

**ANNEXURE A - NGAI TAHU PROPERTY LIMITED & NGAI TAHU JUSTICE HOLDINGS
LIMITED'S SUBMISSION AND FURTHER SUBMISSION**

FORM 5
SUBMISSION ON PROPOSED QUEENSTOWN LAKES DISTRICT PLAN

Clause 6 of Schedule 1, Resource Management Act 1991

To: Queenstown Lakes District Council

Submitter Details:

Name of submitter: Ngai Tahu Property Limited & Ngai Tahu Justice Holdings Limited

Address for Service: Ngai Tahu Property Limited & Ngai Tahu Justice Holdings Limited
C/- Southern Planning Group
PO Box 1081
Queenstown 9348

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

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

2. Trade Competition

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

3. Omitted

4. Ngai Tahu Property Limited (NTPL) and Ngai Tahu Justice Holdings Limited (NTJHL) submission is that:

NTPL owns the land commonly referred to as the Post Office Precinct (Lot 1 DP 416867, Lot 2 DP 416867 & Lot 3 DP 416867).

NTJHL owns the land legally described as Lot 2 DP 357929 currently containing the Queenstown Police Station.

The PDP zones the NTPL and NTJHL's land ("**The Land**") Town Centre Zone.

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

NTPL and NTJHL in part **supports** the Proposed District Plan (PDP) on the following basis:

- 4.1 The PDP zones The Land Town Centre Zone.
- 4.2 The PDP objectives, policies and rules that enable and promote development in the Town Centre Zone.
- 4.3 The identification of a Town Centre Entertainment Precinct.

NTPL and NTJHL in part **opposes** the Proposed District Plan (PDP) on the following basis:

- 4.4 The PDP objectives, policies and Queenstown Town Centre Design Guidelines 2015 that inform and supports Rule 12.4.6.1 Buildings (design and external appearance).
- 4.5 The PDP objectives, policies and Queenstown Town Centre Design Guidelines 2015 that inform and support the extent of the Queenstown Courthouse Historic Heritage Precinct as identified on Proposed Planning Map 36.
- 4.6 The PDP objectives and policies that inform and define the extent of the Town Centre Entertainment Precinct as identified on Proposed Planning Map 36.
- 4.7 The PDP objectives, policies and Queenstown Town Centre Design Guidelines 2015 that inform and supports Rule 12.5.14 Glare.
- 4.8 The above rules and zoning does not promote the purpose of the Resource Management Act 1991 because it:
 - does not promote or give effect to Part 2 of the Act,
 - does not promote or give effect to the objectives and policies of the District Plan;
 - does not meet section 32 of the Act, and

- is not the most appropriate method for achieving the objectives of the Proposed District Plan having regard to its efficiency and effectiveness, and taking into account the costs and benefits.

Without derogating from the generality of the above, NTPL and NTJHL further states that:

- 4.9 The NTPL & NTJHL land is zoned Town Centre Zone in the District Plan. NTPL & NTJHL supports the zoning of this land Town Centre Zone in the PDP.
- 4.10 NTPL & NTJHL supports the PDP objectives & policy framework to the extent it promotes a regime where no control over site coverage is provided in Town Centre Zone.
- 4.11 NTPL & NTJHL notes that protected feature No.38 (Bridge Over Horne Creek) at 11 Camp Street is not shown on Proposed Planning Map 36. However, it is listed as a protected feature in the proposed heritage chapter. It appears this is an error in the mapping of the protected feature and therefore should be amended.
- 4.12 NTPL & NTJHL recommends Rule 12.5.10.5 (a) is clarified to remove the reference to the block description that follows on from the reference to Height Precinct 4 because:
- it is unclear what the description adds that is not already covered by the reference to the precinct,
 - the precinct boundaries are clearly defined on the Height Precinct Map, and
 - the addition of the description creates a suggestions that the scope of the rule is being confined further than the entirety of Height Precinct 4 which does not in fact appear to be the intention.
- 4.13 NTPL & NTJHL opposes the PDP rule relating to buildings where it has changed the status of buildings and/or external appearance changes from controlled to restricted discretionary because:

- there is no monitoring or other evidence provided by Council in its s32 or other documents to identify that the existing controlled activity regime is ineffective or inefficient and therefore that a restricted discretionary status is justified,
- requiring a restricted discretionary consent for all buildings and external alterations will create significant uncertainty, cost and complexity.
- a controlled activity regime can provide appropriate control to ensure a good design outcome whilst providing certainty to landowners, and
- in seeking to streamline and simplify the District Plan a controlled activity regime would be more appropriate.

4.14 NTPL & NTJHL opposes the extent of the Queenstown Courthouse Historic Precinct to the extent it includes the Pig 'n' Whistle building because:

- the building is not a historic building,
- the operative heritage precinct applicable to the site did not relate to the Pig 'n' Whistle building,
- sufficient control exists to manage the potential relationship between the Pig 'n' Whistle building and heritage buildings without requiring it to form part of the heritage precinct.
- monitoring of the District Plan has not identified any issue justifying extending the boundaries of the precinct to include the building.

4.15 NTPL & NTJHL supports the identification of an Entertainment Precinct as a method for providing increased noise. However NTPL & NTJHL opposes the current extent of the precinct boundaries.

4.16 NTPL & NTJHL considers the boundaries should be extended to include the NTPL land specifically the Pig n Whistle and Historic Courthouse buildings because:

- this part of the town centre has several bars and therefore extending the entertainment precinct to include them is logical,
- the buildings front onto a main pedestrian axis within the town centre and therefore providing for the entertainment precinct to extend along this pedestrian axis would better reflect the qualities and characteristic of this part of the town.

- the existing noise limits are impractical and encouraging a vibrant town centre is important therefore, enabling bars in this area of the town centre to operate within a more permissive noise environment would have wider benefits for the town centre and economy, and
- the particular site attributes and existing distance to residences and the presence of busy roads make this part of the town centre a logical area for the Entertainment Precinct.

4.17 NTPL & NTJHL opposes the PDP rule relating to the control of glare as it unnecessarily restricts the range of colours and materials that can be used on a building. In particular the rule would limit the choice of colours on buildings to those with a reflectance of between 0 and 36%.

4.18 NTPL & NTJHL considers a rule effectively limiting the choice of colours and materials is inefficient and unnecessary within a town centre environment. Appropriate controls exist to consider the external appearance of buildings and therefore colour without limiting those considerations through this rule.

4.19 Given the status of a breach of this rule the external appearance consideration of a building could be elevated to a non-complying activity. This is considered inappropriate given the wide range of colours and materials present within the Town Centre zone.

4.20 The implications of this rule are considered contrary to the general framework of the PDP and QLDC design guideline that do not support limiting the range of colours and materials on buildings as promoted in this rule and is not supported by any s32 analysis.

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

5.1 The Proposed District Plan as notified is confirmed as it relates to:

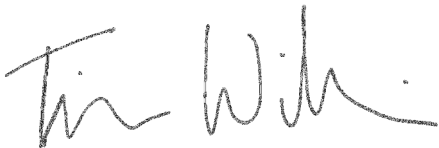
- The zoning of NTPL & NTJHL land Town Centre,
- The removal of controls over site coverage.

5.2 The Proposed District Plan is modified so:

- Rule 12.4.6.1 triggers a controlled activity consent not restricted discretionary,
- Protected Feature No.38 is identified on Proposed Planning Map 36,
- The Queenstown Court House Historic Heritage Precinct excludes the Pig 'n' Whistle building , and
- The Town Centre Entertainment Precinct is extended to include the Pig 'n' Whilst and Historic Courthouse buildings.

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

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



(Tim Williams on behalf of NTPL & NTJHL)

23 October 2015

FORM 6
FURTHER SUBMISSION ON PROPOSED QUEENSTOWN LAKES DISTRICT PLAN

Clause 8 of First Schedule, Resource Management Act 1991

To: Queenstown Lakes District Council

Submitter Details:

Name of submitter: Ngai Tahu Property Limited & Ngai Tahu Justice Holdings Limited

Address for Service: Ngai Tahu Property Limited & Ngai Tahu Justice Holdings Limited

C/- Southern Planning Group
PO Box 1081
Queenstown 9348

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

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

2. The following submissions are opposed:

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

3. The following submission is supported in part:

- Submission 604 – Jackie Gillies

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

The submitter's interest is greater than the interest of the general public because Ngai Tahu Property Limited & Ngai Tahu Justice Holdings Limited was a submitter on the Proposed District Plan (No.596) and is directly affected by outcomes requested in submissions listed above.

5. The reasons for this submission are:

| Submitter # | Support, Oppose or Neutral | Further Submission |
|-------------|----------------------------|--|
| 82 | Oppose | The submitter opposes this submission and considers requirements for parking within the CBD is inappropriate and inefficient. Amendments to height as detailed in the submission are inappropriate and inefficient. The submission and matters sought in it will therefore not promote or give effect to Part 2 of the Act. Matters raised in the submission do not meet section 32 of the Act. Are not the most appropriate method for achieving the objectives of the Proposed District Plan having regard to its efficiency and effectiveness, and taking into account the costs and benefits |
| 238 | Oppose | The submitter opposes this submission. Submission 238 will not promote or give effect to Part 2 of the Act. Matters raised in the submission do not meet section 32 of the Act. Are not the most appropriate method for achieving the objectives of the Proposed District Plan having regard to its efficiency and effectiveness, and taking into account the costs and benefits. |
| 417 | Oppose | The submitter opposes this submission and considers that operative provisions relating to height are not the most appropriate or effective method to promote or give effect to Part 2 of the Act. Matters raised in the submission do not meet section 32 of the Act. Are not the most appropriate method for achieving the objectives of the Proposed District Plan having regard to its efficiency and effectiveness, and taking into account the costs and benefits |
| 604.59 | Support in part | The submitter supports the downgrading of the Courthouse from Category 1 to Category 2. |

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

- Submission 82 – Toni Okkerse be disallowed.
- Submission 238 – NZIA Southern and Architecture + Women Southern be disallowed.
- Submission 417 – John Boyle be disallowed.
- Submission 604 – Jackie Gillies is allowed in part as it relates to submission point 604.59.

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

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

Tim Williams (on behalf of Ngai Tahu Property Limited & Ngai Tahu Justice Holdings Limited)

| PROVISION/ ISSUE | SUPPORT/OPPOSE | COMMENTS | SUBMISSION |
|--|------------------------|--|---|
| <p>CHAPTER:12 Queenstown town centre</p> | | | |
| 12.1 Zone purpose | Support with additions | <p>Insufficient analysis about town centre and urban design principles to guide intensification. Concerned that Queenstown town centre design guidelines are only about buildings, this alone does not define character. More analysis needs to be undertaken that will provide information on</p> <ul style="list-style-type: none"> . 1 Natural features (land form, water, significant vegetation) 2 Major roads and pathways 3 Grids (subdivision patterns, permeability, geometry, permeability, hierarchy, discontinuities) 4. Public open spaces (, orientation, pedestrian routes) 5.built form (landmarks, heritage features, building types, building scale, density coverage, distribution of fronts and backs, spatial definition-degree of enclosure, recurring relationships of buildings and public spaces) 6 existing circulation patterns (pedestrian, vehicle, public transportation, distribution of activities, density and intensity) 7. Experiences (way finding, memorable sequences, views) <p>This analysis would guide building form and public space. Nothing on landscaping guidelines in this.</p> | <p>That Queenstown town Centre design guidelines 2015 be expanded to include points 1-7 in comments, failing that to include points 1-7 in zone purpose..Include council landscaping(including hard and soft) standards and guidelines.</p> |

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| <p>12.2.1 Objective - 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.</p> | <p>Support with changes</p> | <p>What does administrative mean. If means local government then put that in. that is all that can be influenced through this.</p> | <p>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, local government ,entertainment, cultural, and tourism activity</p> |
| <p>12.2.1.1 Enable intensification within the Town Centre through providing for greater site coverage and additional building height provided effects on key public amenity and character attributes are avoided or satisfactorily mitigated.</p> | <p>Support with changes</p> | <p>What does satisfactorily mitigated mean? who judges this?</p> | <p>Enable intensification within the Town Centre through providing for greater site coverage and additional building height provided effects on key public amenity and character attributes are in accordance with best practice Urban design principles.</p> |
| <p>12.2.1.4 Enable residential activities and visitor accommodation activities while acknowledging that there will be a lower level of residential amenity due to the mix of activities and late night nature of the town centre.</p> | <p>Don't support</p> | <p>Why accept lower level of amenity- just noise- some people will love noise and choose to be in that area., need to design for this.</p> | <p>Enable residential activities and visitor accommodation activities while acknowledging that there will be increased noise and activity due to the mix of activities and late night nature of the town centre.</p> |

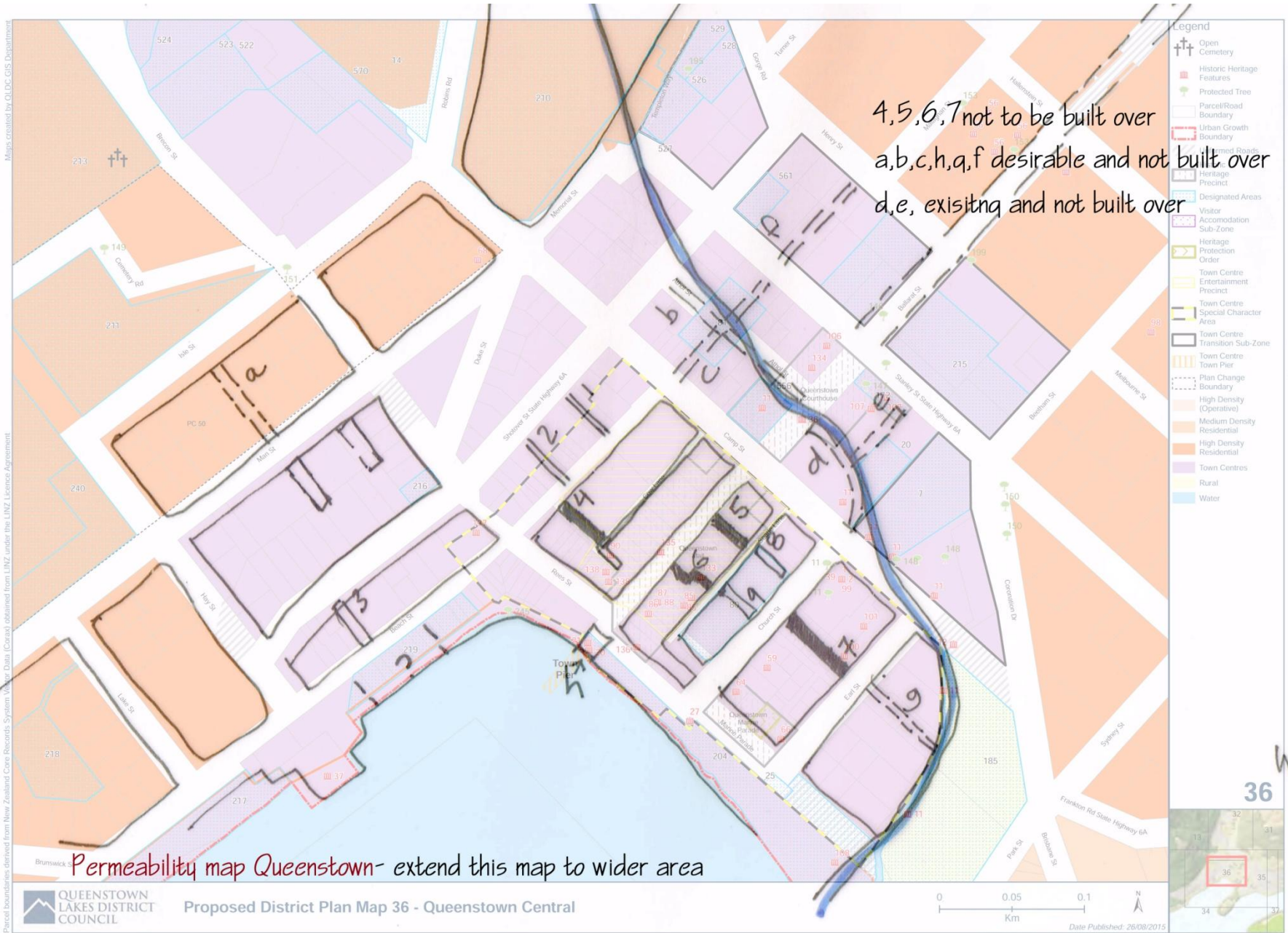
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| <p>12.2.2 Objective Development that achieves high quality urban design outcomes and contributes to the town's character, heritage values and sense of place.</p> | <p>Support</p> | <p>Good to see acknowledgement of sense of place, identity but would like more information on what this actually means. There is Queenstown Town Centre strategy does it need updating?</p> | |
| <p>12.2.2.1 Require development in the Special Character Area to be consistent with the design outcomes sought by the Queenstown Town Centre Design Guidelines 2015.</p> | <p>Support with additional info</p> | <p>QTDG need additional support pages as per earlier submission. Not just about buildings. Needs additional analysis and information inside document. More analysis needs to be undertaken that will provide information on</p> <ul style="list-style-type: none"> . 1 Natural features (land form, water, significant vegetation) 2 Major roads and pathways 3 Grids (subdivision patterns, permeability, geometry, permeability, hierarchy, discontinuities) 4. Public open spaces (, orientation, pedestrian routes) 5.built form (landmarks, heritage features, building types, building scale, density coverage, distribution of fronts and backs, spatial definition-degree of enclosure, recurring relationships of buildings and public spaces) 6 existing circulation patterns (pedestrian, vehicle, public transportation, distribution of activities, density and intensity) 7. Experiences (way finding, memorable sequences, views) <p>This analysis would guide building form and public space.</p> <p>Urban design panel review would help with some of this but only on case by case basis. Need extra</p> | <p>Require development in the Special Character Area to be consistent with the design outcomes sought by the Queenstown Town Centre Design Guidelines 2015(with extra documentation on points 1-7) and go through review by QLDC Urban design Panel</p> |

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| | | <p>supporting documents, to understand the bigger issues- i.e. where are the view shafts documented- they are talked about. what are the significant features- such as Horne creek etc., what are the landmarks etc</p> | |
| <p>12.2.2.4 Allow buildings to exceed the discretionary height standards in situations where:</p> <ul style="list-style-type: none"> • The outcome is of a high quality design, which is superior to that which would be achievable under the permitted height; <p>The cumulative effect of the additional height does not result in additional shading that will progressively degrade the pedestrian environment or enjoyment of public spaces; and</p> <ul style="list-style-type: none"> • The increase in height will facilitate the provision of residential activity | <p>Support with deletions and additions</p> | <p>How do you quantify or judge "superior" design. what can that mean. not just about buildings but spaces, connections etc..</p> | <ul style="list-style-type: none"> • The outcome is of a high quality design, which is superior to that which would be achievable under the permitted height; <ul style="list-style-type: none"> • reviewed by urban design panel • there is positive public engagement with the street |
| <p>12.2.2.5 Allow buildings to exceed the non-complying height standards only in situations where the proposed design is an example of design excellence and building height and bulk have been reduced elsewhere on the site in order to: (a) Reduce the impact of the proposed building on a listed heritage item; or (b)</p> | <p>Support with additions and deletions</p> | <p>Important that pedestrian links are open to the sky. We do not agree that covered over pedestrian links are necessarily a positive. but openness to the sky is the feature sought and our lanes and alleyways at small grain are a big feature of Queenstown. Also what are the "identified landscape features" -these need to be in a document somewhere. who has identified them?.</p> | <ul style="list-style-type: none"> • Provision of sunlight to any public space of prominence or space where people regularly congregate • Provision of a pedestrian link open to the sky • Provision of high quality, safe public open space • Retention of a view shaft to an identified landscape feature <ul style="list-style-type: none"> • promote restoration and opening up of Horne Creek |

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| <p>Provide an urban design outcome that is beneficial to the public environment. For the purpose of this policy, urban design outcomes that are beneficial to the public environment include:</p> <ul style="list-style-type: none"> • Provision of sunlight to any public space of prominence or space where people regularly congregate • Provision of a pedestrian link • Provision of high quality, safe public open space • Retention of a view shaft to an identified landscape feature | | | |
| <p>12.2.2.10</p> | <p>Add further policy</p> | <p>Council has a role in managing and investing in street environment and encouraging vitality through landscaping both soft and hard. Can't expect developers and other landowners to do excellent work if council is not prepared to lead the way accordingly.</p> | <p>12.2.2.6 Council will invest ,maintain and promote excellent urban design and amenity in all council owned and managed public spaces.</p> |
| <p>12.2.3 12.2.3.4 Enable residential and visitor accommodation activities within the Town Centre while: (a) Acknowledging that the level of amenity will be lower than in residential zones due to the density, mixed use, and late night nature of the Town Centre and requiring that such sensitive uses are 12 –4 insulated for noise;</p> | <p>Support mostly</p> | <p>Density should not create less amenity- should create more vibrancy and interest etc.</p> | <p>Enable residential and visitor accommodation activities within the Town Centre while: (a) Acknowledging that these areas will be noisy and active level of amenity will be lower than in residential zones due to the density, mixed use, the late night nature of the Town Centre and requiring that such sensitive uses are insulated for noise.</p> |

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| 12.2.4.1 | Support with additions | <p>Pedestrian experiences are greatly enhance by small laneways and feeling of getting a little "lost". Small streets open to the sky are a key feature of Queenstown. encourage more laneways.</p> <p>Need to encourage opening up of Horne creek as both a visual and pedestrian pathway through the town</p> <p>.</p> <p>May be difficult to limit expansion as live work a feature of many households.</p> | <p>12.2.4.2 add bullet points</p> <ul style="list-style-type: none"> laneways and small streets open to the sky are a key feature of Queenstown character and should be promoted and encouraged wherever possible. Horne creek is a key feature of Queenstown character and should be promoted as both a visual and pedestrian feature wherever possible. |
| 12.2.4.5 Plan for future public transport options by considering the needs of public transport services and supporting infrastructure when designing roading improvements. | Support with additions | Include ferry | Plan for future public transport options by considering the needs of public transport services and supporting infrastructure when designing roading improvements or considering jetty applications. |
| 12.2.5 12.2.5.6 Provide for structures within the Queenstown Bay waterfront area subject to compliance with strict location and appearance criteria | Support with additions and deletions | Location and appearance, not just these things..blocking views, filling up harbour etc. | Provide for structures within the Queenstown Bay waterfront area subject to compliance with strict location and appearance criteria Review by the urban design panel |
| Rules etc Building coverage | Support with additions | Agree with increased height and recession rules. Support 4 stories if done well- i.e. reviewed by urban design panel. Feel all buildings in town centre zone should be reviewed by the urban design panel. | |
| 12.4.6 buildings | Support in part | Feel restricted discretionary for buildings that go through urban design panel, others fully discretionary. Needs to be some incentive. Not just about external appearance etc, and who gets to say these are the | All buildings in town centre subject to review by urban design panel |

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| | | right colours- will we always have to think in recessive colours, who gives permission to go outside the square, safe stuff? | |
| 12.5.8.1 Provision of pedestrian links | Insufficient size of map, do not support in this format | <p>Pedestrian links, open to the sky are a very important part of Queenstown character and should be sought and extended into the fabric of town centre and mixed use zone wherever possible.</p> <p>Map should show desired locations., not just existing ones, and fails to show important links that have been introduced since last map- i.e. Ngai Tahu courthouse area and opening up of Horne creek.</p> <p>Horne creek should be in this as well.</p> <p>Need to rename this a "permeability " map.</p> | <p>Note: Nothing in rules 12.5.8.1 and 12.5.8.2 shall prevent a building or part of a building being constructed at first floor level over a pedestrian link - delete</p> <p>12.5.8.1(additional) Pedestrian links should be open to the sky. Introduce better "permeability map" as shown that encompasses gorge Road retail and expanded town centre and show all existing and desired links.</p> |
| 12.5.8.1 | Don't support map | <p>Need to rethink map , - look for future pedestrian linkages that will be required, not just in this zone but all town centre, mixed use zones. Call it a "permeability map". This is too restrictive- shows erosion of former links in to covered in ,ghastly malls. We don't want that. There could be incentives- i.e. height etc for linkages offered in desired areas.</p> | <p>Replace figure 1</p> <p>Extend map and look at future linkages, not covered in links but walking permeable links through entire zone.</p> |



Permeability map Queenstown- extend this map to wider area