

Submission on the Proposed Queenstown Lakes District Plan (Stage 3B)

Pursuant to Clause 6 of Schedule 1, Resource Management Act 1991

To: Queenstown Lakes District Council

Address: Sent via email to: services@qldc.govt.nz

Name of Submitter: Arthurs Point Land Trustee Limited (**Submitter**)

About the Submitter: The Arthurs Point Land Trustee own the land at 182 Arthurs Point Road, held in the following titles:

- Lot 1 DP 300462;
- Lot 2 DP 300462;
- Lot 3 DP 300462;
- Lot 2 DP 24233;
- Lot 1 DP 384465

The extent of the landholding is shown in Figure 1 below.

Trade Competition: The Submitter cannot gain an advantage in trade competition through this submission.

Submission and Decisions

Sought: The Proposed District Plan provisions this submission relates to, and the decisions sought, are as set out in the attached analysis and table.

Address for Service: Arthurs Point Land Trustee Limited
C/- John Edmonds at John Edmonds and Associates Limited
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Phone: 021 409 075

Date: 2nd December 2019

Background

The Submitter owns 14.17 hectares of land at Arthurs Point in between Arthurs Point Road and the Shotover River, at the eastern end of the Arthurs Point urban neighbourhood (of which approximately 2.65 hectares is included in the operative Rural Visitor Zone). This land comprises three separate 'terraces' that step down towards the Shotover River. The 'upper terrace' is that land at the same level as Arthurs Point Road. The 'mid-terrace' comprises approximately 2.5 hectares of flat land, whilst the balance is comprised in reasonably steep forested land that adjoins the Shotover River. This 'lower terrace' contains an existing undeveloped residential building platform at the north-east end. This submission relates to the land contained within the upper and mid terraces.

The Arthurs Point Rural Visitor zone was previously included in the 1983 District Scheme as Tourist Development 2 Zone. The Operative District Plan incorporated all of that land into the Rural Visitor Zone and adopted most of those earlier rules.

Prior to, and since that time the land in this neighbourhood has been used for a range of different tourism and commercial activities, including farm tourism, rafting company, antiques shop, and more recently as The Hanger (a shared office workspace). The Grantley's restaurant is centrally located and comprises a listed heritage building surrounded by several mature amenity trees.

Arthurs Point Road bisects the Rural Visitor Zoned neighbourhood of Arthurs Point. This section of road is classified as an Arterial Road, and currently has a posted speed limit of 70km/h.

The Arthurs Point Rural Visitor zoned land has developed principally for visitor accommodation, high density residential and commercial purposes. Initial developments included the Nugget

Point Hotel and Coronet Plaza (now Swiss Belresort). More recent developments within this neighbourhood include the Residence du Parc, the Queenstown Resort College accommodation, and the Bullendale SHA adjoining the western edge. Buildings have been recently approved up to 14m above original ground level.

The Arthurs Point Terrace neighbourhood (being the land contained within the ODP's RV Zone) occupies an area of approximately 14 hectares, which extends from the lower slopes of Mt. Dewar to the terraces above the Shotover River. The strip of land adjoining either side of Arthurs Point Road that has been developed to date is reasonably level with the road. The land to the north of the Resort College and Swiss Belresort climbs steeply to the north. Similarly, the land on the southern side of the road falls away reasonably steeply.

The consenting history of the Submitters site is relevant to this submission as it provides an insight of the type of development that is anticipated and that has been consented on this land.

Consent (RM070900) was granted 22 May 2008 to establish a mixed-use development including residential, visitor accommodation, commercial recreation and retail activity on the site, which included 22 residential apartments contained within two buildings. This consent was not implemented.



Figure 1: Elevations of Building - RM070900

Consent (RM180858) was granted 10 December 2018, for construction of a 12m high 106 room hotel with ancillary centralised facilities and 80 serviced apartments to be used for visitor accommodation purposes with associated earthworks and landscaping. This consent has not been implemented yet.



Figure 2 – South Western Renders of RM180858



Figure 3 – Arthurs Point Road Renders of RM180858

Stage 1 of the PDP was advertised in 2015. Stage 1 did not include any change to the extent of land included in the operative Rural Visitor zoned land. The balance of mid-terrace land was zoned Rural. The submitter sought that the proposed rural zoned land contained within the mid-terrace be included in the Rural Visitor Zone.

The Council decision on that submission resulted in a Medium Density Sub-Zoning with a Building Restriction Area (BRA) applying to part of the western edge of the mid-terrace. The submitter has appealed that decision; seeking High Density Residential as the primary relief. It is noted that the BRA identified in the Stage 1 decision differs from the BRA in Stage 3B. The topographical feature that the BRA is seeking to protect against development is a steep terrace edge that falls steeply to the west. Neither stage 1 or Stage 3B accurately identify this feature.

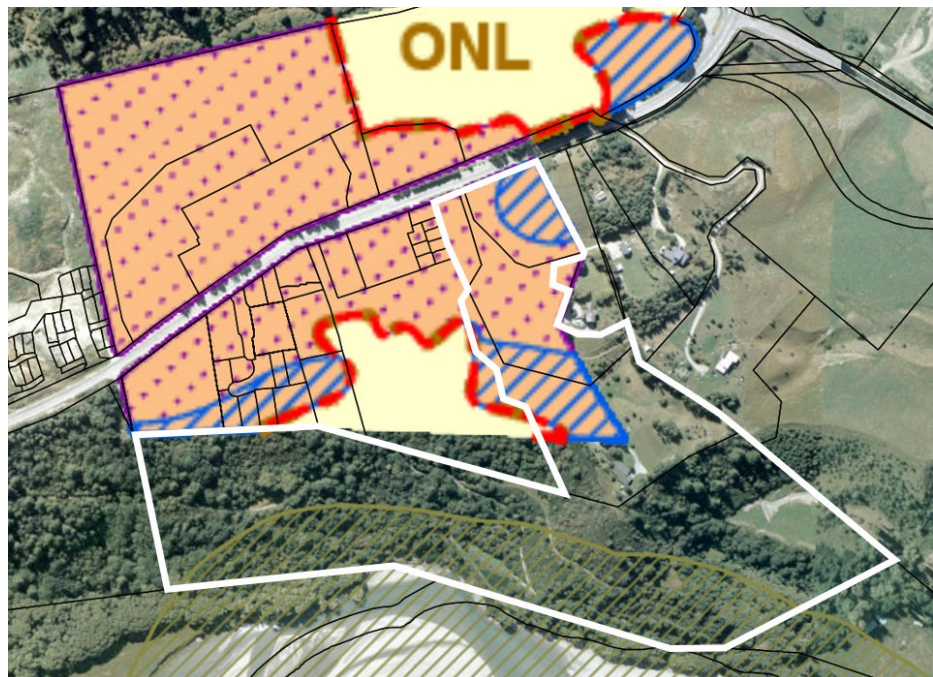


Figure 4 - The Submitter's Sites Relative to PDP – Stage 3 Zoning- Indicated by White Line

Submission:

The Submitter opposes the Proposed Plan as it relates to the Medium Density Residential Zone (MDRZ) and the 'Building Restriction Area' at Arthurs Point in its entirety.

The proposed rezoning impacts on the Submitter's land as it is proposed to be rezoned to MDRZ and building restriction areas identified upon part of that land, and therefore this submission is 'on' the Plan Change.

**Reasons for
the submission:**

The Submitter's land and surrounding land is currently zoned Rural Visitor Zone under the Operative District Plan (ODP) which provides for a range of accommodation, entertainment, cultural and recreational activities.

It is submitted that the Medium Density Residential Zone with the Visitor Accommodation sub-zone and its provisions, are not appropriate for the subject site. Those outcomes would have a significant impact upon the development capacity of the land, that is inconsistent with the existing patterning.

This part of the Arthurs Point neighbourhood that is subject to stage 3B should be referred to in the Plan as 'Arthurs Point Terrace'.

The neighbourhood differs to other parts of Arthurs Point, in that it is located on a higher terrace and is limited by natural topographical constraints. Development within this neighbourhood is very different to other parts of the Arthurs Point area (as a result of the underlying zoning).

The combination of physical constraints and character create a definable neighbourhood that is most consistent with the outcomes that are proposed for the High Density Residential zone.

Arthurs Point Terrace (APT) is nestled into the lower slopes of Mt. Dewar immediately to the north with the Shotover River canyon to the south. Increased height limits can be tolerated within these topographical features.

Other relevant factors include:

- There is very little flat land in close proximity to the town centre that is suitable for high density residential activity.
- The APT neighbourhood is bisected by an arterial road, ensuring all sites are easy to access.
- The APT neighbourhood is located 6km from the Queenstown CBD, so that community activities and services are easily accessible.
- High density zoning of this land would allow a greater range of housing densities and options.
- An established public transport service connects the APT with Queenstown.
- High density zoning would create a more efficient use of the land within the urban growth boundaries.
- It is suggested that to enhance the coherence of the area, a master-planned streetscape exercise is undertaken. This will improve integration between the sites and define and enhance the character of the APT neighbourhood.
- The proposed zoning is considered to be consistent with Policy 3.2.1.1 (Chapter 3 – Strategic Direction) of the Proposed District Plan which states:

The significant socioeconomic benefits of well-designed and appropriately located visitor industry facilities and services are realised across the District.

- The APT already contains a mostly high-density character, and zoning the land to reflect that is consistent with Objective 3.2.3 (Chapter 3 – Strategic Direction) which states:

A quality-built environment taking into account the character of individual communities.

- The neighbourhood is considered an appropriate location for high density residential

and visitor accommodation and the proposed zoning is consistent with Objective 3.3.1 (Chapter 3 – Strategic Direction) which states:

Make provision for the visitor industry to maintain and enhance attractions, facilities and services within the Queenstown and Wanaka town centre areas and elsewhere within the District's urban areas and settlements at locations where this is consistent with objectives and policies for the relevant zone. (relevant to S.O. 3.2.1.1 and 3.2.1.2)

Relief sought

- a) Remove the 'Building Restriction Area' (BRA) from the subject sites, and replace it with a BRA that accurately represents the terrace edge at the western end of the mid-terrace only.
- b) Rezone the subject land
 - Lot 1 DP 300462;
 - Lot 2 DP 300462;
 - Lot 3 DP 300462;
 - Lot 2 DP 24233
 to High Density Residential Zone, and refer to that land as the Arthurs Point Terrace precinct or neighbourhood, with amendments set out in **Appendix A**.
- c) Rezone the balance of the neighbourhood currently proposed as Medium Density Residential in the Arthurs Point community to High Density Residential, and refer to that land as the Arthurs Point Terrace precinct or neighbourhood, with amendments set out in **Appendix A**.
- d) Any other additional or consequential relief to the Proposed Plan, including but not limited to the maps, issues, objectives, policies, rules, matters of control or discretion, assessment criteria and explanations that will fully give effect to the matters raised in the submission.
- e) The suggested revisions do not limit the generality of the reasons for the submission and relief sought.

The Submitter wishes to be heard in support of its submission.

If others make similar submissions, the submitter will consider presenting a joint case at any hearing.

Appendix A

| PREFERRED RELIEF: PROPOSED HIGH DENSITY RESIDENTIAL ZONE | | | |
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| IN ADDITION: | | | |
| HDR Provision (Decisions Version) | Support/Oppose | Reasoning | Decision sought (new text shown as <u>underlined italics</u> and deleted text shown as italics struck through) |
| <p>46.1 Purpose</p> <p>The High Density Residential Zone provides for efficient use of land within close proximity to town centres that is easily accessible by public transport, cycle and walk ways. In conjunction with the Medium Density Residential Zone, the zone plays a key planning role in minimising urban sprawl and consolidating growth in existing urban areas.</p> <p>In Queenstown, the High Density Residential zone enables taller buildings than in the other residential zones, subject to high design quality. In Wanaka, lower building heights are anticipated, accounting for its distinctive urban character, however relatively high densities are still achievable. Such development will result in a greater diversity of housing supply, help support the function and vibrancy of town centres, and reduce reliance on private transport. Over time, low-rise apartments and terraced housing are envisaged to become commonplace within the zone.</p> <p>Development in the zone will facilitate effective non-vehicular connections and access to high quality public open space.</p> <p>Development controls provide minimum protections for existing amenity values and are otherwise prioritised towards enabling the community's wellbeing by promoting growth and development. given the focus on intensification, moderate to substantial change is anticipated including to both public and private</p> | <p>Oppose in part</p> | <p>Identification of the and within the Arthurs Point Terrace.</p> <p>Recognition that visitor accommodation is enabled at Arthurs Point Terrace as well as around the Queenstown and Wanaka CBD's.</p> | <p>46.1 Purpose</p> <p>The High Density Residential Zone provides for efficient use of land within close proximity to town centres that is easily accessible by public transport, cycle and walk ways. In conjunction with the Medium Density Residential Zone, the zone plays a key planning role in minimising urban sprawl and consolidating growth in existing urban areas.</p> <p>In Queenstown, the High Density Residential zone enables taller buildings than in the other residential zones, subject to high design quality. In Wanaka, lower building heights are anticipated, accounting for its distinctive urban character, however relatively high densities are still achievable. Such development will result in a greater diversity of housing supply, help support the function and vibrancy of town centres, and reduce reliance on private transport. Over time, low-rise apartments and terraced housing are envisaged to become commonplace within the zone.</p> <p>Development in the zone will facilitate effective non-vehicular connections and access to high quality public open space.</p> <p>Development controls provide minimum protections for existing amenity values and are otherwise prioritised towards enabling the community's wellbeing by promoting growth and development. given the focus on intensification, moderate to substantial change is anticipated including to both public and</p> |

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| <p>views as the character of land within the zone develops into one that is characteristically urban. Small scale commercial activities are enabled, either to support larger residential developments, or to provide low impact local services.</p> <p>Small scale community facilities are anticipated, given the need for community activities within residential areas. However, large scale community facilities are not anticipated as this will reduce the effectiveness of the zone at its primary purpose of accommodating housing.</p> <p>Visitor accommodation, residential visitor accommodation and homestays are anticipated and enabled in this zone, which is located near the town centres, to respond to projected growth in visitor numbers, provided that adverse effects on the residential amenity values of nearby residents is avoided, remedied or mitigated.</p> | | | <p>private views as the character of land within the zone develops into one that is characteristically urban. Small scale commercial activities are enabled, either to support larger residential developments, or to provide low impact local services.</p> <p>Small scale community facilities are anticipated, given the need for community activities within residential areas. However, large scale community facilities are not anticipated as this will reduce the effectiveness of the zone at its primary purpose of accommodating housing.</p> <p>Visitor accommodation, residential visitor accommodation and homestays are anticipated and enabled in this zone, which is located near the town centres <u>and within Arthurs Point Terrace</u>, to respond to projected growth in visitor numbers, provided that adverse effects on the residential amenity values of nearby residents is avoided, remedied or mitigated.</p> |
| <p>Insert New objective</p> | | | <p><u>9.2.9 Objective - Arthurs Point Terrace</u> <u>Enhance and develop the amenity, character and unique streetscape qualities of the Arthurs Point Terrace neighbourhood.</u></p> |
| <p>Insert New policy</p> | | | <p><u>9.2.9.1 To provide a range of residential and visitor accommodation options within the neighbourhood that positively contribute to the amenity and character of the area.</u></p> |
| <p>Insert New policy</p> | | | <p><u>9.2.9.2 To promote a distinct streetscape for the neighbourhood that is based upon a shared and integrated public realm.</u></p> |
| <p>Insert New policy</p> | | | <p><u>9.2.9.3 To develop a high-density residential neighbourhood that is characterised by 4 – 5 level buildings, and where the effects of additional building height is offset by topography.</u></p> |

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| Insert New policy | | | <u>9.2.4 Encourage buildings to be located to address the street, with carparking generally located behind or between buildings.</u> |
| Insert New policy | | | <u>9.2.9.5 Ensure that the design of buildings contribute positively to the visual quality of the environment through the use of connection to the street, interesting built forms, landscaping, and response to site context.</u> |
| <p>Insert New Rule</p> <p>9.4.6 Visitor Accommodation including licensed premises within a visitor accommodation development</p> <p>Activity status: Restricted Discretionary</p> <p>Discretion is restricted to:</p> <ul style="list-style-type: none"> a. The location, nature and scale of activities; b. Parking and access; c. Landscaping; d. Noise; e. Hours of operation, including in respect of ancillary activities; and f. The external appearance of buildings. | | | <p>9.4.6 Visitor Accommodation including licensed premises within a visitor accommodation development</p> <p>Activity status: Restricted Discretionary</p> <p>Discretion is restricted to:</p> <ul style="list-style-type: none"> a. The location, nature and scale of activities; b. Parking and access; c. Landscaping; d. Noise; e. Hours of operation, including in respect of ancillary activities; and f. The external appearance of buildings. <p><u>9.4.6a Visitor Accommodation including licensed premises within a visitor accommodation development in Arthurs Point Terrace</u></p> <p><u>Activity status: Controlled</u></p> <p><u>Control is restricted to:</u></p> <ul style="list-style-type: none"> <u>a. The location, nature and scale of activities;</u> <u>b. Parking and access;</u> <u>c. Landscaping;</u> <u>d. Noise;</u> <u>e. Hours of operation, including in respect of ancillary activities; and</u> <u>f. The external appearance of buildings.</u> |
| <p>Insert New Rule 9.5.3.4a</p> <p>9.5.3.4 Maximum building height of 10m.</p> <p>Activity status: Discretionary</p> | | <p>Under the current Rural Visitor Zone, building height for Visitor Accommodation is 12m.</p> | <p>9.5.3.4 Maximum building height of 10m.</p> <p><u>9.5.3.4a Except sites within the Arthurs Point Terrace where a</u></p> |

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| | | <p>Existing consented and built form is typically up to 4 levels.</p> <p>The confined boundaries of this neighbourhood and the topography enables similar building height.</p> <p>No downhill neighbours that will be impacted by the proposed height</p> | <p><u>maximum building height of 12m applies.</u></p> |
| <p>Variation to Chapter 29 – Transport</p> | | | |

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| <p>9.8.41 The following advice notes apply to all provisions relating to minimum car parking requirements:</p> <p>29.8.41.1 In calculating the total parking requirement:</p> <p>a. the requirement for residents/visitors and the requirement for guests/ staff shall be added together (including fractional spaces), then rounded up or down in accordance with 29.9.38.1(c) below.</p> <p>b. where a development comprises more than one activity, the parking requirements for all activities shall be added together (including fractional spaces), and then then rounded up or down in accordance with 29.9.41.1(c) below.</p> <p>c. where the total parking requirement (as outlined in (a) and (b) above) for the development includes a fraction less than 0.5 it shall be disregarded and where it includes a fraction equal to or greater than 0.5, the parking requirement shall be rounded up to the next highest whole number, except that where the total carpark requirement is a fraction less than 1.0 (e.g. in the case of a single residential unit in the High Density Residential zone) then this shall be rounded up to 1.0.</p> <p>d. The area of any parking space(s) and vehicular access, drives, and aisles provided within a building shall be excluded from the assessment of gross floor area of that building for the purpose of ascertaining the total number of parking spaces required or permitted.</p> <p>e. Where the parking requirement is based on the number of bedrooms within a residential or visitor accommodation unit, any room with a window and which is able to be shut off from any living</p> | <p>Oppose in part</p> | <p>Clarification sought that provided an activity occupies less than 10% of the total gross floor area, that activity does not need to provide car parking spaces.</p> <p>This 10% exclusion will ensure that activities associated with the main activity do not need to provide additional car parking. I.e. car parking spaces for the ground floor area occupied by offices that are accessory to visitor accommodation do not need to provide their own car parking spaces provided the ground floor area of the offices is less than 10% of the total ground floor area.</p> | <p>29.8.41 The following advice notes apply to all provisions relating to minimum car parking requirements:</p> <p>29.8.41.1 In calculating the total parking requirement:</p> <p>a. the requirement for residents/visitors and the requirement for guests/ staff shall be added together (including fractional spaces), then rounded up or down in accordance with 29.9.38.1(c) below.</p> <p>b. where a development comprises more than one activity, the parking requirements for all activities shall be added together (including fractional spaces), and then then rounded up or down in accordance with 29.9.41.1(c) below.</p> <p>c. where the total parking requirement (as outlined in (a) and (b) above) for the development includes a fraction less than 0.5 it shall be disregarded and where it includes a fraction equal to or greater than 0.5, the parking requirement shall be rounded up to the next highest whole number, except that where the total carpark requirement is a fraction less than 1.0 (e.g. in the case of a single residential unit in the High Density Residential zone) then this shall be rounded up to 1.0.</p> <p>d. The area of any parking space(s) and vehicular access, drives, and aisles provided within a building shall be excluded from the assessment of gross floor area of that building for the purpose of ascertaining the total number of parking spaces required or permitted.</p> <p>e. Where the parking requirement is based on the number of bedrooms within a residential or visitor accommodation unit, any</p> |
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| <p>room or communal part of the unit shall be deemed to be a bedroom, regardless of whether it is identified as such on the building plans.</p> | | | <p>room with a window and which is able to be shut off from any living room or communal part of the unit shall be deemed to be a bedroom, regardless of whether it is identified as such on the building plans.</p> <p><u>f. When calculating the overall parking requirements for a development, the separation of area into different activities (for the purposes of b. above) will be required where the gross floor area of an activity (or public floor space or other such measurement that the standards for the relevant activity is based upon) exceeds 10% of the total gross floor space of the development. The total parking requirement for any development shall be the sum of the requirements for each area.</u></p> |
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