelopment within the Town Centre, enabling intensification of the existing built area and minor expansion of the zone is appropriate. To not increase capacity would be ineffective at promoting a vibrant and economically prosperous Town Centre. While the scale of any additional capacity needs to be carefully considered (in terms of transportation capacity and amenity values) it is considered inappropriate to retain the current boundaries and bulk and location rules.

Option 2 - To provide extensive additional capacity through both intensification and expansion, unconstrained by concerns regarding amenity etc.	Appropriateness: This would be inappropriate as, if less regard were had for shading, character and amenity effects, then the very character attributes and amenity values that make the Town Centre unique, attractive and give it its competitive advantage (over other centres) would be compromised.
Evaluation relating to Issue 2 - Expansion Options	
Relevant objectives	
<i>Objective 1 - A Town Centre that remains relevant to residents and visitors alike and continues to be the district's principal mixed use centre of retail, commercial, administrative, entertainment, cultural, and tourism activity.</i> <i>Objective 2 – Development that achieves high quality urban design outcomes and contributes to the town's character, heritage values, and sense of place</i> <i>Objective 4 - A compact town centre that is safe and easily accessible for both visitors and residents</i>	
Most appropriate provision(s) to achieve the objectives	Effectiveness and Efficiency
Policies: (12.2.1.2, 12.2.2.9) (12.2.4.1, 12.2.4.2, 12.2.4.4 12.2.4.5, 12.2.4.6) These relate to: • Providing affordable development opportunities on the edge of the Town Centre; • The Town Centre remaining compact and walkable by avoiding expansion beyond the zone (also refer Residential Chapter S 32 evaluation) • Becoming increasingly focused on the pedestrian and cyclist and public transport users including restricting carparks predominantly to the periphery of the Town Centre. • Requiring the Town Centre Transition Subzone to be	Effectiveness: The expansions will be effective at achieving the objectives in that enabling more development within a slightly expanded Town Centre will help to encourage more commercial activity to remain/ locate within the Town Centre Zone. That said, given that plan change 50 proposes to add significant areas of additional land to the Town Centre Zone the expansions proposed in this review are not required as such and will have little effect on overall supply and the feasibility of developing and leasing Town Centre land. Rather, it is the urban design benefits and creation of a legible and defensible town centre boundary that are most effectively achieved through the proposed expansions. These relatively minor expansions will not adversely adverse effect the walkability of the Town Centre or the supply of High Density Residential and visitor accommodation capacity close proximity of the Town Centre, It is noted that even the most remote expansion area on Brecon Street is generally within 300-500 m of the centre of town, is (physically and visually) well- linked for pedestrians, and is well positioned relative to existing and potential future carparking. Benefits <i>Environmental benefits</i> • The re-zoning will help to mitigate the effects of Town Centre noise on adjacent residential areas as they will provide an additional buffer area between the two. • Re-zoning all that land within stage 1 of the Inner Link road and areas that are generally contained respectively and by a) the memorial centre, Horne Creek and recreation ground, and b) by the Ben Lomond reserve and the Queenstown Primary school will create a clear and defensible commercial edge to the town which will, in the future, reaffirm the Inner Link road one of the key boundaries.

comprehensively planned and of high quality. Rules: (12.4.4, 12.4.5) (12.5.1, 12.5.8, 12.5.9, , 12.5.10, 12.5.11, 12.5.12, 12.5.13) (Planning Maps 35 and 36). These rules have the effect of: • Applying a newly created Town Centre Transition Subzone over the following areas (planning maps 35 and 36): • The 5 lots north of Designation 215 (Ballarat St carpark) and extending to the centre line of the proposed Inner Link road (approximately 2,600m² of developable area). • The area between (and including) most of the east-west part of Memorial Street and the Gorge Road carpark and the Memorial Centre, Horne Creek and the recreation ground (designations (approximately 7,225 m² of developable area). • Applying the Town Centre Zone over the area on the eastern side of upper Brecon Street, bounded by Isle St, the gondola/ recreation reserve, and the Ministry of Education (QPS) designations. Applying the standard proposed Town Centre rules to the Town Centre Transition Subzone except that the subzone will be subject to specific rules relating to a) sale of liquor; b) noise, and c) coverage/ masterplanning in	• The re-zoning will encourage more 'urban'/ commercial built form along the future Inner Link road, which is less likely to be sensitive to traffic and adjacent bar noise than residential and visitor accommodation and more likely to provide an attractive, active front to the street. • A specific height rule for the Ballarat Street carpark block will ensure that residential views are not blocked. • The rezoning will enable a greater diversity of commercial uses on Brecon Street than is allowed by the commercial precinct and existing use rights, which is likely to encourage redevelopment and improve amenity in this area, particularly along the Brecon Street edge. • Including these areas in the Town Centre Zone means that, pursuant to the proposed rules, visitor accommodation and residential uses that occur within these areas will need to be insulated for noise, thus providing a higher level of amenity and reducing reverse sensitivity issues. • Including the eastern side of upper Brecon Street within the Town Centre is recommended in the context that the Council decision on plan change 50 has approved the inclusion of the Isle Street East block and the western side of Brecon Street as Town Centre subzones. In this context, it is appropriate to also include the eastern side of Upper Brecon Street. Aligning the Town Centre boundary generally with Horne Creek, the Memorial Centre, and the designated reserves enables Town Centre type activity on either side of the Inner links road in this key area, provides legible and defensible containment of the zone, and provides flexibility in terms of the exact alignment of the Inner Links Road. <i>Economic benefits</i> • Rezoning the small area of land adjacent to the Ballarat Street carpark will enable more economical redevelopment of the site, as a whole (rather than a split zone). Maximising the value of the small (2,000m²) area on the south-west corner of the Gorge/ Henry intersection will improve the viability of a quality building on this all-important gateway corner site. Re-zoning the Brecon Street block will provide an economic benefit to the landowners and the wider community. <i>Social benefits</i> • Enabling more commercial space in the Town Centre, including currently scarce ground floor retail space, will help to retain a mix of retail types, which will continue to be relevant to the local community. Costs <i>Environmental costs</i> • Re-zoning High Density Residential Zoned land to Town Centre may reduce the capacity for new visitor accommodation and residential units within walking distance of the Town Centre and the school(s); an element that is fundamental to achieving a pedestrian-orientated centre and walkable community. While the minor extent of the re-zoning (i.e. less than 0.5 ha) means this will be insignificant, this displacement could be a significant adverse effect if the expansion were of a greater scale. • Re-zoning to Town Centre zoning means onsite carparking will not be required, which may put additional pressure on on-street parking in the event that residential or visitor accommodation occurs on those sites. <i>Social costs</i> • Those residential areas on the uphill side of the Melbourne St extension will be opposite mixed use, rather than residential development. However, any effect on those properties' residential character is likely to be
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order to better maintain amenity and better achieve quality comprehensive developments. Refer the other evaluations for a specific assessment of these rules. Refer to Appendix 1 of this report for a plan of the proposed extension areas.	minor in that the Inner Link road will, itself, result in a change in character; the fact those properties are elevated well above the site proposed to be re-zoned; and the fact the provisions will not allow noisy night time activities given its close proximity to residential land. Efficiency (immediately and/or over time). • Re-zoning the land to enable higher value, higher density, and more flexible land uses will enable more efficient use of the land. • Rezoning these three areas will avoid resource consent applications for non-complying (commercial) activities on those sites, which would otherwise be likely to occur. This represents a cost saving for the applicant. Whilst this is less pronounced for the Brecon St site, which has a commercial precinct overlay in the operative plan, this will still be the case in many instances as the commercial precinct is limited in scope. • Including the Brecon Street block in the Town Centre Zone means that it is likely to be possible to dispense with the High Density Residential (Commercial Precinct) overlay, thereby simplifying the provisions within the residential section of the District Plan and very likely resulting in more efficient resource consent processing
Options less appropriate to achieve the objectives and policies:	
Option 1 - Status quo - Rely solely on the new zoning proposed through plan change 50 and not provide additional capacity within and around the Queenstown Town Centre.	Appropriateness: This option would be appropriate in terms of providing sufficient Town Centre land and improving the feasibility of development and a wider range of commercial uses. However, it would not produce a clear Town Centre edge on the eastern side of the Town Centre in a manner that will avoid further commercial expansion beyond either the Inner Link road or the strong physical boundaries created by Horne creek and designated land beyond. Neither would it encourage quality development at the all-important Gorge Road/ Henry Street intersection.
Option 2 - More extensive expansion to include the following areas (refer Map in Section 6 of this report): • The Gorge Rd area bound by the Recreation ground and Boundary Street (Ref 3); and/ or • The Gorge Rd area bound by the Recreation ground and Robins Rd (Ref 4); and/ or • The Gorge Rd area as outlined above plus the Robins Rd triangle (Ref 5).	Appropriateness: This option would be inappropriate as: • This would significantly expand the Town Centre, which would affect its walkability and compactness and may serve as a disincentive for redevelopment (including upward intensification) of the core of the Town Centre. • The scale of such extensions would reduce the supply of High Density Residential land significantly. • While there are some discrete 'out of zone' uses within these areas (e.g. education and office space on Robins Road) these areas are largely developed in accordance with the High Density Residential zoning (i.e. for visitor accommodation or units) or the designation (e.g. the Council building and carpark). The Robins Road triangle is not suited to retail or office use in that it is not well connected; is not adjacent to the existing Town Centre; and provides an important supply of highly accessible and relatively affordable High Density Residential land.
Option 3 - Different boundary options	Appropriateness:

at the proposed new Henry/ Gorge/ Stanley Street intersection (refer Map in Section 6 of this report): - Option 1 - Align the Town Centre boundary with the proposed Inner Link road edge - Option 2 - Align the Town Centre boundary with the proposed centreline of the Inner Link road - Option 3 - Include all those sites required for the proposed Inner Link road within the Town Centre Zone	The alternative options/ alignments would be inappropriate as: - Even if the road does eventuate in the proposed location, the exact road alignment will move once designed in detail and, as such, Option 1 may result in some of the land on the town side of the road not being within the Town Centre Zone would provide little or no flexibility if the road edge moves when it is, which will almost certainly will happen. - Although less risky, there is a chance that the same issue outlined above would occur with Option 2 - In both Options 1 and 2, the landuses and scale of building would be different due to the different landuses on either side of the road, however there would not be a stark contrast given the amended High Density Residential zone rules in the proposed District Plan. While Option 2 also has the benefit of avoiding the creep of commercial uses across the Inner link road and associated pedestrian access issues with this, the negatives of this option are considered to outweigh the benefits. - Option 3 does is unlikely to provide adequate Town Centre zoned land on the northern side of the Inner Link Road to enable Town Centre type development.
Option 4 - Include only that part of the proposed Brecon Street block, which currently includes the commercial precinct overlay.	Appropriateness: This option would be inappropriate as: - It would leave a small (approximately 0.9ha) block of High Density Residential zoned land between the Town Centre and the designated school site - It could result in reverse sensitivity issues relating to noise in that residential and visitor accommodation developments within the High Density Residential Zone need not be insulated for noise. - Note: For many sites within this 'wedge', the underlying zoning maybe somewhat academic in that most of the land is currently occupied by the Fire Service, Aurora, the kindergarten, and council carparking.
In terms of the zoning to be applied to these Town Centre extensions, the alternative zoning options are: - Create a new Town Centre Transitional Zone which applies only to the 2 sites, which adjoin the proposed Inner Link Road and/ or Residential Zone beyond (i.e. and nowhere else). - Apply the existing Town Centre Transitional Zone (currently on Man Street) or a variation thereof. - Apply the existing commercial precinct overlay with an underlying zoning of High Density Residential.	Appropriateness: None of these options are considered appropriate for the following reasons: - The expansion areas are small and do not warrant a specific zone - The existing Town Centre Transition Zone is very site specific and not particularly applicable. - The commercial precinct overlay rules do not address the key issues or achieve the proposed objectives and would enable only a limited range of commercial and community uses. It would need substantial amendments to be appropriate. - Specific to the proposed Brecon Street area and assuming plan change 50 becomes operative in a form similar to the version attached to the Council's decision, then: - It is not necessary to apply the Town Centre Transition Subzone to this area, (which would restrict late night activity and impose strict noise limits) as, this area will not adjoin any residential land, - It is not appropriate to apply the Isle Street subzone as doing so would bring those provisions into the Town Centre Zone (District Plan) review, enabling them to be challenged and potentially amended, through the process (solely in relation to the Brecon Street area) such that they may well end up inconsistent with the Isle Street sub-zone despite all good intentions. This would add further complexity to the District Plan structure and add further to regulatory costs.

4. Specific to the proposed Brecon Street area, • Apply the same Town Centre Transitional Zone as is applied to other areas on the edge of the Town Centre, or • Apply the Isle Street subzone, or • Apply the Town Centre Zone without any sub-zoning but apply height rules that are generally consistent with those of plan change 50,	
Evaluation relating to Issue 3 - Intensification and the bulk and location of buildings	
Relevant Objectives	
<i>Objective 1: A Town Centre that remains relevant to residents and visitors alike and continues to be the district's principal mixed use centre of retail, commercial, administrative, entertainment, cultural, and tourism activity.</i> <i>Objective 2 – Development that achieves high quality urban design outcomes and contributes to the town's character, heritage values, and sense of place</i>	
Most appropriate provision(s) to achieve the objectives	Effectiveness and Efficiency
Policies: (12.2.1.1, 12.2.2.1, 12.2.2.2, 12.2.2.3, 12.2.2.4, 12.2.2.5) These relate to: • Enabling intensification through coverage height rules • Requiring development in the Special Character Area (SCA) to be consistent with the Design Guidelines • Preserving amenity • Enabling additional height where	Effectiveness: The amended height rules will be effective at: • Enabling more adaptive buildings to be erected (as more spacious floor-floor heights are enabled in many areas), therefore enabling a greater mix of uses into the future, and • Improving design through more flexible height limits. • Encouraging more 4 storey buildings in Height Precincts 1 and 2 may enable more efficient landuse. • Recognising that 48-50 Beach Street is a key development site, which has existing use rights by generally aligning the provisions with those rights in order to encourage redevelopment and a higher quality outcome than currently exists. The amended coverage rules will be effective at: • Enabling more efficient landuse, thereby a) improving the financial viability of development/ leases, and maximising ground floor development within the Town Centre and thus deferring/ discouraging the outward

appropriate; where there is a net benefit to be gained. - The protection and enhancement of the SCA Rules: ((12.6) Building height precinct map - Figure 2, chapter 12) These rules have the effect of: - Imposing a range of heights (from 8 m - 14 m and recession planes ranging from no requirement to a 30° plane commencing at 6.5 m on Beach Street). The heights are based on retaining character and on retaining sunlight into public spaces and footpaths on the southern side of roads (the emphasis being on the lunchtime period in the winter months, with particular regard had to the most pedestrian oriented streets in the Town Centre). - Imposing site-specific height rules for areas on elevated areas on the edge of the Town Centre in order to ensure that views from residential zones are not affected by additional height. - Imposing a specific height rule for 48-50 Beach Street to acknowledge the existing use rights. - Removing the nil setback rule within precinct 1 and retain the minimum 0.8 and 1.0 m setback requirements on Beach Street - Relying on the design guidelines	spread of the Town Centre. - Encouraging developments to be built up to the street, thereby creating a strong edge to the street, which has urban design and crime prevention benefits. Retaining the setback rules on Beach Street will be effective at retaining and enhancing the width of the road corridor, which will result in improved urban design outcomes. Benefits <i>Environmental benefits</i> - The height rules will encourage improved designs and more variety in rooflines, roofscapes, and facades - particularly in Precincts 1 and 2, while still retaining reasonable levels of sunlight into streets and public spaces; preserving the key character attributes throughout the Town Centre and particularly in the SCA; and requiring public benefits and design excellence in lieu of additional height granted. - Removing the coverage rules will result in: - More compact development, thereby improving the walkability of the Town Centre - Less unused 'lost space' which can degrade the quality of a town - Less entrapment areas from not having buildings setback and forth along the street edge. - Reliance on requirements for outdoor storage, the protection of existing pedestrian links, and for setbacks on Beach St as a more focused and effective way of achieving the necessary open space in the locations it is needed. - Requiring structure planning and imposing a maximum coverage rule on new comprehensive developments will encourage the incorporation of open spaces and/ or links which positively contribute to the overall quality of the Town Centre. - The building setbacks required on Beach Street will enable the footpaths to be further widened and/ or encourage onsite outdoor dining and will retain/ enhance sunlight access to the south side of the street. This is the narrowest street in Queenstown, is a pedestrian-oriented street, already has a character typified by staggered frontages, and currently struggles to receive good sunlight in winter. As such, the potential improvements to the pedestrian environment are will outweigh any adverse effects from imposing a setback. - No longer requiring a nil setback within the SCA (precinct 1) enables situations where a setback maybe appropriate to occur where appropriate (such as to provide outdoor dining/ seating/ entertainment or where the front portion is proposed to become part of the public footpath via an access easement in gross) . The design guidelines can provide adequate and effective assistance to planners/ decision-makers to determine whether a proposed setback on a particular site is appropriate though the discretionary design control resource consent process. - Enabling the site at 48-50 Beach Street to be redeveloped generally to its existing height will encourage a new building that better relates to the adjacent park and waterfront and the quality of which will be determined via the discretionary design control provisions. This is likely to result in a higher quality development than one which is enabled under S 10 of the Act. <i>Economic benefits</i> - The height rules will result in more efficient use of the land (through increased GFA/ volume) and, in most
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to determine, in certain instances, whether any proposed setback is appropriate. Imposing a maximum coverage of 75% within the new Town Centre Transition Subzone and for any application for the development of a site(s) greater than 1,800m² and remove all other coverage rules (noting that a waste storage rule will be imposed to ensure this is addressed). Refer to Appendix 2 of this report for a plan of the various height precincts.	cases, will avoid the costs and uncertainty of a non-complying consent process. - Because approximately 1/3 of ownerships within the central Shotover Block (height precinct 2) run through from Shotover Street to upper Beach Street, by enabling a 14 m building height on Shotover Street, this will help to offset the low development potential on the adjoining Beach Street properties, while resulting in only de minimus additional shading (on Rees street). - With regard to the site at 48-50 Beach Street, the ability to redevelop the site without the restrictions imposed by S 10 of the Act (regarding character, intensity, and scale) is likely to enable the site to be developed more efficiently to meet today's market. - The coverage rules will: - Result in more efficient land use, which should make developments more viable and leases more affordable and more competitive with other commercial areas. This will facilitate a wider range of commercial uses being able to establish/ remain in the Town Centre which has economic benefits in terms of efficient use of infrastructure, etc. - Enable dining on the public realm (as opposed to onsite) means buildings are more flexible to changes in use (from dining to retail for example) in that they do not have unusable open space on site. - Retain open space and providing pedestrian links, etc. on large comprehensive sites, meaning that more retail frontage is created which has a higher value/ yield. - Having no specific setback rule other than in Beach Street (where it is considered justified) enables efficient use of private land for built form. <i>Social benefits</i> - Together, the bulk and location rules will provide flexibility to achieve good design; retain access to sunlight; and encourage a viable and economic use of the footpath for dining which, in turn, improves the overall affordability of leases to the entertainment sector. All of these have social benefits. Costs <i>Environmental costs</i> - A slight increase in shading of the footpath at lunchtime during the winter months will result on Stanley, Shotover, and Beach Streets (and very slightly on Rees Street) when compared with the current rules/ built environment (whichever is the worst). - The setback rules on Beach Street may result in entrapment areas while redevelopment occurs as buildings will be staggered back and forth along the street edge until they have all been setback in accordance with the rules. NB: On the north side (at least) almost all buildings already seem to be set back. - There is a small possibility that, without requiring a nil setback in precinct 1, some buildings may be set back which may jeopardise the active edge being sought in this area. However, drivers to make efficient use of the land suggest that voluntary provision of a setback would be very rare. - With regard to the site at 48-50 Beach street, the proposed provisions will enable the continuation of a high building on the waterfront, which will be inconsistent with others along the waters' edge but, assuming existing use rights can be claimed, then this is likely to be the case in any event, even without more liberal rules for the site. <i>Economic costs</i>
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	• Other than on the southern side of the central block of Shotover Street, the proposed height does not enable 5 storeys, as of right and so; increases in capacity/ GFA are limited. • The cost of building upper floors is high (and the return relatively low), thus limiting increases in development returns from building additional floors. However this issue may change over time. • Imposing a maximum coverage rule on larger development sites may be considered inefficient. However, unless these sites are developed in a quality manner then they are unlikely to be commercially successful. • The setback rules for Beach Street do not enable the sites to be fully developed with built form, which is an inefficient use of land. <i>Social costs</i> Together, the height, setback, and coverage rules will result in some minor intensification and increase in scale of the Town Centre, which some may consider to be a change in character and reduction in appeal. However, the reality is that the amended rules essentially reflect or enable the same or similar GFA and scale that has been approved for recent developments but without the need for a non complying resource consent process. Efficiency (immediately and/or over time). The biggest effect of the proposed bulk and location rules relates to their efficiency and the avoidance of non-complying resource consents for developments that breach coverage (when there is almost always no reason not to cover almost the entire site) for buildings which exceed the height or breach the recession plane (when very often it is only in order to improve building design).
Options less appropriate to achieve the objectives and policies	
Option 1 - Status quo.	Appropriateness: This option is not considered appropriate for the following reasons: • It is not considered appropriate to retain the 12 m maximum/ recession plane commencing at 10m height rule in Precincts 1 and 2 as it is not warranted in this location for shading or character reasons and encourages (with no ability to decline) flat roofed built form with little or no articulation of either the façade or the roofscape. It also necessitates either an angled roof form from the 10 m point or the 4th floor stepped back and/ or foregoing a 4th floor. While the recessed 4th floor could arguably have merit in terms of human scale and is not necessarily a poor design outcome, too many buildings responding to the rules in this manner would result, overall, in a poor urban design outcome. This rule also forces low floor to ceiling heights in order to achieve 4 storeys, resulting in poor internal retail, office, and living spaces and limited re-use. • The coverage rules result in 'lost spaces', potential entrapment areas, inefficient landuse, or, if breached, inefficient resource consent processes and uncertainty for developers resulting from inconsistent decision-making in terms of the reasons cited for allowing breaches. It is considered that on large sites, these negatives are largely non-existent due to the comprehensive nature of the development and the benefits to be gained by requiring that not all the site is covered in built form (as outlined above) justify the reduction in GFA. • Retaining building heights in those parts of the SCA which have already been built in excess of those rules would not acknowledge consents granted.

	- Retaining the 6m recession plane on north Beach Street may stifle well designed 2 storey built form and encourage single storey buildings out of scale with those on the opposite side of the road. - For the reasons outlined above it is appropriate to retain the setback on Beach Street. - With regard to the site at 48-50 Beach Street, retaining the 8 m height restriction means the landowner will rely on Part 10 of the Act to redevelop and this may restrict the internal use, design, bulk and location decisions and result in a sub-standard outcome.
Option 2 - Identify the specific sites where a minimum coverage rule is appropriate. For example; corner sites where it may be appropriate to set the building back from the corner; the sunny side of streets where outdoor dining is most likely to occur; or where pedestrian links may be desirable.	Appropriateness: This option is not considered appropriate for the following reasons: - On most corners there is no obvious issue or need to set buildings back in order to enable better visibility for vehicles or pedestrians or any clear need to enable better pedestrian circulation at these points. In fact, the opening up of corners could well have an adverse effect in terms of traffic and pedestrian safety as cars would no longer be encouraged to slow down to obtain views. The potential exception to this is the Alpine Supermarket site, which certainly could benefit from being set back further. - While retaining the coverage rule specifically on sites on the south side of the street would provide an incentive for bars and restaurants to provide some outdoor space onsite, such built form is inflexible to other uses into the future and therefore may be inefficient either in terms of building adaptability or in terms of having to obtain resource consent for buildings which are not bars or restaurants. Even if this were considered desirable a setback would be a more appropriate method than a coverage rule. - The issue of pedestrian links is better dealt with by identifying the links themselves (as per the operative District Plan) and through policies encouraging them to be provided where they are beneficial to the overall network, rather than through a coverage rule.
Option 3 - Adding setback requirements on other streets within the Town Centre	Appropriateness: This option is not considered appropriate because, other than Beach Street the other roads within the Town Centre are generally considered wide enough to enable good sunlight access into them and to enable good pedestrian flow and reasonable vehicle access. Given the objectives and policies regarding pedestrian priority within the town, there is no directive to facilitate or encourage any greater vehicle access into the Town Centre. As such there is considered no need to either widen footpaths or streets in the Town Centre. Refer also to the discussion above in relation to coverage.
Option 4 - Retain the current building coverage rules but clarify, through policies and assessment matters, the purpose of the rule and provide guidance as to when it is appropriate to approve a breach.	Appropriateness: This option is not considered appropriate as it still requires a case by case assessment of whether a lesser coverage is appropriate and this is considered unnecessary and inefficient.
Option 5 - More significantly increase heights on the north side of Beach St (beyond the additional 0.5m recommended) and/ or steepen the	Appropriateness: This option was considered in an attempt to help achieve various objectives by providing for further intensification, encouraging redevelopment, and enabling a variation of 2 storey built form along the street. It is not considered appropriate however as modelling reveals that the additional shading during the lunchtime peak

recession plane angle.	in the winter months of May, June, and July from any of the following options would be unacceptable: • Increasing the recession plane to commence 7m above ground &/ or • Increasing the angle of the recession plane to 45° or • Reducing the angle of the recession plane to 20° (generally consistent with the winter sun angle) and combining this with a higher façade height.
Evaluation relating to Issue 4 - Quality urban design and built form	
Relevant objectives:	
<i>Objective 2 – Development that achieves high quality urban design outcomes and contributes to the town’s character, heritage values, and sense of place</i> <i>Objective 4 - A compact town centre that is safe and easily accessible for both visitors and residents</i> <i>Objective 6 - Integrated management of the Queenstown Bay land-water interface, the activities at this interface and the establishment of a dynamic and attractive environment for the benefit of both residents and visitors.</i>	
Most appropriate provision(s) to achieve the objectives	Effectiveness and Efficiency
Policies: (12.2.2.1, 12.2.2.2, 12.2.2.3, 12.2.2.4, 12.2.2.5, 12.2.2.6, 12.2.2.7, 12.2.2.9 (12.2.4.1, 12.2.4.2, 12.2.4.3, 12.2.4.4) (12.2.5.1 - 12.2.5.6) These relate to maintaining/ enhancing/ requiring/ preserving: • Adherence with the Town Centre Character Guidelines 2015 within the SCA • Human scale, character and heritage, The quality of streets and other public spaces • View shafts and sunlight access • The special character area • Tangata whenua values • High quality structure-planned developments on large sites and in the Town Centre Transition	Effectiveness: The proposed provisions will be effective at helping to achieve the above objectives in that they: • Will give council the ability to ensure that the key character elements are recognised and reflected in designs; that opportunities for private developments to enhance the public realm are taken; and poor design declined • Will require the existing pedestrian links to be retained in recognition of the significant contribution they make to the town's walkability and character. NB: Many of the links that physically exist are protected through methods outside the District Plan (such as public access easements or via resource consent conditions). This is deemed to provide effective protection and, as such, it is considered unnecessary to duplicate this within the District Plan itself by mapping them. Furthermore, the Town Centre Strategy identifies various methods the Council will use to secure these links, including negotiation, purchase, and designation; all of which can appropriately occur outside of the District Plan process; • Will encourage an active commercial edge to the Town Centre side (and in the case of the Gorge/ Stanley Street intersection, both sides) of the planned Inner Link road while also enabling well designed residential and visitor accommodation development along that edge (acknowledging it is a transition subzone); • Will require consistency with the Design Guidelines within the SCA, which enables the existing assessment matters to be removed. Benefits <i>Environmental benefits</i>

Subzone. - A safe, walkable, pedestrian/ cycle focused environment. Rules: (12.5.1, 12.5.2, 12.5.4, 12.5.5, 12.5.6, 12.5.8, 12.5.14) (12.6) (Planning maps 35 and 36). The rules have the effect of: - Making all buildings throughout the Town Centre subject to a non-notified restricted discretionary activity consent, in respect of design. - Retaining the pedestrian links currently required by the operative District Plan and introducing policies to encourage the creation of new links where appropriate. - Extending the Special Character Area (SCA) to include the 'Novotel site' adjacent to the Queenstown Gardens, removing the existing (3) precincts within the Special Character Area, and providing statutory guidance for development within the Special Character Area through amended Design Guidelines. - Providing design guidance by incorporating updated guidelines into the District Plan by reference within the rules and policies. - Requiring verandas and preventing residential uses at ground level on particular streets - Ensuring adequate screened waste storage areas are provided.	- The provisions will result in quality urban and architectural design and enables poor design to be declined. - The provisions provide added policy direction regarding retaining the special character of the SCA <i>Economic benefits</i> - A high quality Town Centre will maintain and enhance its attractiveness as a destination and its competitive advantage over other centres such as those that Frankton Flats and Gorge Rd. - Even if a non-notified restricted discretionary activity consent is more costly to obtain than a controlled consent (which is arguable), in conjunction with removing/ relaxing the bulk and location controls, overall the proposed provisions will result in economic benefits to applicants and a reduction in the overall development costs. - The inclusion of the Design Guidelines within the District Plan (via reference), while not prescriptive, will provide greater certainty and more common understanding of what is expected in terms of design within the SCA. - The removal of the 3 precincts within the SCA simplifies the District Plan and should simplify the resource consent process. <i>Social benefits</i> - Together, these rules will improve the quality of the Town Centre. This will encourage both locals and visitors into the Town Centre and reinforce its viability as a centre of community, civic, commercial, and entertainment activities. Its compact size and high quality will enhance pride, social wellbeing, and sense of community, as is synonymous with small, walkable towns where chance encounters are common. Costs <i>Environmental costs</i> Nil <i>Economic costs</i> - The requirement to maintain the existing pedestrian links will be an economic cost to the owners of those sites. However, in most instances these links already exist; for those outside SCA (Precinct 1), the provision of a link is a lesser requirement than the operative maximum coverage rules; and where a link is provided, policy directs that consideration should be given to enabling more height on the site. <i>Social costs</i> Nil Efficiency (immediately and/or over time). Improving the overall quality of the Town Centre should result in higher land values, which should, in turn, encourage more development and redevelopment, and more efficient landuse (i.e. land being used for its highest value use). . In terms of District Plan drafting, it is more efficient to have a single rule controlling design rather than different
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	activity statuses for design control within and beyond the SCA. In support of this, there is no rationale as to why quality design is any more important in the special character than in the balance of the Town Centre. On the negative side, as there is no guarantee that a restricted discretionary activity will be granted, this could be deemed less efficient from an administrative/ investment perspective.
Options less appropriate to achieve the Objectives and policies:	
Option 1 - Status quo Retain the controlled activity design control outside the SCA and discretionary within it; rely on the fact that a high proportion of applications breach these standards to achieve good design; and retain the pedestrian links shown in the operative plan	Appropriateness: - As almost all applications in recent years have been non-complying this option has enabled a good level of negotiation and improvements in design, however: - It is inefficient and uncertain for developers to have to obtain a non complying consent - There is little useful direction as to when it may be appropriate to breach the standards - Design guidance exists in the District Plan but this is not as clear as the Character/ Design Guidelines - For buildings that do meet the standards (which, in themselves often enable/ encourage poor design outcomes) there is no ability to decline the consent and it is difficult if not impossible to impose conditions to achieve good design - In regard to maintaining the Status quo regarding pedestrian links the comments contained in the 'most appropriate' option above apply. - Controlled activity status is not considered appropriate. While most recent developments in the Town Centre are of a high design quality, rather than necessarily reflecting that the rules are working effectively, this has resulted primarily from a) developers not wanting to under-capitalise on their site and a knowledge that a well-designed building will command top rental rates; and b) the fact that many have been subject to a non-complying resource consent due to breaches in height and/ or coverage pressure which has given the Council (and the Urban Design Panel) leverage to insist on good design.
Option 2 - Add a rule requiring the provision of additional pedestrian links.	Appropriateness: This is unlikely to be appropriate, given that: - Where the additional links are not already protected through some other method, then the requirement to provide additional existing pedestrian links will impose an economic cost on the landowners due to reduced ground floor GFA being able to be realised. - Submissions in opposition to these new links are likely and the Council will need to justify why the subject site provides a more appropriate link than any other site in the same block. - In most instances these links already exist in some form - In many instances these links are already protected through methods outside the District Plan (such as public access easements or via resource consent conditions) so adding them to the District Plan adds very little and risks duplication of process and inefficient consent processing
Option 3 - Add a rule incentivising the provision of additional pedestrian links by providing transferable development	Appropriateness: This is unlikely to be appropriate, given that: Many sites outside the SCA will have a discretionary height allowance/ bonus applied to them regardless

rights (e.g. height) in return for the links.	and so the opportunities for 'as of right' transferable development rights over and above what any other site gets is limited - On those sites with a 14 m absolute maximum height, the effects of allowing heights over this 'as of right' could be significant and need to be considered case-by-case in case it is not warranted by the benefits from securing the link - On those sites with recession plane rules and stricter height rules, especially those within the SCA, the sensitivity of those sites in relation to allowing extra height in terms of shading, character, and view shafts could be significant and need to be considered case-by-case.
Option 4 - Apply controlled activity status over design throughout the Town Centre	Appropriateness: For reasons outlined above under the proposed provisions, controlled activity status is not considered appropriate given the intention is that most applications will no longer be non-complying.
Option 5 - Provide design guidance through detailed assessment matters within the District Plan rather than through policies and reference to the Design Guidelines.	Appropriateness: Assessment matters of the level of detail that are considered effective and appropriate clutter the body of the plan, require the insertion of images and illustrations, and make the District Plan considerably longer. While this approach could be as effective as the preferred provisions, there are questions over whether such assessment matters have the status of rules in law and also over their ease to understand in that they tend to be text-based rather than image-based.
Options analysis relating to Issue 5 - Flood Risk in the Queenstown Town Centre	
Relevant objectives:	
<i>Objective 2 - Development that achieves high quality urban design outcomes and contributes to a character, which, that is distinct from other places and fosters a sense of belonging or relationship to Queenstown.</i> <i>Objective 4 - A compact Town Centre that is safe and easily accessible for both visitors and residents</i>	
Most appropriate provision(s) to achieve the objectives	Effectiveness and Efficiency
Policies: (12.2.2.8) This relates to acknowledging that parts of the Queenstown Town Centre are susceptible to flood risk and that the effects need to be mitigated through District Plan and other method	Effectiveness: The proposed provisions will be effective at helping to achieve the above objectives in that they will mitigate the costs of flooding in the Town Centre without requiring floor heights to be increased to the point that changes in level between footpaths and buildings will result in adverse urban design effects and accessibility. Benefits <i>Environmental benefits</i> The floor level provisions and other methods outside the District Plan will mitigate the environmental costs of flooding (such as pollution of lake waters) by avoiding many premises from flooding and minimising

Rules: (12.5.7) This rule has the effect of retaining the existing minimum floor levels and encourage heights above this where this will not result in adverse urban design effects.	effects for those that do still flood. <i>Economic benefits</i> - The floor level provisions and other methods will mitigate the economic costs of flooding (such as lost revenue generated in the Town Centre, lost productivity and income from temporary or permanent closures, and minimising stock losses and refurbishment costs) by avoiding flooding of many premises and minimising effects for those that do still flood. <i>Social benefits</i> - Mitigating flood damage and minimising the recovery period will promote social wellbeing as expediently as possible following a flooding event. Costs <i>Environmental costs</i> - The minimum floor levels will still result in some adverse urban design outcomes (e.g. the sloped footpath on Rees Street) - Even if built to the minimum floor level many premises will still flood in a significant event. <i>Economic costs</i> - Even if built to the minimum floor level many premises will still flood in a significant event, which results in economic costs for owners, tenants, and wider economy. <i>Social costs</i> - A flood event in which premises are affected and the Town Centre is largely closed for business will have inevitable social costs. Efficiency (immediately and/or over time). The proposed flood mitigation measures and provisions are considered to be efficient and the associated costs justified by the benefits that are to be gained by minimising the extent of flood damage.
Options less appropriate to achieve the Objectives and Policies:	
Option 1 - Amend the provisions to require floor levels to be raised to the level of the 1999 flood, for example.	Appropriateness: While this would largely avoid internal damage to premises, the economic costs of this option, which essentially requires a large proportion of the town to be raised over time (including the roads, footpaths, underground services, and the buildings themselves) are significant, as are the environmental costs, both during the decades of transition and once the change in level is complete (including changes in levels, loss of views out of the town etc.).
Evaluation relating to Issue 5 - Management of the interface between the Town Centre and lakefront	
Relevant Objectives	

<i>Objective 2 – Development that achieves high quality urban design outcomes and contributes to the town’s character, heritage values, and sense of place</i> <i>Objective 6 - Integrated management of the Queenstown Bay land-water interface, the activities at this interface and the establishment of a dynamic and attractive environment for the benefit of both residents and visitors</i>	
Most appropriate provision(s) to achieve the objectives	Effectiveness and Efficiency
Policies: (12.2.2.1 - 12.2.2.5) (12.2.5.1 - 12.2.5.6) These relate to: • Encouraging an exciting and vibrant waterfront; • Comprehensive planning; • Pedestrian accessibility and retaining and enhancing public open space areas; • Conserving and enhancing natural qualities and amenity values; • Providing for structures within Queenstown Bay waterfront area subject strict location and appearance criteria • Requiring development to contribute to the quality of public spaces and retain view shafts. • Intensification provided key amenity values are preserved. Rules: (12.4.3, 12.4.6, 12.4.7, 12.4.8) (12.5.10) (Planning maps 35 and 36) These rules: • Make commercial uses within this zone controlled;	Effectiveness: With minor amendment, the operative provisions will be effective at achieving the relevant Town Centre objectives, which, relevantly, seek integrated management of the waterfront and quality urban design outcomes. The existing rules strike an appropriate balance between enabling commercial use of the waterfront and ensuring it adds to the vibrancy and relevance of the Town Centre, while ensuring that the special character and sense of place that is derived from the relationship with the lake and views of it and the mountains beyond are maintained. Benefits <i>Environmental benefits</i> The rules: • Protect views from the Town Centre, which contribute significantly to the Town Centre’s character and sense of place. • Protect against the proliferation of overnight accommodation on the water. • Control effects of commercial boating operations in the Bay (including safety, amenity, and cumulative effects). • Discourage development that would attract too much traffic or loading/ servicing requirements in recognition of the pedestrian character of the area and the fact it is well removed from arterials. <i>Economic benefits</i> • Focusing activity in the Earnslaw Park/ Steamer Wharf/ St Omers Park area while preserving the Marine parade beach area from structural developments will enable some intensification of the area while preserving the special character and quality of the remaining area. • Clarifying the extent of the subzone, the location of the pier, and the fact it is a subzone of the Town Centre Zone (and hence the Town Centre objectives and provisions apply) should improve certainty and the efficiency of resource consent processing. <i>Social benefits</i> • The provisions will maintain and enhance the busy, more commercialised component while maintaining the relaxed non-commercial component to the waterfront. Together, these contribute to the social wellbeing of the community and visitors.

• Make jetties and wharfs between the town pier and St Omers Park discretionary; • Make Commercial Surface of Water Activities within the Waterfront Zone discretionary (NB: This is the same as in other parts of the lake). • Make jetties and wharfs between the town pier and the gardens non-complying; • Make buildings on wharves or jetties non-complying and impose a max height of 4 m above 312.8. • Make buildings or boating craft within the Waterfront Zone used for visitor, residential or overnight accommodation non-complying. • Rename the area a <u>subzone</u> of the Town Centre. • Clarify the extent of the waterfront subzone and the location of the 'Town Pier' in planning maps 35 and 36. • Avoid or mitigate clutter from outdoor storage of equipment and temporary structures.	Costs <i>Environmental costs</i> There are no environmental costs of the status quo <i>Economic costs</i> By not liberalising the rules, development of the waterfront area for berthing, etc. will restrict the amount of commercial activity in the Queenstown Bay, which will limit income generation and tourism opportunities. <i>Social costs</i> Restricting development may limit tourism offerings in Queenstown Bay and on the water, which may reduce some people's enjoyment of the resource. That said, there is considerable opportunity for growth at the Ngai Tahu wharf and on other parts of the lake. Efficiency (immediately and/or over time). The rules (particularly once slightly amended) provide clear direction as to the anticipated scale and location of development in this location and it is considered that the benefits outweigh the costs.
Options less appropriate to achieve the Objectives and policies:	
Option 1 - Status Quo	Appropriateness: This is not considered appropriate as there are ambiguities with the current mapping/ provisions, which should be fixed in order to improve certainty and efficiency.
Option 2 - Amend the provisions to enable more development of the waterfront subzone	Appropriateness: This is not considered appropriate as the character and sense of place of the waterfront and the Town Centre as a whole would be adversely affected if commercial activity and built form was not as strictly controlled. That said, much of the area where such activity is non-complying is designated as reserve and so protected under other statutes and, as such, liberalising the District Plan provisions would likely result in only limited further development, in any case. That said, it is still considered inappropriate.
Evaluation relating to Issue 6 - Noise Issues and achieving vibrancy and an appropriate mix of activities within and around the Town Centre	

Relevant Objectives:	
<i>Objective 1 - A Town Centre that remains relevant to residents and visitors alike and continues to be the district's principal mixed use centre of retail, commercial, administrative, entertainment, cultural, and tourism activity.</i> <i>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.</i>	
Most appropriate provision(s) to achieve the objectives	Effectiveness and Efficiency
Policies: (12.2.1.3, 12.2.1.4) (12.2.3.1, 12.2.3.2, 12.2.3.3, 12.2.3.4, 12.2.3.5) These relate to: • Recognising the important contribution that night time activity makes • Enabling residential activities and visitor accommodation outside the Entertainment Precinct but accepting a lower level of residential amenity and requiring acoustic insulation • Discouraging new residential and visitor accommodation uses within the Entertainment Precinct • Providing for noisier night time activity within the Entertainment Precinct and avoiding high levels of night time noise on the periphery of the Town Centre. Rules: (12.4.4, 12.4.5, 12.4.10 - 12.4.16) (12.5.11, 12.5.12, 12.5.13) (Planning maps 35 and 36) These rules have the effect of: • Increasing noise limits throughout	Effectiveness: The provisions will be effective at achieving the objectives in that they will enable both visitor accommodation/ residential and bars/ restaurants within the Town Centre while managing conflicts between the two. Prohibiting completely inappropriate activities (i.e. factory farming, mining, forestry, and airports) ensures such activities will not be applied for in any of the Town Centres. Benefits <i>Environmental benefits</i> • Will maintain and enhance the vibrant night-time atmosphere of the Town Centre. • Will ensure that new residential and visitor accommodation in the Town Centre are appropriately insulated against noise and are ventilated so they can enjoy an acceptable level of residential amenity (within the context of a Town Centre area). • While less visitor accommodation and residential use may occur in the Town Centre Zone itself, increased capacity in the adjacent High Density Residential Zone (anticipated via the District Plan review) will ensure the Town Centre continues to function as a mixed use, pedestrian-dominated centre that is highly accessible by foot for a large number of residents and visitors. • The creation of a Transition subzone at the Town Centre edge will continue to limit noise levels received within the High Density Residential Zone by preventing high noise levels at the edge and hence making it realistic to achieve residential limits at the zone boundary. <i>Economic benefits</i> • Overall, it is expected that the provisions will increase opportunities for economic growth and employment within the Town Centre through creating a more certain and cost-effective consenting process for bars and restaurants. <i>Social benefits</i> • Vibrant night-time activity adds to the social enjoyment and festivities held in the Queenstown Town Centre. Costs <i>Environmental costs</i>

all but the Town Centre Transition Subzone and targeting different types of noise within the rules • Creating a Transition subzone with lower noise limits, which is more compatible with the adjacent residential at the edge of town • Continuing to allow new residential and visitor accommodation throughout the Town Centre (including in the Entertainment Precinct) but requiring these to meet noise insulation requirements and install mechanical ventilation • Establishing an Entertainment Precinct within the Town Centre. • Retaining (slightly amended) rules relating to licensed premises and visitor accommodation, which provide discretion over noise and other matters at the time of resource consent. • Prohibiting inappropriate activities, including factory farming, mining, forestry, and airports.	• The provisions enable a higher level of noise to be generated within the Town Centre, which will mean that levels experienced in any outdoor spaces of residential units and visitor accommodation within the Town Centre Zone may increase above existing levels⁴. • While the provisions may discourage visitor accommodation and residential development in the Town Centre these uses are well provided for in the adjacent High Density Residential zone within easy walking distance of the Town Centre. <i>Economic costs</i> • Insulation and mechanical ventilation requirements will impose additional cost including all buildings requiring secondary glazing, which will potentially at least double the glazing costs. This may discourage visitor accommodation and residential uses in the Town Centre. This may affect its financial viability in the Town Centre and therefore the viability of 3rd and 4th (and 5th) levels of Town Centre buildings. • Sites within the Transition subzone continue to be limited in the amount of noise they can generate and therefore there will be no 'uplift' in value for those subzone sites that are already within the Town Centre Zone. • Sites within the Entertainment Precinct receive the most increase in noise/ development rights, which may raise equity issues amongst Town Centre landowners • High Density Residential sites at the edge of the Town Centre will continue to be sought after and potentially values may increase if less residential and visitor accommodation is developed in the Town Centre itself. <i>Social costs</i> • While encouraging night-time activities through the proposed provisions may worsen existing social issues associated with late night drinking, any effect is likely to be minimal in that the bars already operate and make noise late at night via resource consent. • Increasing the cost of new residential and visitor accommodation in the Town Centre could have adverse effects on safety in that the passive surveillance and 24 hour occupancy of such premises can help to prevent crime. Efficiency (immediately and/or over time) • The provisions are more efficient (for Council, the public, and applicants) in terms of resource consenting, in that many/ most will not require a non-complying resource consent for noise and there will be less enforcement proceedings (in that there should be considerably less non-compliance). • Prohibiting completely inappropriate activities (i.e. factory farming, mining, forestry, and airports) ensures such activities will not be applied for, which provides a high degree of certainty and efficiency. As no application is able to be made for a prohibited activity, it is unnecessary to include objectives and policies specifically in relation to this, which itself, contributes to efficiency in terms of plan drafting. • Exempting public events from the noise rules will avoid them having to obtain a non complying resource consent, which may be a cost saving, depending on other consenting requirements.
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⁴ In recognition of the inner city environment, there is proposed to longer be a requirement to provide outdoor living space in the Town Centre.

Options less appropriate to achieve the Objectives and policies:	
Option 1 - Status quo. I.e. leave the policies and night time noise levels as they are (50 dB)	Appropriateness: This option is not considered appropriate and will not result in a vibrant and pleasant Town Centre as: • The policies don't specifically acknowledge bars and restaurants as an anticipated key activity in the Town Centre even though achieving this is key to achieving a vibrant Town Centre and reflects the direction the Council is heading. • The operative rules are inconsistent with the policies to achieve a diversity of uses in that, in realistic terms, the rules do not enable any outdoor entertainment, dining, or public events after 10 pm. Queenstown's noise limits are more stringent than 10 of the 12 cities it was compared with in the URS report. • There is extensive non-compliance (as the noise levels are practically impossible to meet) and significant costs incurred in terms of resource consent processes and enforcement proceedings; and the establishment of premises is ad hoc with little or no direction; • Noise from music (specifically bass) is not dealt with by the rules. • There is no requirement for visitor accommodation or residential units to insulate for noise or install mechanical ventilation therefore resulting in reverse sensitivity and an inability to meet Objective 3. • Residents both within and (anecdotally) beyond but near to the Town Centre are potentially affected by noise. • There are significant administrative inefficiencies with this option.
Option 2 - Increase noise limits to 60dB over the whole Town Centre, along with the other amendments to the provisions outlined under the recommended option.	Appropriateness: This option has the benefit of not affecting existing visitor accommodation and residential use within the Town Centre Zone to the same extent as would occur under the precinct option (i.e. those near to the precinct). However, it is not considered appropriate because: • It may not achieve the Objectives in that, without offering a precinct within which the noisiest activities can locate, it is likely that operators throughout the Town Centre will exceed the 60dB. • Without geographical direction as to where the noisiest operators should locate, they will locate in an ad hoc way and in areas which may significantly affect the residential zone. • It will continue to require some operators to seek consent (resulting in administrative inefficiencies) and may result in similar or worse effects on residential amenity than the status quo option.
Option 3 - Increase noise limits to 65dB over the whole Town Centre, along with the other amendments to the provisions outlined under the recommended option.	Appropriateness: While this option may still achieve the objectives it will likely struggle to achieve objective 3 in terms of protecting reasonable levels of residential amenity. It is efficient from a resource consent (as very few if any operators will need to apply for a noise consent) and, as such, enforcement proceedings will be minimal. It is also more equitable for all landowners in the Town Centre. However, it is not considered appropriate on balance due to the considerable disadvantages of: • Enabling the ad hoc sprawl of the more noisy operators thereby offering no certainty as to where residential and visitor accommodation may cost-effectively be able to achieve a reasonable internal noise

	level; Resulting in higher noise levels over a significantly greater area of High Density Residential Zoned land (in all directions).
Option 4 - Prevent new residential and visitor accommodation from locating anywhere in the CBD, in conjunction with increasing the noise limit to either 60 or 65dB.	Appropriateness: While this option may still achieve the objective and would have efficiency benefits in terms of avoiding reverse sensitivity issues in the future, it is considered to be overly restrictive and unnecessary given that visitor accommodation and residential uses can be feasibly insulated to provide an acceptable level of internal amenity and, provided the policy and rules are clear, then the expectations of developers and future inhabitants should be realistic.
Option 5 - Prevent (i.e. prohibit) visitor accommodation and residential uses within the Entertainment Precinct	Appropriateness: While it will be costly for any proposed new residential or visitor accommodation to meet the insulation requirements if they are located within the Precinct if they can then meet that requirement, then they should be able to locate there. It is considered appropriate therefore to make it non complying if adequate insulation is not being proposed as, without it, the objectives will not be met, residential amenity is likely to be poor, and issues and costs relating to ongoing complaints are more likely.
Option 6 - Not specify noise limits in the District Plan but, rather, rely on: - Serving Excessive Noise Directions on premises under the RMA, in the event that excessive noise is being generated/ experienced. - Requiring a resource consent for licensed premises (and the conditions imposed via that). - The conditions of the Liquor License itself which, pursuant to the Supply and Sale of Alcohol Act 2012, enables Council to consider a wider range of amenity-related effects than it did previously	Appropriateness: This option is not considered appropriate without the additional restrictions on absolute noise levels, which provide all parties with a clear and common understanding of what is and is not acceptable. Such clarity is important to provide certainty and some efficiency in the process.
Evaluation relating to miscellaneous provisions	
Relevant Objectives	
<i>Objective 1: A Town Centre that remains relevant to residents and visitors alike and continues to be the district's principal mixed use centre of retail, commercial, administrative, entertainment, cultural, and tourism activity.</i>	

Objective 2 – Development that achieves high quality urban design outcomes and contributes to the town’s character, heritage values, and sense of place

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

Objective 4 - A compact town centre that is safe and easily accessible for both visitors and residents

Most appropriate provision(s) to achieve the objectives	Effectiveness and Efficiency
Policies: (12.2.1.4) (12.2.2.2) (12.2.3.3, 12.2.3.4, 12.2.3.6) (12.2.4.2, 12.2.4.6) Rules: (12.4.1, 12.4.2, 12.4.4, 12.4.5, 12.4.9 - 12.4.16) (12.5.4, 12.5.5, 12.5.7, 12.5.14) (Planning maps 35 and 36) These provisions have the effect of: - Controlling the effects of visitor accommodation - Managing the effects from premises licenced for the sale of liquor (through restricted and full discretionary activity status) - Requiring the screening of storage areas - Retaining the requirement for residential activities to be located above ground floor on most streets; removing rules relating to residential flats; and removing the requirement to provide outdoor living space above ground in the Town Centre and reducing the requirement at ground level - Removing controls on ground floor	Effectiveness: These miscellaneous provisions will effectively contribute toward achieving the relevant Town Centre objectives. Benefits <i>Environmental</i> - These provisions will maintain the amenity levels expected for the Town Centre environment and ensure there is appropriate control over activities that could cause adverse environmental effects, or need specific consideration. - It is considered unnecessary and potentially inefficient to restrict ground floor uses in the operative Precinct 1 - Assuming the land to the north and east of the operative Town Centre Transition Zone on Man Street is rezoned as Town Centre through Plan Change 50, then this block need no longer provide a transition between the Town Centre and High Density Residential areas. Should that land not be rezoned, then the proposed transition zone would need to be applied to the man street block <i>Economic</i> - These provisions further enable to the town centre to be a vibrant and viable centre by providing for a range of town centre activities, including residential and visitor accommodation. - Removal of the operative Town Centre Transition Zone on Man Street will result in more efficient use of that land and enable a wider range of commercial opportunities on the land. <i>Social</i> - Regulating premises for the sale of liquor and managing the effects of such premises on other uses within and adjacent to the Town Centre Zone will have social benefits. Costs <i>Environmental</i> Nil <i>Economic</i>

activities in the operative Precinct 1. • Removing the operative Town Centre Transition Zone from Man Street • Ensuring against nuisance caused by glare and promoting lighting design that mitigates adverse effects on the night sky, • Preventing inappropriate activities such as panelbeating, etc. • Requiring verandas on the most pedestrian-orientated streets •	Costs associated with complying with Plan requirements. <i>Social</i> Nil Efficiency: These provisions are effective and efficient as they give effect to the various objectives by placing appropriate controls on town centre activities, while continuing to enable the establishment of a diverse range of activities.
Options less appropriate to achieve the Objectives and policies:	
Option 1 - Not to include the various miscellaneous provisions and to not remove the provisions from the operative Plan, as outlined above.	Appropriateness: This option would not be appropriate as it would not ensure control over licenced premises or visitor accommodation; would enable residential at ground level throughout the Town Centre which would compromise the achievement of active frontage and vibrancy and add to reverse sensitivity issues; would increase the costs of residential development (through requiring balconies) in an already challenging development climate; and would result in inefficient use of the Town Centre Transition Zone on Man Street.

10. Efficiency and effectiveness of the provisions

The efficiency and effectiveness of the proposed provisions is documented in part 9.0 of this report.

As an over-riding statement, the provisions have been drafted to specifically address known resource management issues and the inefficiencies and ineffectiveness of some of the current provisions. As well as removing a number of provisions where these were deemed unnecessary or inappropriate, the assessment matters have been replaced by more directive policies, which will be effective at influencing decision-making. It is expected that the proposed provisions will result in efficiencies for those developing within the Town Centre and for the community as a whole and, at the same time, result in a higher quality Town Centre environment.

11. The risk of not acting

Some of the risks associated with not reviewing the Town Centre Zone and proposing amended provisions are that:

- The inefficiencies surrounding the current consenting process/ requirements will continue at considerable cost to the development community and community as a whole;
- Opportunities to enhance the built environment and open spaces through better design control; encouraging the formation of more pedestrian links; and through public/ private partnerships aimed at improving public spaces in conjunction with private developments could be missed;
- The lack of direction in terms of noise (i.e. through the sensible location and design of bars, restaurants, residential, and visitor accommodation) would further worsen the reverse sensitivity issues and dissatisfaction;
- The inner link edge could be developed as High Density Residential, which would be a lost opportunity; and
- Opportunities to intensify the Town Centre may be missed.

Generally the level of information available in coming to the conclusions reached in this evaluation is excellent. Considerable consultation has been undertaken on core issues in recent years and a large number of strategic and technical reports prepared (as outlined in section 5.0 of this report). That said, the following potential gaps and assumptions do exist:

- The Council has modelled the noise contours that would result if all those premises were to operate at 60 dB and 65 dB respectively and if there were to be an Entertainment Precinct established. This provides an indication of how the various scenarios would affect the residential and visitor accommodation both within the Town Centre and the adjacent High Density Residential Zone. This modelling over-estimates the likely effects of the various scenarios in the foreseeable future. However, in line with usual noise modelling practice, the Council has not attempted to predict the future growth in the number of licensed premises and where they would be located and therefore does not have noise contours which reflect a considerable increase in the number of noisy night-time licensed premises.
- This S 32 evaluation assumes that plan change 50 (Town Centre extension) will extend the Town Centre land over various parcels of land and that it is therefore unnecessary to create a noise buffer on those edges of the existing Town Centre. It also assumes that plan change 50 will add considerable capacity to the Town Centre, which has influenced the conclusions reached in terms of what further expansions may be appropriate. Should plan change 50 not become operative generally in the form determined in the Council's decision, then these two aspects will require some reconsideration.

In conclusion, the level of certainty and information available to the Council is considered sufficient for it to make a reasonable decision.

References

Strategic documents, relevant across the issues:

- Queenstown Town Centre Strategy (2009). Refer <http://www.qldc.govt.nz/planning/district-plan/district-plan-review/document-library/>.
- Queenstown Town Centre Monitoring Report (2012) - Refer <http://www.qldc.govt.nz/planning/other-planning-information/monitoring/>
- The Town Centre Transitional Zone Plan Change (Plan Change 50). Refer <http://www.qldc.govt.nz/assets/Uploads/Council-Documents/2015-Full-Council-Agendas/30-June-2015/Item-3/3a-PC-50-Report-and-recommendations-of-Commissioners.pdf?>.
- The Town Centre Zone review work (commenced 2012)
- Inner Links Queenstown (2014)

Capacity within the Town Centre:

- Review of District Plan Business Zones Capacity and Development of Zoning Hierarchy (November 2013) hereafter referred to as 'the McDermott Miller report' - Refer <http://www.qldc.govt.nz/assets/OldImages/Files/District Plan Review Brochures/Business Zones Capacity 15 Nov 2013.pdf>
- Peer Review of the McDermott Miller report (January 2014). Refer <http://www.qldc.govt.nz/assets/OldImages/Files/District Plan Review Brochures/Business Zones Planning Peer review January 2014.pdf>
- Growth projections (2014) - [link](#)

Expansions to the Town Centre:

- Queenstown Height Study - Landscape & Urban Design Assessment 2009. Section 32 Town Centre Fringe Report 2013.
- The Town Centre Transitional Zone Plan Change (plan change 50).

Bulk and location of buildings and quality urban design and built form

- The Inner Links Queenstown Urban Design Context Report (2014).
- The Queenstown Town Centre Character Guidelines (2007) and Queenstown Town Centre Design Guidelines (2015). - [link](#)
- Council shading model (2014).

Flood risk in the Queenstown Town Centre

- The Joint Flood Mitigation Strategy 'Learning to live with flooding' (2006).

The management of the Town Centre Waterfront (sub) Zone

- The Sunshine Bay, Queenstown Bay, Frankton, Kelvin Heights Foreshore Management Plan (1991)
- The Queenstown Bay Waterfront Development Plan (1994)
- The Jetties and Moorings Policy (June 2007)

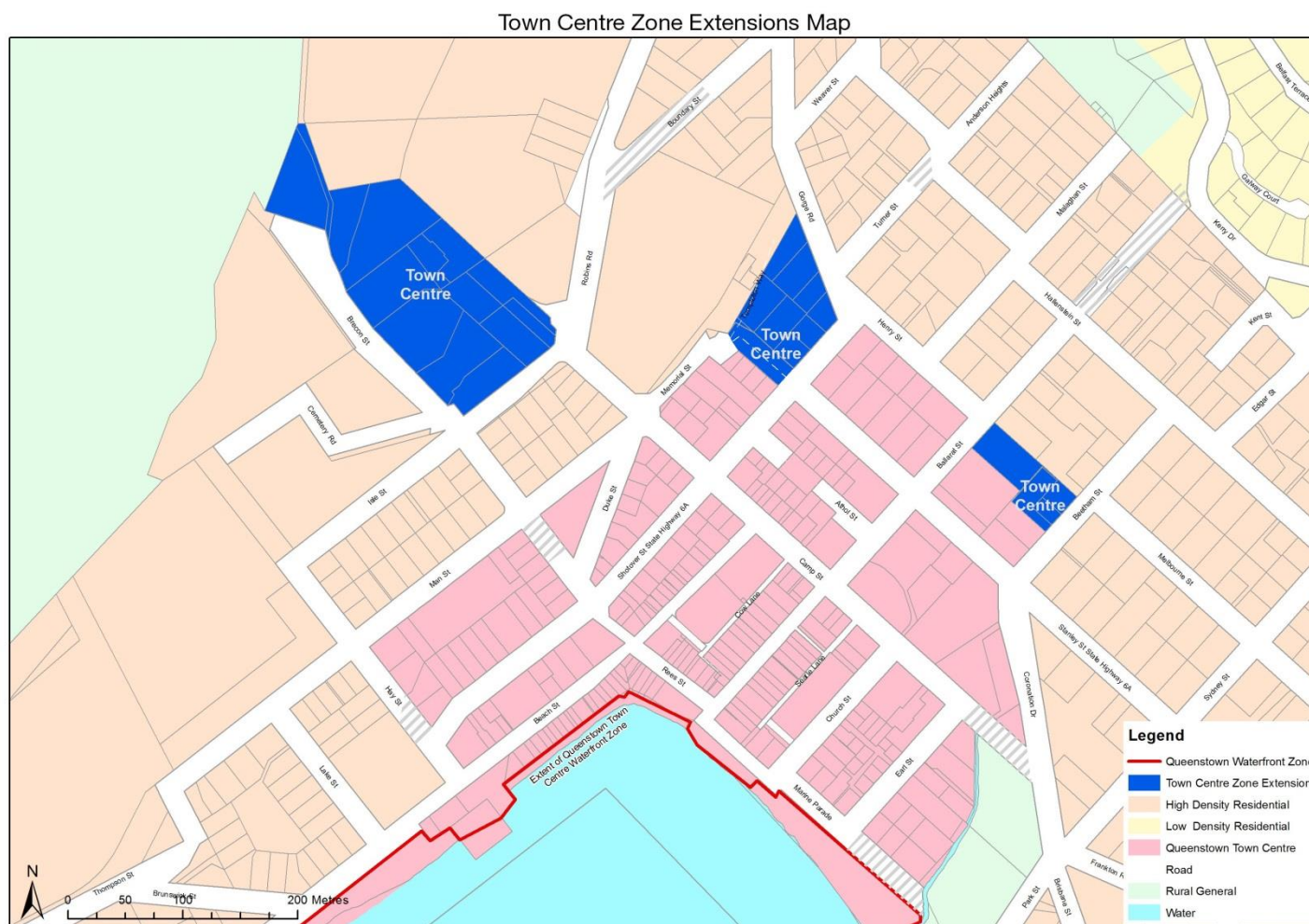
Noise:

- The Queenstown Town Centre Noise Rules Review (April 2009) - [link](#)
- The Acoustics Report (for) Proposed Plan Change 42- Queenstown Town Centre (July 2011). - [link](#)
- Town Centre Noise discussion document (2010)
- As well as the advice contained in the reports from URS undertaken in 2009 and 2012, further advice was obtained from Dr Stephen Chiles of Chiles Limited as part of this S 32 process.

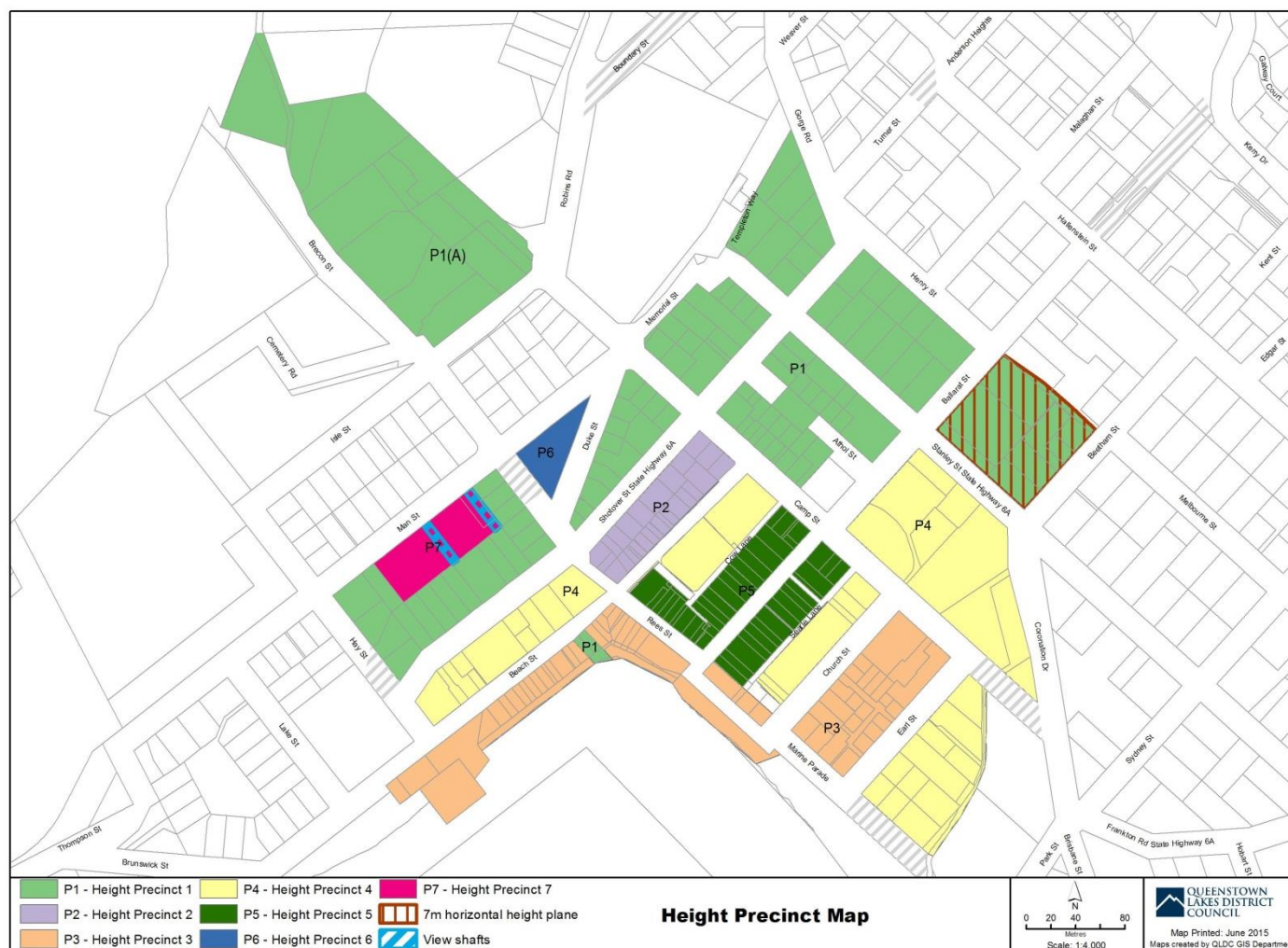
Other:

- Queenstown Town Centre Character Guidelines (2007 and Queenstown Town Centre Design Guidelines (2015) - [link](#)
- Queenstown Town Centre Shading model (2014).

Appendix 1 - Proposed extensions to the Town Centre



Appendix 2 - Proposed height precincts



Appendix 3 - Proposed Queenstown Town Centre Special Character Area Design Guidelines - [link](#)