

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

IN THE MATTER of the Resource
Management Act 1991

AND

IN THE MATTER of the Business Zones
Hearing Stream 8
(Queenstown Town
Centre, Wanaka Town
Centre, and Business
Mixed Use Zone
chapters)

**STATEMENT OF EVIDENCE OF TIMOTHY JOHN CHURCH
ON BEHALF OF QUEENSTOWN LAKES DISTRICT COUNCIL**

URBAN DESIGN

2 November 2016

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1. INTRODUCTION

- 1.1 My full name is Timothy John Church.
- 1.2 I am employed as a Senior Principal/ Urban Designer with Boffa Miskell Ltd. I hold the qualifications of a Master of Urban Design and a Bachelor of Landscape Architecture. I am an active member of both the Christchurch Urban Design Panel and New Zealand Urban Design Forum. I have practised as an Urban Designer for the past 15 years and Landscape Architect for the previous four years.
- 1.3 My work at Boffa Miskell has included technical reports and Council and Environment Court hearing evidence on urban design for:
- (a) Plan Change 10 to the Queenstown Lakes operative District Plan: Improving the Amenity in the High Density Zones (on behalf of Queenstown Lakes District Council (**QLDC** or **Council**));
 - (b) Plan Change 22 to the Christchurch District Plan: Styx District Town Centre (on behalf of AMP Capital);
 - (c) Plan Change 27 to the Christchurch District Plan: Intensification of Central New Brighton (on behalf of Christchurch City Council (**CCC**));
 - (d) Plan Change 29 to the Christchurch District Plan: Business 4 and Retail Park Zones Height and Setback (on behalf of CCC); and
 - (e) Plan Change 53 to the Christchurch District Plan: Improving the amenity of the Living 3 and 4 Zones (on behalf of CCC).
- 1.4 I have been engaged by QLDC to provide evidence in relation to the Queenstown Town Centre (**QTC** or **QTCZ**), Wanaka Town Centre (**WTC** or **WTCZ**), and Business Mixed Use (**BMU** or **BMUZ**) zone chapters of the Proposed District Plan (**PDP**).
- 1.5 I note that whilst this is a Council hearing, I can confirm that I have read the Code of Conduct for Expert Witnesses contained in the Environment Court Practice Note 2014 and that I agree to comply with it. I confirm that I have considered all the material facts that I am aware of that might alter or detract from the opinions that I express, and that this evidence is within my area of expertise, except where I state that I am relying on the evidence of another person.

- 1.6** The key documents I have used, or referred to, in forming my view while preparing this brief of evidence are:
- (a) Sections 10 and 11 of the QLDC operative District Plan (**ODP**);
 - (b) Chapters 12, 13 and 16 of the PDP;
 - (c) Section 32 reports for the three relevant chapters;
 - (d) Queenstown Town Centre Strategy;
 - (e) Queenstown Town Centre Special Character Area Guidelines;
 - (f) Wanaka Town Centre Strategy; and
 - (g) Wanaka Town Centre Character Guideline.
- 1.7** I have not been involved in the preparation of the PDP or s32 reports for the Business Zones.
- 1.8** For clarity, Boffa Miskell have provided urban design advice to New Ground Capital/ Tall Wood as part of a Resource Consent application for the Gorge Road Worker Apartments, 75, 83 Gorge Road, within the Council sponsored Gorge Road Special Housing Area.
- 1.9** In preparing this evidence, I have been briefed by and been in regular correspondence with Ms Jones (author of the QTC and WTC s42A reports) and Ms Bowbyes (author of the BMU s42A report). They have requested I:
- (a) comment on specific issues relating to urban design in the PDP;
 - (b) respond to submission points from an urban design perspective; and
 - (c) provide an expert opinion to inform their s42A reports.
- 1.10** I have visited Queenstown and Wanaka on numerous occasions, carried out my own assessment and have drawn my own conclusions in regard to the PDP and submission points.
- 1.11** My evidence should also be read in conjunction with the attached Town Centre and Business Mixed Use Zones graphic supplement, in **Appendix A**. Photographs of Queenstown and Wanaka were taken on 13 -14 September 2016 and 26 - 27 September 2016 using an Olympus OM-D E-M5 Mark II at either 16 or 50mm lens settings, or Canon D6 DSLR 50mm lens on 17 October 2016. Panoramas have been stitched together using numerous framed images on PT GUI software.

- 1.12** 3D City Engine models for the QTCZ have been developed by QLDC and Boffa Miskell (in part) and solely by Boffa Miskell for the BMUZ. I refer to the modelling methodology provided by Mr Olmos and described in Ms Jones' s42A report for the QTCZ in paragraphs 10.25-10.26. The same methodology was used for each zone modelling exercise. These models have been used in my analysis of comparative massing and shading scenarios. Various building height and recession plane rules have been tested, including those from the ODP, PDP, submitter and recommended provisions where applicable.
- 1.13** I note that an existing building massing or height envelope model has not been developed for Wanaka to refer to in my evidence, as I have been able to for the other two zones. Instead, I have relied on a range of existing building height analysis provided by Council and my existing knowledge of the Wanaka context, where I consider it applicable.
- 1.14** Unless I refer to a "reply" version of a PDP provision, I am referring to the notified version / provision number.

2. EXECUTIVE SUMMARY

- 2.1** I consider the recommended PDP provisions, with my urban design related amendments, will increase the likelihood to achieve notified Objectives 12.2.1 and 12.2.2, including managing the adverse effects of building heights, while potentially achieving some positive outcomes.

Queenstown Town Centre

- 2.2** I consider the anticipated heights of between 8m and 14m to be an appropriate baseline range with the ability to vary this further on a case-by-case basis through design merit as a Restricted Discretionary (**RD**) activity.
- 2.3** Generally, I consider the notified Permitted (**P**) building height provisions maintain the character and a sense of place by striking an appropriate balance in height and recession plane rules that maintains and enhances a coherent collection of buildings across the town centre. Nonetheless, I have provided an urban design view on some changes to specific height precincts where I consider it appropriate:

- (a) I support the notified Precinct P2 height provisions with the exception of the 0.8m set back and the allowance for the parapet to protrude through the recession plane. This provides for a 6.5m facade height and a 30° recession plane on the south side of the block, while offsetting this restriction with a height increase on its less sensitive northern side;
- (b) I support the southern frontage of upper Beach St and upper Church Street block reverting back to the ODP 7.5m façade height, while retaining the notified 45° recession plane and 12m height limit. Essentially this would mean they become part of Precinct P5;
- (c) In recognising the existing visual prominence of the 50 Beach Street building, my view is that the general Precinct P1 12m permitted height with a 45° recession plane be applied consistently, with the RD height limit up to 15m for this site (this is an additional allowance of 1m);
- (d) I support Ms Jones' recommended provisions for the Man Street block to optimise heights in Precinct P7 in relation to the interpolated site levels and existing Man Street Car Park building. I also consider it appropriate to include view shafts through the block. In my view it is appropriate to include a specific horizontal height plane at 327.1m RL, slab level, for the eastern view shaft, and 330.1m RL for the western view shaft with no build provisions provided to manage these, including the removal of the PDP 4m height limit; and
- (e) I support an RD height limit up to 15.5m for Precinct P1(A) and, in my view, a matter of discretion should be included to mitigate any potential adverse effects on the heritage context of the Queenstown Cemetery.

2.4 Referencing a maximum of four storeys within the permitted 12m in Rule 12.5.9.1 would encourage undesirable built form outcomes. Therefore, in my view, better urban design outcomes could be achieved by removing the reference or amending the cap to three storeys.

2.5 I consider an RD height limit of 14m to be appropriate, given the majority of buildings in the town centre are below 12m. In my view, an additional 2m will be unlikely to give rise to significant adverse height effects, with the exception of potential shading, if appropriately managed through good urban design. I

support the matters of discretion in the QTC with some suggested additions identified throughout my evidence.

- 2.6** I support the consideration of wind effects for Comprehensive Development Plans and Non-Complying (**NC**) applications. In my view a reference to a broader 'environmental comfort', analysing the combination of shading and wind effects on the quality of the street and public spaces, should be included in with Policy 12.2.2.5 for NC activities.
- 2.7** I suggest adding a matter of discretion for RD heights, which could read as follows '*The opportunity to establish landmark buildings on key sites, such as block corners and key view terminations*'.
- 2.8** I consider, on balance, that the greater flexibility in built form outcomes enabled through the removal of the recession plane outweighs the potential adverse effects of additional facade height. However, in areas where adjacent streets and public spaces are more sensitive, there are instances where I consider there is merit in retaining recession plane and lower street facade height rules.
- 2.9** I support the 75% site coverage rule in association with a 'Comprehensive Development Plan', my suggested alternative term to the PDP's 'Structure Plan'. In my view, if the Comprehensive Development Plan approach was to be included, the PDP threshold should be reduced to a 1,400m² trigger and the Council should provide further guidance outside the Plan regarding the expected review process, required content of an application and interpretation of the matters of discretion, to give more certainty to future applicants.
- 2.10** I support the approach of maintaining and enhancing the existing network of pedestrian links through the targeted Rule 12.5.8.1. In my opinion new pedestrian links should not be mandatory at this stage and Council should identify potential alignment of new lanes early, through non-statutory documents, and use ongoing RD applications for Comprehensive Development Plans, Site Coverage and Building rules to secure them.
- 2.11** I support making a further distinction in the type of pedestrian links formed between arcades and lanes. I consider existing arcades could be allowed to remain covered and in my view a requirement of a minimum width for arcades should be set to an appropriate accessible standard of 1.8m minimum and

they should be subject to Crime Prevention Through Environmental Design (**CPTED**) assessment. In my view any new pedestrian links should be established as lanes that are open to the sky and have a minimum width of 4m.

- 2.12** I consider the use of reflective materials in the highly modified context of Queenstown's Town Centre acceptable. However, I do support colour being a matter of discretion, including specifying a colour range in the Special Character Area (**SCA**) guidance, where it is related to character.
- 2.13** I support the removal of site coverage rule across the whole town centre, except for those sites requiring Comprehensive Development Plans.
- 2.14** I support the PDP approach introducing a RD activity status and non-notification of design matters. However, I do not support a statutory role for the UD Panel. In my view, an edited version of the SCA design guide should be provided for the benefit of both Comprehensive Development Plans and smaller site-by-site designs for the balance of the zone.
- 2.15** I support removing the provision of the 0.8m - 1.0 m setbacks on Beach Street and, in my view, this should be in combination with appropriate façade height and recession plane controls to avoid any significant loss of sunlight to the street.

Wanaka Town Centre

- 2.16** I consider the notified 12m to eave line, a 4m height difference between the Wanaka Height Precinct Overlay and the remainder of the town centre, to be appropriate. Both height zones have a further 2m allowance to the ridge line, which I support.
- 2.17** I support the PDP extension of the Height Precinct along Dungarvon Street and the submission (in part) for additional height along the opposite, northern, side of Helwick Street up to the Dunmore Street corner. However, I do not consider that the Height Precinct should be extended up the hill to upper Ardmore Street (east).
- 2.18** In my view, the veranda guidelines requiring them to be at least 3m high is likely to be more effective than the PDP rule in achieving good urban design outcomes.

- 2.19** I support the removal of site coverage maximums, except where they are required as part of a Comprehensive Development Plan.
- 2.20** In my view the consistent application of a 1400m² trigger for a Comprehensive Development Plan in Wanaka provides opportunities to maintain and enhance the network pedestrian links and other smaller publicly accessible open spaces.
- 2.21** I suggest a similar approach of maintaining and enhancing the existing network of pedestrian links through a targeted rule like the QTS provision. In my opinion new pedestrian links should not be mandatory at this stage and Council should identify potential alignment of new lanes early, through non-statutory documents, and use ongoing RD applications for Comprehensive Development Plans, Site Coverage and Building rules to secure them.

Business Mixed Use

- 2.22** I support the intention of the matters of discretion in notified Rule 16.4.2. However, I do not consider they capture the key urban design qualities that are described in notified Objectives 16.2.1 and 16.2.2, or are robust enough to manage the effects of higher density, mixed use developments. I consider:
- (a) the matters of discretion for Buildings should include the key terms identified in all the policies under notified Objective 16.2.2;
 - (b) references like 'blends well' and 'the detail of the façade is sympathetic with others in the vicinity' should be replaced;
 - (c) the list of building design terms in notified Policy 16.2.2.1 are more helpful than those under bullet point three of notified Rule 16.4.2;
 - (d) on-site landscape should also be referenced;
 - (e) an additional matter should be added considering a development's relationship with streets and public open spaces, including Horne Creek; and
 - (f) a provision to maintain for the adaptability of ground floor uses over time, generally related to floor heights.
- 2.23** In my view, both residential and non-residential uses should be subject to the same activity status and level of design review.

- 2.24** Given the BMU zone is new for the District, I recommend the Council prepare non-statutory design guidance relating to the anticipated design outcomes and common mitigation approaches between uses to give more direction and certainty to applicants and Plan administrators.
- 2.25** I support the PDP approach introducing a RD activity status for buildings and non-notification of design matters without exemptions for building or Trade Supplier type activity.
- 2.26** I consider it appropriate that public access, daylighting and remediation of Horne Creek be incentivised through the consenting process.
- 2.27** I support PDP permitted building heights up to 12m for the zone and RD heights up to 20m east of Gorge Road with the exception of the Caltex Service Station and Gorge Centre sites. In my view, those two sites and other areas to the west of Gorge Road should have lower maximum RD heights of up to 15m.
- 2.28** I support the provision for a stepped frontage. However, in my view, it should be triggered above the 4th storey.
- 2.29** In my view, the notified PDP 35° recession plane should be retained on southern, eastern and western boundaries with residential zones, increasing to 45° on the northern boundary.
- 2.30** I suggest adding the terms 'visual dominance' and 'residential privacy' to Rule 16.5.1 to further qualify the purpose of recession planes and set back provisions. In my view, the addition of 'screen planting' should be added to the matters of discretion.
- 2.31** I consider a rule requiring a minimum 10% landscape coverage to be added. In my view, this should be applied to streetscape setbacks, with exceptions for access ways and outdoor dining, and ground level outdoor living spaces, if any.
- 2.32** Finally, in my view, there should be provision for a minimum usable outdoor living space, appropriate to the size of the unit, with flexibility for it to be used as communal space.

3. QUEENSTOWN TOWN CENTRE – CHAPTER 12

Background

3.1 The Zone Purpose (12.1) in the PDP provides a useful overview of the key issues the zone provisions are targeting. From my urban design perspective, the QTC zone (Figure 1):¹

- (a) has a low-rise scale relationship within the context of a dramatic landscape setting, sitting at the base of steep natural landforms and wrapping around Queenstown Bay;
- (b) is a key destination and hub for national and international visitors, in an economy heavily reliant on tourism, where visitors have high expectations for its urban amenity and strong relationship with its landscape setting;
- (c) is compact, wrapping around a historic fine grain core, and clearly recognisable as the primary community and commercial centre of the District;
- (d) in maintaining and enhancing its primary role, is accommodating growth through intensification of the existing town centre and transitioning into surrounding urban areas that have different landscape types, urban qualities and zone interfaces;
- (e) is highly accessible by foot with active ground floors and a vibrant street life. Growing traffic issues are planned to be relieved by an inner links route along Henry and Man Streets;
- (f) is in a regeneration phase replacing lower quality buildings developed between the historic gold rush and its more recent international profile;
- (g) has a good range of high quality architecture with a strong vernacular that has been influenced to some through urban design guides and Urban Design Panel (**UD Panel**) processes; and
- (h) has a range of public open spaces with more urban 'pocket' parks, pedestrianised areas and lanes within being balanced by larger recreational spaces on its periphery.

1 In Appendix A.

4. QTC: EFFECTS OF BUILDING HEIGHT

4.1 I have been asked by Ms Jones to consider some of the potential adverse effects that can occur at times when greater building height is allowed. In my experience these include:

- (a) buildings appearing overbearing and over-proportioned in relation to a human scale;
- (b) a contrast to existing smaller scaled buildings, including heritage stock;
- (c) a distinct change in character and loss of familiarity/ identity within the community;
- (d) a loss of openness with more confined spaces and less visual connection to the natural landscape;
- (e) inconsistent density causing imbalances in activity levels, accessibility needs and uneven urban form within and between centres;
- (f) poor built form legibility, resulting in an unclear hierarchy of buildings and spaces for orientation and clear understanding of the built environment;
- (g) loss of a direct connection with the street for occupants, resulting in a sense of detachment and convenient access to street life and less contribution to urban vitality;
- (h) loss of sunlight to sensitive public open spaces during key seasons or times of the day; and
- (i) increasing downdraft and wind tunnelling with less ability to protect public open spaces.

4.2 I have reviewed the PDP provisions and consider, with my urban design related amendments, they will increase the likelihood to achieve notified Objectives 12.2.1 and 12.2.2, including managing the adverse effects of building heights, while potentially achieving some positive outcomes.

4.3 Ms Jones has requested I consider the urban design qualities contained in Policy 12.2.2.2 regarding:

- (a) maintaining human scale, including the appropriateness of the proportions of the built form relative to street width;

- (b) the effect on the quality of streets and other public spaces, including the Village Green and Earnslaw Park; and
- (c) character and sense of place.

5. QTC: PERMITTED BUILDING HEIGHTS

- 5.1** Submitter 20 (Aaron Cowie) seeks that all areas should have significantly higher property heights, especially towards the centre of Queenstown and far greater density with houses of 4-5 stories as the norm, with hotels even higher.
- 5.2** Submitter 187.14 (Nicholas Kiddle) requests that the building height limits be retained as raising building heights is generally supported and submitter 438 (The New Zealand Fire Service) requests that notified Rule 12.5.10 be retained.
- 5.3** Submitter 159 (Karen Boulay) opposes increasing building height allowances in the Town Centre, considering it is not productive for Queenstown as a tourist mecca, and submitter 417 (John Boyle) requests that the maximum building heights enabled in the QTC are no greater than those in the ODP and any other related, consequential or alternative relief.
- 5.4** Submitter 238 (NZIA) suggests that there could be incentives within the rules, such as additional height in exchange for linkages offered in desired areas. While this is related to the height issue (and has been relied on in part to recommend changes to Height Precinct P7, which enable greater height in lieu of requiring the view shafts will also provide open space) it is also discussed under the broad topic of urban design.
- 5.5** I firstly note that the distribution and configuration of height precincts within the ODP for the QTC zone are complex, and the rules in the PDP are similarly complex. I refer to the helpful table contained in Ms Jones' s42A report (pages 24 - 26) for guidance. I have also provided an overview of her recommended height precincts, supported by me, taken from the City Engine model in Figure 2.²
- 5.6** In my opinion, the PDP partly reflects the complexity of the town centre's morphology and its various landscape qualities. In suggesting amendments from an urban design perspective, I have been mindful of the need to maintain

and enhance the special qualities of the town centre while accommodating its growth in a cohesive way.

- 5.7** Generally, I consider the notified Permitted (P) building height provisions maintain the character and a sense of place by striking an appropriate balance in height and recession plane rules that maintains and enhances a coherent collection of buildings across the town centre. Nonetheless, I have provided an urban design view on some changes to specific height precincts later in my evidence where I consider it appropriate.
- 5.8** I consider the anticipated heights of between 8m and 12m to be an appropriate baseline range with the ability to vary this further on a case-by-case basis through design merit as a Restricted Discretionary (RD) activity.
- 5.9** In my opinion, this avoids any significant spikes in height or a broader height range, as some submitters have requested, and achieves a relatively consistent built form adjacent to recently completed developments. I do not support submitters generally requesting permitted heights in excess of the notified height range, although, there are discrete places where I consider this is appropriate, as discussed later in my evidence.
- 5.10** I refer to Ms Jones' s42A report for the QTC (paragraph 10.21) where she refers to several recent developments that were processed as non-complying activities and were in excess of 12m or breached associated recession planes.
- 5.11** I consider retaining some lower building heights within the Queenstown Town Centre Special Character Area (**SCA**) and alongside sensitive public open spaces is appropriate to mitigate several of the adverse effects outlined earlier in my evidence.
- 5.12** I largely concur with the provisions for Height Precincts P3 and P4 and recognise that they have been recently developed in a consistent and/or comprehensive way, and it is logical that any future built form remains compatible with these established outcomes.
- 5.13** Similarly, it is appropriate that fringe areas of the town centre, namely Height Precincts P1 and P7, are considered in context to the adjacent Residential High Density Zone (**RHD**) Zone and the recent Plan Change 50 (**PC50**). It is

accepted that these are at the higher end of the permitted height range and will:

- (a) accommodate larger uses not as compatible with the finer grain historic town centre to enable further built form diversity; and
- (b) integrate better with the steeper slopes and larger natural land forms that surround these precincts.

5.14 I consider the 12m permitted height allows for well-proportioned three storey buildings to provide for:

- (a) a spacious and adaptable ground floor for retail or hospitality activities (3.5 – 4m);
- (b) two upper storeys with allowances for adequate internal amenity, services and structure to enable a mix of commercial or residential activities (3 - 3.5m); and
- (c) a parapet or interesting roof form with the ability to visually screen plant (1 - 2m).

5.15 In my view this enables strong horizontal modulation relative to human scale with the potential for a coherent base, middle and top to a building, as evident in a range of buildings across the town centre, including those illustrated in Figure 3³ and the SCA guidelines.

5.16 I have analysed the building height to street width ratios (Figure 4),⁴ which assesses the spatial enclosure and edge definition of various streets within the town centre. They remain within recognised ratios of between 1:3 (maximum) and 1:1.5 (minimum) – the former being the building height and the latter the relative width of the street. This maintains a visually and spatially comfortable urban environment at a human scale⁵ (Figure 5).⁶ A typical street width of 20.1m achieves a ratio of 1:1.7 for instance.

5.17 Furthermore, a sense of detachment and reduced ability to conveniently and regularly access the street and open spaces of the town centre increases with height. The research of Gehl⁷ suggests that an upper threshold at 13.5m,

3 Appendix A.

4 Appendix A.

5 Urban Design Compendium 1, Homes and Communities Agency, UK, 2013.

6 Appendix A.

7 Life Between Buildings, Jan Gehl, 1987/ 2011.

excluding a roof, is appropriate for this quality (Figure 6).⁸ I consider the proposed heights allow for the ability of most building occupants to conveniently connect with the street, through both stairs and lift, and interact with the town centre activities. The sense of inclusion in the street life remains with opportunities for close visual and audible connections to ground level activity.

5.18 In analysing a range of commercial building designs and consented 12m buildings in the town centre (Figure 7),⁹ and as summarised in Ms Jones' s42A report for the QTC (paragraph 10.21), I consider achieving the four storey cap in Rule 12.5.9.1 would result in buildings that would be too constrained within a 12m permitted height limit, as illustrated in Figure 8.¹⁰

5.19 In my view, four storeys within 12m would encourage undesirable built form outcomes, particularly if it resulted in a predominance of low ground floor heights and/or flatter roof profiles. The latter could be further exaggerated with the removal of recession planes in many parts of the town centre. Therefore, in my view, better urban design outcomes could be achieved by removing the reference or amending the cap to three storeys.

6. QTC: RESTRICTED DISCRETIONARY AND NON-COMPLYING BUILDING HEIGHTS

6.1 With regard to Policy 12.2.2.4:

- (a) submitter 621 (Real Journeys Limited) requests that it be amended to acknowledge that buildings should be allowed to exceed the discretionary height standards where views of the surrounding Outstanding Natural Landscapes (**ONLs**) are maintained and the additional building height does not worsen wind tunnel effects on pedestrian areas; and
- (b) submitters 663 (IHG Queenstown Ltd and Carter Queenstown Ltd) and 672 (Watertight Investments Ltd) request amendments that require discretionary buildings to be of high quality (rather than superior to alternatives), and to allow for minor additional shading or an offset for any more than minor shading.

8 Appendix A.
9 Appendix A.
10 Appendix A.

- 6.2** Submitters 663 (IHG Queenstown Ltd and Carter Queenstown Ltd) and 672 (Watertight Investments Ltd) request that Policy 12.2.2.5 be amended to enable buildings to exceed the non-complying height standards in situations where adverse effects arising from the additional building height are no more than minor or, failing that, in those instances specified in the notified policy (but deleting the explanation of what is considered to be beneficial urban design outcomes).
- 6.3** With regard to Rule 15.9.1 (the discretionary rule relating to building height in Height Precinct 1 (P1) and 12.5.10 (presumably in relation to P1 as it refers to 4 storey buildings), Submitter 238 (NZIA) supports the proposed height rules if it is done well and provided all buildings in the Town Centre Zone are reviewed by the UD Panel. This is opposed by a number of further submitters. Submitter 438 (The New Zealand Fire Service) requests that Rule 12.5.9 be retained.
- 6.4** In relation to Height Precinct 1A (P1A), submitter 383 (QLDC – Corporate) requests that Rules 12.5.9 and 12.5.10.1 be amended such that building height up to 12 m is permitted, heights between 12 and 15.5 m are restricted discretionary, and those beyond that are non-complying. This is opposed by FS1236.12 (Skyline Enterprises Limited), who requests an absolute height limit of 17.5 m over Section 1 SO 22971 in order to accommodate future upgrades to the Gondola bottom terminal.
- 6.5** Ms Jones has asked me to consider the urban design benefits from allowing extra height (i.e. between 12 and 14 m) as a RD, rather than going straight from permitted to non-complying in terms of height.
- 6.6** I refer to Ms Jones' s42A report for the QTC (paragraph 10.21) where there is a table showing a number of non-complying applications. I understand these have been approved by Council on the basis of good urban design. Some of these are included in the table within Ms Jones' report and shown in my Figure 9.¹¹
- 6.7** I consider an RD height limit of 14m to be appropriate, given the majority of buildings in the town centre are below 12m. In my view, an additional 2m will be unlikely to give rise to the significant adverse height effects described

earlier, with the exception of potential shading, if appropriately managed through good urban design. I support the matters of discretion in the QTC with some suggested additions identified throughout my evidence.

- 6.8** In my opinion, an additional 2m provides design flexibility to achieve variety in the townscape, such as improved visual interest in the roofscape. It also enables design flexibility in response to site specific qualities.
- 6.9** I consider human scale can also be maintained, aided by the matters of restriction, SCA design guidelines, the veranda rule and the recession plane rule (where applicable).
- 6.10** I also consider there is potential to provide for a more comfortable four storey building, and/or through increased inter-floor heights, further improve the urban design qualities of the building.
- 6.11** Figure 9¹² illustrates three noteworthy buildings that are within a 12m -14m height range, including buildings that are four storeys in height. In my opinion, these have achieved good urban design outcomes for the town centre in terms of upper story setbacks or interesting roof profiles; retention of heritage features and the like, all of which could be successfully achieved with RD applications for positive effect.
- 6.12** I do not concur with submitters 663 and 672.6 who seek to remove the urban design explanation. However, I suggest expanding the range of the matters of discretion allowing for the ability to enhance the prominence of landmark buildings within the town centre to improve the legibility and orientation of users. This enables the potential for a further beneficial urban outcome. This could read as follows: 'The opportunity to establish landmark buildings on key sites, such as block corners and key view terminations'.
- 6.13** In regard to wind effects, there is potential for down drafts from tall buildings and wind tunnelling. I consider both potentially affect the comfort of streets and public open spaces.
- 6.14** I am not a wind expert, but understand from involvement in plan changes elsewhere that downdrafts from buildings tend to become adverse at 30m and

above. Nonetheless, the requirement for verandas on some critical retail streets will help mitigate potential wind effects for pedestrians at street level and provide all year round weather protection, which I support.

- 6.15** It is unclear to me if the proposed height increases and loss of some recession planes would create potential for increased wind tunnelling effects. This is something that can affect street grids and the pleasantness at ground level, but would be difficult to mitigate through site-by-site developments.
- 6.16** I am supportive of submitter 621 requesting the consideration of wind effects for Comprehensive Development Plans and Non-Complying (NC) applications, but consider it unlikely to be necessary within RD height limits.
- 6.17** If deemed necessary, in my view any consideration of wind effects should be included in a broader 'environmental comfort' study analysing the combination of shading and wind effects on the quality of the street and public spaces.
- 6.18** I support the urban design outcomes expected from non-complying developments, noted in Policy 12.2.2.5, such as the utilisation of increased height to achieve public space and pedestrian link benefits on or adjacent to a site.

QTC: HEIGHTS – PRECINCT P1

- 6.19** With regard to Rule 12.5.10.1, Submitters 59 (Lynda Baker), 82 (Toni Okkerse) and 206 (Lindsay Jackson) seek that the maximum height limit in Precinct 1 (12.5.10) be changed to 8.5m. These are variously opposed and supported by a number of further submitters.
- 6.20** Submitter 599 (Peter Fleming) opposes Precinct 1 (Rules 12.5.9 and 12.5.10) as it affects the village square proposal¹³ and the waterfront.
- 6.21** Submitter 609 (Skyline Properties Limited and Accommodation and Booking Agents Queenstown Limited) supports the 14m height allowed on the Chester building site on Shotover Street (opposed by FS1063.31, FS1063.32 and FS1063.33 (Peter Fleming and Others)).

13 Which I understand to be referring to a concept in the QTUDS at pages 33-34.

- 6.22** Submitter 614 (Shotover Memorial Properties Limited & Horne Water Holdings Limited) supports the inclusion of 9 Shotover St in Precinct P1 and the 14m/ no recession plane height rule that applies (supported by FS1200.1, FS1200.2, and FS1200.3 (Stanley Street Investments Limited and Stanley Street Limited and Kelso Investments Limited)).
- 6.23** With regard to Rule 15.9.1 (the discretionary rule relating to building height in Precinct P1 and 12.5.10 (presumably in relation to P1 as it refers to 4 storey buildings), submitter 238 (NZIA) supports the proposed height rules if it is done well, and provided all buildings in the Town Centre Zone are reviewed by the UDP. This is opposed by a number of further submitters. Submitter 438 (New Zealand Fire Service) requests that Rule 12.5.9 be retained.
- 6.24** Submitter 630 (DowntownQT) supports an intensification of residential development along with additional height allowances.
- 6.25** Ms Jones has asked me to consider the appropriateness of a maximum 8.5 m height limit in PDP Precinct P1, as sought by some submitters, from an urban design perspective. She notes that there are some existing use rights in terms of the height proposed for this site regardless of the PDP.
- 6.26** In my opinion, it is appropriate that the legibility of the town centre in relation to PC50 and RHD zoned land on its periphery is recognised, so the importance of the town centre's urban form in relation to its wider context is not undermined by those zones around it that could potentially be taller in height and higher on the surrounding slopes. This allows people to legibly 'read' the hierarchy of the urban environment and effectively and efficiently understand their place.
- 6.27** I consider it important that some differentiation in built form, including height, is provided between the town centre and its surrounding context, providing any edge effects are well managed.
- 6.28** In my experience, building height is closely associated with urban form, which links land use and density spread with the physical layout and three-dimensional built form of the town. Urban design best practice tends to follow 'multi-nodal' and 'corridor' approaches, where urban form and density is matched to varying levels of accessibility and connections throughout an urban area.

- 6.29** Furthermore, growth of more intensive land uses and shared community facilities are encouraged to locate around key nodes of higher accessibility. This increased density has recognisable building typologies and patterns of development associated with it, often including greater building heights and a harder-edged character, due to the tightly knit building forms and associated street-based retail functions.
- 6.30** I would describe the town centre as the primary node in the town, with Frankton and Gorge Roads and Lake Esplanade forming corridors of actual or emerging higher densities. I have also described Brecon Street in this context later in my evidence.
- 6.31** In my view, Queenstown generally has a strong urban form and I consider a balance needs to be struck between the historic character of the town centre and the recognition of its primary role. There remain opportunities for a range of heights based on a combination of appropriate urban form and a more responsive approach to the receiving environment. I consider the notified Precinct P1 height provisions generally achieve this balance in combination with my specific views outlined later.

7. QTC: RECESSION PLANES

- 7.1** Numerous landowners (e.g. Oxford Holdings Limited, Skyline, Trojan) support the heights, with significant support from key landowners re the removal of the parapet and recession plane rules, generally.
- 7.2** Ms Jones has asked me to consider whether the recession planes are appropriate to remove or amend from an urban design perspective.
- 7.3** I consider that building height and recession planes are an effective mechanism to maintain sunlight access to sensitive public open spaces, public footpaths and associated outdoor dining areas at critical times of the year and particular timeframes during the day.
- 7.4** I support the retention of ODP heights and recession planes for Precinct P5 and P4 areas in that they support the SCA and sensitive retail/ hospitality edges of The Mall, lakeside promenade and Steamer Wharf environs.

- 7.5** I generally support the proposed removal of the recession planes for Precincts P1, P3, and that part of P2 fronting Shotover St. I acknowledge that in practical terms there is little to gain from a recession plane that starts at 10m and extends only to 12m. This essentially acts to slope or cut off gabled roof forms, which I consider is not always appropriate unless there are particular amenity reasons, such as shading.
- 7.6** Figure 10¹⁴ illustrates a typical scenario on Shotover St in the Precinct P1 area with a 20.1m road reserve. It identifies that the shading differences on the southern footpath at 11 July are minimal between the ODP and PDP, particularly given the shading difference is absorbed within the road carriageway and avoids the more sensitive footpath.
- 7.7** Given one of the peak tourist seasons for Queenstown is in late winter, between July and August, I consider it important that local users and visitors are able to access sunlight and feel comfortable for more passive activities up to 12.30pm over lunchtime, before losing the sun completely. 11 July was identified as a more appropriate date than the winter solstice where the school holidays of both New Zealand and several Australian states coincide.
- 7.8** I consider, on balance, that the greater flexibility in built form outcomes enabled through the removal of the recession plane outweighs the potential adverse effects of additional facade height. However, in areas where adjacent streets and public spaces are narrower and therefore more sensitive, there are several specific instances discussed later in my evidence where I consider there is merit in retaining recession plane and lower street facade height rules.
- 7.9** I have also reviewed the potential PDP shading of the Village Green at key equinox and solstice dates, as I assume this larger space would be expected to be useable throughout the year (Figure 12).¹⁵ I note the existing development already shades significant areas of the Green throughout the day in winter. I assume that with the exception of the KFC restaurant, it is unlikely further development will occur around this space during the life of the Plan. Even with KFC being redeveloped, I consider that the space is large enough that users will be able to find sunny spots at most times, as the sun tracks around the space. I therefore conclude that adding a specific recession plane

14 Appendix A.
15 Appendix A.

to its north-western boundary would not significantly improve the amenity and usage of this public open space.

8. QTC: UPPER BEACH STREET RECESSION PLANE - PRECINCT P2

- 8.1 Submitter 383 (QLDC) requests that Rule 12.5.10.1 be amended to clarify that Precinct P2 is subject to standard 12.5.10.1 and that, as such, buildings can extend to 14 m in P2.
- 8.2 Submitter 616 (Trojan Holdings Limited & Beach Street Holdings Limited) requests that Rule 12.5.10.1(d), which sets a maximum and minimum parapet height along part of Beach St, be deleted.
- 8.3 While there are no other submissions that specifically relate to Precinct 2, the submission from submitter 417 (Mr Boyle), seeks that the operative height rules be retained.
- 8.4 Ms Jones has asked me to consider more specifically the building height, recession plane and road boundary setback relationships in the block between upper Beach and Shotover Streets.
- 8.5 I support the Precinct P2 height provisions with the exception of the 0.8m set back and the allowance for the parapet to protrude though the recession plane. This provides for 6.5m facade height and a 30° recession plane on the south side of the block, while offsetting this restriction with a height increase on its less sensitive northern side. I understand from Ms Jones that many of the sites running through the block are in single ownership.
- 8.6 The Queenstown Town Centre Strategy (**QTCS**) recognises "*that streets have a role as places in their own right, not just as spaces to move through*".¹⁶ I consider it appropriate that built form is constrained in this location in order to maximise sunlight amenity to the recently pedestrianised Beach Street.
- 8.7 Figure 13b¹⁷ illustrates the shading effects along Beach Street at 12.30pm on 11 August with a tapering road reserve width between 11.4m and 9.6m.

16 Queenstown Town Centre Strategy (December 2009), 8.3 Streetscape, pg. 21.
17 Appendix A.

8.8 I note 11 August is one month later than for Shotover Street, yet still within the late winter peak tourist season. A key consideration for setting 11 August as a criterion is to achieve close to the equivalent shading effect as Mall Street, the other pedestrianised street in the town centre (Figure 14).¹⁸ Retaining the 30° recession plane from the ODP on the north side of Beach St recognises that Beach St is narrower and therefore requires a shallower recession plane.

8.9 I consider a recent resource consent at 23-27 Beach St with construction now nearing completion is appropriate for this location (Figure 15).¹⁹ It is a good case study for understanding the anticipated built form outcomes and practicalities of accommodating a development within the 6.5m height and recession plane provisions for the southern side of the Precinct P2 block, including:

- (a) building to boundary;
- (b) generous ground floor height; and
- (c) set back upper storey.

8.10 Varying street facade heights of 6m and 7m (as a means of testing the merit of the submission that there should be no recession plane at all on the northern side) were also tested in the shading model (Figures 13a and 13c, respectively).²⁰ While 6m was also considered to meet the Mall Street criteria, providing the equivalent of an extra week of sun to the part of Beach Street when compared with 6.5m, I consider the constraints on upper storey building forms would be too significant and a development like 23-27 Beach St would likely be non-complying. At 7m, the shading would extend deeper into the footpath during the lunch break up until 11 July and would, in my view, be less desirable.

8.11 I note that the 6.5m facade height fits within the building height to street width ratio at 1:1.5, whereas 7m marginally sits outside this range.

18 Appendix A.
19 Appendix A.
20 Appendix A.

**9. QTC: UPPER BEACH STREET (SOUTH) HEIGHT TO BOUNDARY RELATIONSHIPS
– PRECINCT P4**

- 9.1** In relation to Precinct 4, submitter 606 (Skyline Investments Limited & O'Connell's Pavilion Limited) supports the height rule (including removal of the parapet and recession plane controls) in relation to the O'Connell's site and submitter 616 (Trojan Holdings Limited & Beach Street Holdings Limited) supports the height rules for Stratton House and the height recession plane control as provided in Rule 12.5.10.5 (a), which relates to the rest of Precinct P4.
- 9.2** The general submission by Submitter 417 (Mr Boyle) seeks a return to the ODP rules zone-wide. In the case of the sites containing the premises extending from Nomads to the Night and Day on Beach Street and those containing O'Connell's Mall and Stratton House Nomads, this means reinstating the 7.5 m recession plane rule on those sites / reclassifying the areas as Precinct P5.
- 9.3** I support submitter 417 requesting the southern frontage of upper Beach St to revert back to the ODP 7.5m façade height, while retaining the 45° recession plane and 12m height limit. Essentially this would mean it becomes part of Precinct P5. This area contains the existing O'Connell's Pavilion and Stratton House (Figure 17).²¹
- 9.4** Beach St is part of the SCA and I consider it is important to keep anticipated heights and streetscene qualities compatible in this area. As a quantitative measure of a comfortable human scale, Beach Street is approximately 11.4m wide in this location and a 7.5m façade height would achieve a street width to height ratio of 1:1.5.
- 9.5** While Stratton House currently protrudes slightly through the operative height envelope (commencing at 7.5 m), I regard this as acceptable due to its deeper 4m setback and strong architectural modulation and articulation. However, in my opinion, a 10m facade developed up to the road boundary in this location would not be considered an acceptable permitted outcome. It would likely result in a substantial height difference with the northern side of the block and a potentially visually dominating built form for those using this narrow

pedestrianised street, as illustrated in Figure 16.²² This would be inconsistent with best practice in relation to accepted building height to road width ratio, resulting in a 1:1 ratio, which is not appropriate for the context in my view.

10. QTC: UPPER CHURCH STREET (NORTH) HEIGHT TO BOUNDARY RELATIONSHIPS

- 10.1** The PDP provides for the equivalent Precinct P4 height approach in this location, as it does for the upper Beach Street (South). This block contains the existing Night and Day store, some other small premises, and Nomads Backpackers.
- 10.2** I have been asked by Ms Jones to review this approach from an urban design perspective with regard to potentially also applying a Precinct P3 height to this block, thereby creating a more consistent height approach to many of the blocks within the SCA.
- 10.3** While I regard the Nomads block as a development with good urban design qualities, and refer to it elsewhere in my evidence, I consider it is a substantial building in the context of the SCA. In my opinion, it remains an anomaly in the area, already breaking the permitted height limit of 12m under the PDP.
- 10.4** This building is unlikely to be redeveloped for many years, so I turn my attention to the likely amenity effects of developing 1 and 3 Church Street, at the northern end of the block, and the effect this may have on the coherency of built form across this part of the town centre.
- 10.5** I regard the continuity of height and recession planes along the southern edge of Camp Street; synergies with lower buildings and network of laneways on the south side of Church Street; and the scale relationship with St Peter's Anglican Church as all material and compelling reasons to reinstate the ODP heights (now termed Precinct P5).
- 10.6** From an urban design perspective, I consider there is merit in maintaining a lower rise and legible historic core to the town, which is embraced and complemented by taller built forms surrounding it.

10.7 Furthermore, a comparative shading study run for this area demonstrates some overshadowing of the Church grounds, which I have observed to be actively used throughout the year (Figure 17).²³

10.8 While I do not have a strong view on the height of the Church St block, and do not consider it as critical as the narrower Beach St, on balance, I support the Church Street block reverting back to the operative height (which is reflected by notified Precinct P5), thereby retaining a 7.5m façade height, 45° recession plane and 12m height limit.

11. QTC: 50 BEACH STREET AND EARNSLAW PARK – PRECINCT P1

11.1 Submitter 606 (Skyline Investments Limited & O'Connell's Pavilion Limited) supports the 15m height allowance for Sections 4-5 Blk Xv Queenstown Tn (the lake front site adjacent to Earnslaw Park currently occupied by AVA backpackers) (opposed by FS1063.24 and FS1063.26 (Peter Fleming and Others)).

11.2 Submitter 20 (Aaron Cowie) seeks that all areas should have significantly higher property height, especially towards the centre of Queenstown and far greater density with houses of 4-5 stories as the norm, with hotels even higher.

11.3 Ms Jones has asked me to consider the specific provisions for the Precinct P1 area near the waterfront and the effect on the quality of public space, including Earnslaw Park, noting that there are some existing use rights in terms of the height proposed for this site regardless of the PDP standards.

11.4 50 Beach Street is notified as an isolated Precinct P1 spot height at the end of the developed Precinct P3 and adjacent to Earnslaw Park (Figure 18).²⁴ It is noted that a taller building of over 15m in height, including a 12m building comprising a squat fourth storey and a prominent lift shaft above that, already exists on the site. I consider that to be a distinct step up in relation to the height of neighbouring buildings. I do not consider the building to be of high quality from an urban design perspective.

11.5 The building is bounded by the existing Earnslaw Park and lakeside promenade, on both southern and western aspects.

23 Appendix A.
24 Appendix A.

- 11.6** Figure 18²⁵ illustrates a comparative shading study between the current built form, with existing use rights, and the notified height envelope, comprising 12m facade (which is permitted) with a 45° recession plane commencing at 12m and extending up to a height of 15m (beyond which would be RD).
- 11.7** The study shows overlapping shadows taken at hourly intervals throughout the day at the spring/ autumn equinox and winter solstice, exclusive of times when affected by shading from Ben Lomond. The difference in shading effects is indicated by the blue and red lines on the diagram.
- 11.8** In reviewing the shading studies, I do not consider the additional bulk of the envelope extending above the existing building significantly worsens the overshadowing effects onto the adjacent public spaces. The greatest difference in effects are onto the lake and jetty in the late afternoon at the winter solstice, at a time when recreational water-based activities are potentially quieter.
- 11.9** I have observed that this building is also in line with the most eastern of the two proposed Precinct P7 Man St view shafts, discussed in the next section of my evidence. I have reviewed the massing model in relation to the potential greater height and bulk of the 15m height envelope on pedestrian views from Man Street to landscape features beyond (Figure 21).²⁶ I do not consider this will significantly affect views. I consider that an integrated roof form as part of an existing or new building could be a more positive outcome than the existing squat upper storey and prominent lift shaft, if appropriately designed.
- 11.10** On balance, in recognising the building's visual prominence, my view is that the general Precinct P1 12m permitted height be applied consistently with an additional allowance of a metre to the RD height limit up to 15m. In my opinion, with good urban design, this building would be a good candidate for a landmark building as a matter of discretion; an addition I have recommended earlier in my evidence.

25 Appendix A.
26 Appendix A.

12. QTC: MAN STREET BLOCK HEIGHTS AND VIEW SHAFTS – PRECINCT P7

- 12.1** Submitter 383 (QLDC - Corporate) requests that the typographical error in Rule 12.5.10.4 be amended such that reference to 321.7 masl is changed to 327.1 masl. This is opposed by FS1274.37 (John Thompson and MacFarlane Investments Limited).
- 12.2** Submitter 417 (John Boyle) requests that the maximum building heights enabled in the block bounded by Man, Brecon, Shotover and Hay Streets be no greater than those enabled in the ODP and any other related, consequential or alternative relief. A number of further submissions oppose this.
- 12.3** Submitter 398 (Man Street Properties Limited (MSP)) supports its site being in Precinct P7 and the 11 m height limit that applies but requests that the viewshafts on the site be confirmed or moved so the western-most view shaft is positioned to correspond with Section 26 Block IX Town of Queenstown. This is opposed by FS1274.5, FS1274.6, FS1274.11, and FS1274.18 (John Thompson and MacFarlane Investments Limited).
- 12.4** In relation to the Precinct P1 sites surrounding Precinct P7, submitter 398 (MSP) requests that those sites adjacent to it are also subject to rules which impose a maximum height based on specified reduced levels (RLs) (rather than simply allowing 12m above ground level), and that the maximum height control on Lot 1 DP 25433 (30 Man St) should better reflect the maximum height controls proposed within this submission and other height controls on Man St (although no particular height rule is sought). This is opposed by FS1274.12, FS1274.14, and FS1274.15 (John Thompson and MacFarlane Investments Limited).
- 12.5** Similarly, submitter 548 (Maximum Mojo Holdings Limited) requests that the building height limit for 10 Man Street is the same as the height limit for Precinct P7. This is further submitted on by FS1117.215 and FS1117.216 (Remarkables Park Limited) but it is unclear whether it supports or opposes the submission.
- 12.6** Of relevance, as previously outlined under the zone-wide height rules, submitter 20 (Aaron Cowie) (opposed by FS1059.4 and FS1059.7 (Erna Spijkerbosch) and supported by a late further submission by FS1368.1 and FS1368.2 (Man Street Properties) seeks that all areas should have

significantly higher property heights, especially towards the centre of Queenstown and far greater density with houses of 4-5 stories as the norm, with hotels even higher.

12.7 Also of relevance, as previously outlined under the zone-wide height rules, submitter 238 (NZIA) (supported by a late further submission from MSP), suggests that there could be incentives within the rules, such as additional height in exchange for linkages offered in desired areas.

12.8 Ms Jones has asked me to consider the specific height provisions sought for the Man Street Block, bounded by Shotover, Brecon, Man and Hays Streets. This included two potential view shafts.

12.9 I support Ms Jones' targeted approach to her recommended Plan provisions, indicatively illustrated in Figure 20,²⁷ acknowledging that:

- (a) this precinct is a unique area of steeply sloping land in the town centre zone where Man Street rises and Shotover Street maintains a relatively constant level;
- (b) undulating landforms, both across and along the length of the block, has resulted in unorthodox existing building forms, specifically the Forsyth Barr House/ Hamilton Building;
- (c) the Man Street car park is a large existing structure where PDP height provisions appear to adversely constrain development potential on top of the slab;
- (d) there is potential for a substantial height difference between the Man Street Car Park slab level and the adjacent maximum height envelope to the west, near the corner of Man and Hay Streets; and
- (e) the orientation of lower Shotover Street angles further northwards, creating the potential for greater shading over the southern footpath than occurs in Upper Shotover Street, indicating that recession planes may need to be applied (Figure 11).²⁸

12.10 Figure 20²⁹ illustrates an indicative height envelope closely approximating the height and recession plane provisions for the Precinct P7 height precinct as recommended by Ms Jones in conjunction with myself. This draws on

27 Appendix A.
28 Appendix A.
29 Appendix A.

interpolated cross sections and relative levels data provided by submitter 398 (Man Street Properties).

12.11 I consider recommended provisions, described in Ms Jones' s42A report for the QTC (Appendix 1), achieves an optimised outcome for this block, allowing the potential for:

- (a) layering of building forms vertically up the slope, between the two halves of the block, to integrate diverse developments across the block and reduce any monolithic stepping at the Man Street Car Park slab;
- (b) a more even east to west stepping up of building forms, running with the slope of Man Street and broken by view shafts, to better integrate with the potential massing of buildings adjacent to the Hay and Man St corner;
- (c) maintaining the potential for upper storey views along the adjacent Man to Isle Street block to the north, as provided for under PC50 (Figure 19);³⁰ and
- (d) maintaining development opportunities in the southern half of the block, without the need for rear excavation of sites, while managing overshadowing effects on Shotover Street through a recession plane.

12.12 While optimising heights in Precinct P7, it is appropriate that views and view shafts are also maintained for redevelopment opportunities within the neighbouring zone and for pedestrians on Man Street where practical. In my expert opinion, I suggest a specific horizontal height plane at 327.1m RL, slab level, for the eastern view shaft, and 330.1m RL for the western view shaft with no build provisions provided to manage these, including the removal of the PDP 4m height limit. The western view shaft height plane essentially allows for the approximate continuation of the 17m height plane on the southern half of the block.

12.13 I consider the recommended view shafts will enable strong visual connections out from Man Street to the natural landscape context and back from the town centre towards Ben Lomond. These also assist in visually breaking up a large

urban block on the steepest and most prominent landforms within the town centre (Figure 21).³¹

13. QTC: BRECON STREET HEIGHTS - PRECINCT P1A

- 13.1** In relation to Precinct P1A, Submitter 383 (QLDC - corporate) requests that Rules 12.5.9 and 12.5.10.1 be amended such that building height up to 12 m is permitted, heights between 12 and 15.5 m are restricted discretionary, and those beyond that are non-complying. This is opposed by FS1236.12 (Skyline Enterprises Limited), who requests an absolute height limit of 17.5 m over Section 1 SO 22971 in order to accommodate future upgrades to the Gondola bottom terminal.
- 13.2** Submitter 574 (Skyline Enterprises Limited) requests that the proposed maximum height allowed in P1A be changed to 15.5m to avoid the current ambiguity and contradiction. This is opposed by FS1063.22 (Peter Fleming and Others).
- 13.3** Ms Jones has asked me to consider the specific height provisions associated with a distinct area to the east of upper Brecon Street.
- 13.4** I regard the locational qualities, character and mix of uses of the existing Brecon Street area to be quite different from other parts of the town centre (Figure 22).³² I consider it more of a commercial corridor with a particular focus on tourism activities. In my opinion, there is potential for this area to develop a special character that is different and preferably subservient to the urban form in the core parts of the town centre. However, I understand this is out of scope and have therefore assessed it on its own merits within the broader QTC zone.
- 13.5** I note a recent resource consent has been granted for the iFly indoor skydiving building at 15.3m in height at 27 Brecon Street. I understand the building is designed for a specific activity requiring a fly tower and the site coverage is relatively low compared to other town centre developments.
- 13.6** Furthermore, while I understand Precinct P1A was out of scope in regard to PC50 there was considerable evidence provided to the commissioners in

31 Appendix A.
32 Appendix A.

relation to height. Of some relevance is the 34 Brecon Street site opposite, which was granted at a height of 15.5m, plus a 2m roof bonus provision comprising no more than 40m² in area. While I accept this decision, I do not consider the qualities of the 34 Brecon St site are applicable to Precinct P1A, including the presence of large existing trees on the site and the site's orientation to the sloping south.

13.7 Of greater relevance in my view, is that 12m was generally regarded as an appropriate permitted height in the broader Brecon Street and Cemetery context by the Council's Urban Design and Landscape Planning witnesses at the PC50 hearing, often in reference to the Queenstown Height Study.³³ I support this view, particularly where there is potential for Precinct P1A heights to be perceived as a visually significant built form when viewed across the valley from Gorge Road and other commercial and High Density Residential (HDR) zones (Figure 23).³⁴

13.8 Nonetheless, I am also mindful that the sites along the eastern side of Brecon Street are lower lying as the topography drops away from the top terrace, particularly in relation to the more prominent Cemetery site (Figure 22).³⁵ In my view there are opportunities for the landforms to absorb some additional height, if using good urban design approaches, and therefore I support an RD 15.5m height limit, beyond which it would be non complying.

13.9 In reviewing the shading model, it indicates that shadows will likely be cast over the western and most developed side of Brecon Street throughout the morning at the summer solstice and progressively gets later in the day as the year progresses through to the winter solstice (Figure 24).³⁶

33 Queenstown Height Study: Landscape and Urban Design Assessment, QLDC 2009, Pgs.15-16. The Height Study observed that the Brecon Street area: "has less potential to absorb significant building height increases than the adjacent Lakeview Park area, as it is separated from the steeply sloping land of Ben Lomond by the cemetery open space. Buildings over three or four storeys could have significant adverse effects on landscape and heritage values, by:

- (a) Dominating and shadowing the cemetery and potentially blocking views from this important public space to the Remarkables, Cecil Peak, Queenstown Hill and the town;
- (b) Visually dominating views for Queenstown Recreation grounds, Queenstown Primary School playing fields and parts of the town centre;
- (c) Potentially obscuring vistas up Brecon Street and Camp Street to the gondola and Ben Lomond."

34 Appendix A.

35 Appendix A.

36 Appendix A.

13.10 Given the popularity of Brecon St for pedestrians accessing the Skyline Gondola under Ben Lomond and other tourist attractions along this route, I consider at least the western side of the street, and preferably the Queenstown Cemetery public open space, should maintain good access to sunlight. This reinforces my support for a permitted 12m height limit where there is potential for a substantial horizontal building bulk on these larger sites, noting that the potential bulk of buildings on this prominent terrace edge means they are likely to also be subject to a Comprehensive Development Plan provision, which I also support.

13.11 Contingent on supporting increases in RD height limits, in my view, a matter of discretion should be included to mitigate any potential adverse effects on the heritage context of the Queenstown Cemetery, including impact on outward looking views and sense of openness that may result from additional building height and bulk in this precinct. I would support this being associated with the Comprehensive Development Plan provision, if Ms Jones considers it more appropriate.

14. QTC: COMPREHENSIVE DEVELOPMENT PLAN (STRUCTURE PLAN) REQUIREMENT

14.1 In relation to coverage on sites over 1800m², IHG Queenstown Ltd and Carter Queenstown Ltd (Crown Plaza site); and Skyline Enterprises Limited are opposed and Redson Holdings Ltd are in support.

14.2 Ms Jones has asked me to consider whether the notified 75% site coverage and Structure Plan requirement for comprehensive developments is appropriate.

14.3 In regard to Rule 12.5.1, I note both the PDP thresholds of 1800m² site size and 75% building coverage are comparable with the standards recently approved in PC50, being 2000m² and 70% / 80%, respectively. The PC50 standards primarily relate to Lakeview and Isle Street blocks, which sought similar urban outcomes to the Town Centre Transition subzone. I consider it appropriate that there is an incremental increase in these thresholds, given the slightly more intensive development anticipated within the Town Centre and with fewer residential transition issues to address.

- 14.4** The proposed location of the inner link route and intervening PC50 land will minimise any direct and potentially adverse relationships to the RHD zone adjacent.
- 14.5** I understand the 75% building coverage threshold in 12.5.1.1 is based on the recent Church Street and Ngai Tahu Courthouse developments, which I regard as a good urban design outcome for comprehensive development within the context of the town centre and support (Figure 25 and 26,³⁷ respectively).
- 14.6** In my view, the PDP 1800m² threshold should be reduced to a 1400m² trigger based on analysis of contiguous property across the town centre. Figure 27³⁸ compares the likely additional sites captured by this reduction, based on current property configurations.
- 14.7** In my opinion, this captures a better range of larger sites where there is potential for redevelopment that could contain multiple buildings, laneways, open spaces and comprehensive car parking and servicing solutions. For example, the existing comprehensive development of O'Connell's Pavilion. The lower threshold between 1400m² and 1800m² is identified to capture some potential strategic sites in the town centre, such as those running between Man Street and Beach Street, allowing the potential for improved access to the lake.
- 14.8** I do not consider that the site coverage should be applicable to every site in the Town Centre Transition subzone. In my opinion, it is possible that some unintended consequences could arise on smaller sites where uncoordinated / unsuitable spaces may be provided in order to comply. This is consistent with my opinion in relation to removing the site coverage generally within the town centre zone itself.
- 14.9** In my view the Site Coverage provision should be more closely associated with the Comprehensive Development Plans where there is sufficient opportunity to achieve some well-considered open space and access connections, allowing the use of remaining land to be more efficient and effective.

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14.10 In relation to Rule 12.5.1.2, my experience of structure planning and preparing the guidance for these has confirmed that there are considerable benefits of structure planning relevant to RMA matters. These include the ability to:³⁹

- (a) provide integrated management of complex environmental issues;
- (b) coordinate the staging of development over time;
- (c) ensure co-ordinated and compatible patterns and intensities of development across parcels of land in different ownership, and between existing and proposed areas of development and redevelopment;
- (d) provide certainty regarding the layout and character of development;
- (e) ensure that new development achieves good urban design outcomes by defining the layout, pattern, density and character of new development and transportation networks; and
- (f) complement other tools such as urban design guides.

14.11 Nonetheless, in my experience the structure planning process and outputs required can be significant undertakings over broad urban or greenfield areas, often involving extensive consultation. I understand from Ms Jones that it is not the intention for Rule 12.5.1 to be onerous for applicants, but instead to ensure that a well-considered, master planned approach is followed resulting in a plan that is carefully integrated into the town centre and surrounding context.

14.12 I concur with Ms Jones' view and consider it is an approach that takes the qualities of structure planning and applies them to larger sites within the town centre. As such, I suggest this term is renamed from the PDP's 'Structure Plan' to a 'Comprehensive Development Plan' or similar.

14.13 I consider a good recent example of comprehensive development is the Ngāi Tahu Courthouse development (Figure 26),⁴⁰ where there is:

- (a) a range of well-proportioned buildings, integrated into a heritage and public open space context;
- (b) a publicly accessible and varied laneway network;
- (c) outdoor dining terraces with good aspect; and

39 Quality Planning Website – Structure Plan Guidance Note. See www.qualityplanning.org.nz
40 Appendix A.

(d) a day-lighted and rehabilitated Horne Creek.

14.14 If this approach was to be included in the QTC chapter, in my view the Council should provide further guidance outside the Plan regarding the expected review process, required content of an application and interpretation of the matters of discretion, to give more certainty to future applicants.

14.15 In regard to the latter point above, I remain concerned that inevitably there will be some quite specific open space and amenity outcomes that the Council may wish to achieve across the town centre, which are unlikely to be served by a developer-led Comprehensive Development Plan or generic Site Coverage rule. I consider any lanes and publicly accessible open spaces need to be located strategically, complemented by guidance outside the plan, and, where applicable, statutory planning maps, such as Pedestrian Links. I discuss these in the next section of my evidence.

15. QTC: PEDESTRIAN LINKS

15.1 Submitter 238 (NZIA) requests that:

- (a) Rule 12.5.8 be amended as follows to recognise the importance of pedestrian links that are open to the sky;
- (b) the pedestrian link map is an insufficient size and the format is not supported and it should be renamed a "permeability" map and amended (as further detailed in the map attached to the submission) to:
 - (i) show desired locations/ future pedestrian linkages rather than just existing ones, including Horne Creek, noting that it fails to show important links that have been introduced since the last map (i.e. Ngāi Tahu courthouse area and opening up of Horne Creek);
 - (ii) encompass Gorge Road retail and the expanded town centre and show all existing and desired links;
 - (iii) show what will be required, not just in this zone but in all town centre and mixed use zones, noting that the map is too restrictive; and
- (c) there could be incentives (i.e. height etc) for linkages offered in desired areas.

- 15.2** Submitter 599 (Peter Fleming) opposes the pedestrian link map as he considers the map and potentially also the legal descriptions are incorrect.
- 15.3** Submitter 617 (Tweed Development Limited) requests that the PDP is modified so Rule 12.5.8 Figure 1 and the associated descriptions recognise that, with regard to the pedestrian connection between the Mall and Searle Lane (closest to the lake), a covenant and agreement exists with QLDC to allow the connection to be moved to run directly between the Mall and Searle Lane along the boundary of Section 21 Block II Town of Queenstown.
- 15.4** Ms Jones has asked me to consider the provisions for pedestrian links generally and whether allowing pedestrian links to be covered (as notified) is not appropriate as character will be more effectively preserved if left uncovered)
- 15.5** The QTCS identifies a network of pedestrian and service lanes across the town centre.⁴¹ It also includes references to future pedestrian links, such as those linking to Athol St, and key connections for enhancement, some of which are within the expanded QTC zone within the PDP. I consider these relevant to the comprehensive development plan provisions discussed above.
- 15.6** I support the approach of a network of pedestrian links maintained and enhanced through the targeted Rule 2.5.8.1. I have reviewed and support Ms Gillies' view on amendments and additions to the Identified Pedestrian Links plan. I consider this sufficiently captures those existing lanes identified by submitter 238 (NZIA).
- 15.7** Furthermore, I support the submission in making a further distinction in the type of pedestrian links formed, as discussed in the next section of my evidence.
- 15.8** I have also reviewed the NZIA submission in regard to potential future pedestrian links on their sketch plan, which I consider could supplement and expand the pedestrian links network across the town centre with positive urban design outcomes. In my opinion these should not be mandatory at this stage, but should be reviewed more holistically with the other parts of the movement

41 Queenstown Town Centre Strategy, 8.5 Lanes and 8.6 Pedestrian Links, pgs. 24-27

and open space networks and incorporated into non-statutory guidance, such as a revised Town Centre Strategy or preparation of a streetscape framework.

- 15.9** I note that the Central Christchurch Recovery Plan made provision for up to two pedestrian links per block within the Outline Development Plan requirements within the Retail Precinct. While I understand the overall mechanism was challenging to achieve collectively, particularly where there was a range of different land owners, the provision of the requisite through blocks links has been successful to date.
- 15.10** In the Queenstown context, I suggest a 'half way house' where the Council identifies potential alignment of lanes early through non-statutory documents and uses ongoing RD applications for Comprehensive Development Plans, Site Coverage and Building rules to achieve it. It is appropriate and a good incentive where pedestrian links and other types of open space count towards fulfilling their RD or NC planning requirements. I consider this provides an appropriate balance between anticipated outcomes and the flexibility around exact alignment for future applicants.
- 15.11** In terms of covering pedestrian links, I would describe the existing pedestrian links in Queenstown as a mix of arcades and lanes. Arcades tend to be narrow, less direct, covered, artificially lit thoroughfares as part of a managed retail environment. Most lanes are wider, tend to be more direct, open to the sky and managed more like public spaces with some providing access for service vehicles (Figure 28).⁴²
- 15.12** In both instances the connection provides for convenient through-block pedestrian links, opportunities for additional retail frontages and diversifies the spatial experience for people. Lanes can offer further visual relief in the building line on longer blocks and access to natural light for upper storey activities.
- 15.13** Recent developments have tended to follow the laneway approach, such as those either side of Church St and the Ngai Tahu Courthouse development (Figures 25 and 26,⁴³ respectively).

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- 15.14** I consider the benefits of lanes being open to the sky allows the narrow width of a lane to feel more spacious, and users to remain in touch with changes in the external environment and activities of the city. In the Queenstown context, views along lanes can provide additional connections with the surrounding natural and cultural landscape, which complements those axial views shafts that exist along the street grid.
- 15.15** In my experience, demand for bridging lanes or creating arcades tends to come from needing larger upper floor plates for additional capacity or 1st storey car park connections. However, I consider larger office floor plates of say 600m² or greater would still be possible, particularly in Town Centre Transition subzone. Car parking has tended to be accommodated in basements or built into slopes at the rear of developments, given the value of upper level views in Queenstown.
- 15.16** Arcades are largely focused within the SCA and in my opinion they still have a role in this area, as part of the finer grain retail experience. They provide a different retail offering and can serve as sheltered, publicly accessible spaces in adverse weather. I consider they could be allowed to remain covered in this area and in my view a requirement of a minimum width for arcades should be set to an appropriate accessible standard of 1.8m minimum and they should be subject to Crime Prevention Through Environmental Design (**CPTED**) assessment.
- 15.17** In my view any new pedestrian links should be established as lanes that are open to the sky and have a minimum width of 4m.

16. QTC: GLARE RULES

- 16.1** Submitter 398.18 (Man Street Properties Limited) partly opposes the objectives, policies and Queenstown Town Centre Design Guidelines 2015 that inform and support Rule 12.5.14 regarding glare. This is opposed by FS1274 (John Thompson and MacFarlane Investments Limited).
- 16.2** Seven submitters request that Rule 12.5.14.4, which relates to reflectance and exterior materials, is deleted. These submissions are opposed by FS1274 (John Thompson and MacFarlane Investments Limited) and FS1063 (Peter Fleming and Others).

16.3 Ms Jones has asked me to consider whether the proposed glare rules are not appropriate as they are too conservative for Town Centre - and should be removed.

16.4 While I am not an expert in this area I understand from discussion with my Landscape Planning colleagues it is possible that facades or roofs made of shiny materials, such as untreated zinc alum, and glass surfaces, including windows, may cause some glare in particular light conditions. Reflections⁴⁴ off glass surfaces are generally experienced at their worst during hours of low sun, namely the mornings and evenings.

16.5 A Guide to Reducing Glare and Reflection in the Queenstown Lakes District by QLDC states the following:⁴⁵

Visual reflectance is caused by white light being reflected. If large amounts of white light are reflected in a bundle this is called glare. All surfaces reflect light, but:

(a) *Light colours reflect more white light than dark colours. This visual reflectance has a correlation to solar reflectivity. The reflectivity value listed by, for example, paint manufacturers can be used to judge how reflective a particular colour is.*

(b) *Smooth surfaces reflect white light directly whereas textured surfaces scatter the light causing it to be less bright in any one spot. This means that smooth surfaces are more likely to cause glare than textured surfaces.*

16.6 The avoidance of materials with high reflectance in rural landscape, such as the use of acceptable colours in the range of browns, greens and greys with a Light Reflectance Value of less than 36%, means that buildings can more easily blend in the landscape without drawing the viewers' attention to them to minimise landscape and visual effects.

44 REFLECTANCE: is the percentage of light flux falling on a sample of material that is reflected from the sample. The remainder of the incoming light is absorbed by the sample or transmitted. Reflectance is a function of the incident angle and is thus often averaged over all incident angles. Light is reflected from the lower surface of the sample. Reflectance is therefore a function of the thickness of the sample. As the sample thickness increases this contribution to the reflectance will reduce eventually reaching zero. With further increase in thickness the reflectance remains constant and independent of sample thickness.

REFLECTIVITY: of a sample is the value of reflectance for a sample of thickness sufficient to ensure reflectance is independent of thickness. Reflectivity is thus a limit value of reflectance and an intrinsic property of the material. As such it is to be preferred as a parameter.

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http://www.qldc.govt.nz/assets/OldImages/Files/District_Plan_Review_Brochures/34_QLDC_A_guide_to_reducing_glare_and_reflection.pdf

- 16.7** While these considerations are relevant in the visually sensitive rural landscape of Queenstown Lakes, I consider the use of reflective materials in the highly modified context of Queenstown's Town Centre acceptable.
- 16.8** In an urban context, I do not consider it necessary to require buildings to be visually recessive, as they are already prominent and an expected part of the environment.
- 16.9** However, I do support colour being a matter of discretion, including specifying a colour range in the SCA guidance, where it is related to character.

17. QTC: SITE COVERAGE

- 17.1** NZIA Southern and Architecture + Women Southern (238) seek a discretionary activity status over 80%. Many others are in favour of its removal.
- 17.2** Ms Jones has asked me to consider whether the proposed removal of any maximum coverage rules from the Town Centre (other than large sites/ Transition area) is appropriate.
- 17.3** I consider the core of the town centre is the most intensive urban form in the District. The historic town centre is now quite built up with retail and hospitality facades on the road boundary and lanes providing access to the rear of some lots for servicing. Car parking is generally integrated into the building or on street.
- 17.4** In my experience, areas of intensification typically transfer on-site amenity and some services into the public realm and Queenstown is no exception. There is a resulting heavier reliance on public amenity in the town centre including good quality streetscape with street trees, and landscaped open spaces. Views to the natural landscape beyond that substitute for on-site landscape amenity and provide critical visual relief within the town centre. I consider this to be appropriate in this context and therefore support the removal of the site coverage rule.

- 17.5** I understand from correspondence with QLDC officers that there are sufficient levels of service in terms of *quantity* of public open space within and adjacent to the town centre, such as the Village Green, Earnslaw Park, lakefront beach and promenade and Queenstown Gardens. However, the quality of that open space and the associated facilities is considered insufficient, particularly the lakefront, given the local, national and international profile of those spaces.
- 17.6** This deficiency in *quality* is currently being addressed through the Queenstown Bay and Foreshore Reserves Management Plan; Queenstown Gardens and Queenstown Bay Development Plan and draft Parks; and Open Space Strategy.
- 17.7** I understand a number of recent developments have sought higher site coverages through consent, including The Mountaineer and Forge at 96% and 98% respectively (Figure 3).⁴⁶ I consider these to be good urban design outcomes in the context of the town centre.
- 17.8** The risks of retaining the site coverage rule overall (noting that in the ODP it ranges from 95% in Precinct 1 of the SCA to 70% in Precinct 2 to 80% elsewhere) is that space is potentially set aside, which could be uncoordinated, unpleasant, and unserviceable. Such space could unnecessarily break up the continuity of the streetscene and/or undermine those important public spaces and heritage building setbacks that add interest and character to the urban environment.
- 17.9** The SCA design guidelines makes little reference to open space, other than pedestrian links and service lanes, which are secured by other provisions in this part of the town centre. In fact, some of the character of the town relates to some instances of two storey verandas which utilise air rights to exceed 100% site coverage.
- 17.10** In my opinion, there are potentially other more targeted non-RMA mechanisms that could be explored by QLDC for delivering any identified public space or access deficiencies to supplement any future needs as the town intensifies and grows. These include better use of paper roads, easement negotiations, and purchase of property. Recent examples of this include the Brecon St

stairs, pedestrianised upper Beach St and the removal of car parks for a build out adjacent to Ferg Burger.

- 17.11** I support the removal of site coverage across the whole town centre and suggest 75% coverage is consistently applied for sites over the 1,400m² threshold and delivered as part of the Comprehensive Development Plan, as for QTC.

18. QTC: BEACH STREET SETBACKS

- 18.1** Submitter Skyline Investments Limited & O'Connell's Pavilion Limited (606) request Rule 12.5.2.1 Building Setback is deleted.
- 18.2** Ms Jones has asked me to consider the merits or otherwise of the 0.8m - 1m setback on upper Beach Street.
- 18.3** I can see no urban design rationale for the Beach St setbacks to be retained, other than providing additional sunlight access to the street. This has been addressed earlier in my evidence through the use of facade heights and recession planes.
- 18.4** Beach Street is now pedestrianised and therefore there is no real merit in having the street any wider for other functions, such as vehicle accessibility.
- 18.5** Furthermore, the intimacy of the street adds to the character of the town centre and is one of the few narrow streets remaining from the early morphology of the town.
- 18.6** Stepped or uneven building setbacks are not a characteristic that predominates across the SCA and I support provisions that seek to reinstate the continuity of the street facades.
- 18.7** Accordingly, I support the submitter and Ms Gillies and recommend removing the provision of the 0.8m - 1.0 m setbacks on Beach Street in combination with appropriate façade height and recession plane controls to avoid any significant loss of sunlight to the street.

19. QTC: RESTRICTED DISCRETIONARY VS. CONTROLLED ACTIVITY STATUS (UD PANEL)

- 19.1** Submitter 238 (NZIA) requests restricted discretionary activity status for buildings that go through the UD Panel and full discretionary status for all others as there needs to be some incentive; and that all buildings in the town centre be subject to review by the UDP.
- 19.2** Eleven submitters request that Rule 12.4.6.1 be amended such that all buildings are controlled, rather than restricted discretionary. Submitters 663 (IHG Queenstown Ltd and Carter Queenstown Ltd), 672 (Watertight Investments), and 724 (Queenstown Gold Ltd) further request that control be limited to consideration of external building design and appearance in relation to streetscape character, building design in relation to adjoining pedestrian links listed in rule 12.5.8, signage platforms, and lighting. This is on the basis that it is more succinct yet captures all but the natural hazard issue and provides greater certainty and imposes less cost. There are further submitters both in support and in opposition.
- 19.3** Ms Jones has asked me to consider whether controlled or RD is the most appropriate activity status for all buildings, from an urban design perspective. She notes the status has changed from controlled in the ODP to restricted discretionary in the PDP.
- 19.4** Good urban design can offer significant benefits to the community; conversely, poor design can have significant adverse effects on the urban environment, society and economy.⁴⁷
- 19.5** The Queenstown town centre is widely recognised as the metaphorical 'jewel in the crown' for the District with the potential for Wanaka to become equally important. As such, I consider the consequences from poor urban design outcomes would be significant.
- 19.6** The town centre is an urban area sensitive to the visitor industry where its image, related to the look, feel and function of Queenstown, is critical to its national and international profile. The QTCS also emphasises that the town centre needs to provide a high quality amenity for the community to serve and grow the local population. I accept there are various methods for achieving

47 The Value of Urban Design, The economic, environmental and social benefits of urban design, Ministry for the Environment, 2005.

good urban design outcomes under either a Controlled or Restricted Discretionary activity, as long as urban design matters are well represented in the Plan. They include:

- (a) incentives for developers to address these matters early; and
- (b) an opportunity for the design to be assessed by an appropriate urban design expert or multi-disciplined body, such as the UD Panel.

19.7 On balance, I support the PDP approach that introduces a RD activity status and provides the ability to turn down applications where poor design could adversely affect the amenity of the town centre and provides considerably greater ability to negotiate a good outcome. In my experience, the likelihood of a more efficient application process is higher if appropriate matters of discretion are considered early, design guidance provided for reference to best practice and pre-application processes are followed.

19.8 In processing applications, it is appropriate that matters of restriction can be balanced against each other and creative design solutions found for site specific and qualitative issues, which may involve the ability for both applicant and council to find compromise. In my opinion, pre-application processes can facilitate this, including use of the independent UD Panel. However, I do not support the NZIA submission (238) seeking a statutory role as this would undermine the UD Panel's independence in my view.

19.9 I support the non-notification of design matters, as it is important to avoid other potential peripheral issues affecting a good practice design response and providing applicants with certainty that design matters will be reviewed consistently by those with experience and technical design knowledge.

19.10 I consider design guidance outside the Plan can also assist, although, the current design guidelines are targeted to the SCA and would need to be reviewed for broader application. In my view, a non-statutory version should be provided for the benefit of both Comprehensive Development Plans and smaller site-by-site designs with an urban design focus.

20. WANAKA TOWN CENTRE – CHAPTER 13

Background

20.1 The Zone Purpose (13.1) in the PDP provides a useful overview of the key issues the zone provisions are targeting. From my urban design perspective, the zone:

- (a) has a low-rise scale relationship within the context of a broad and open landscape setting adjacent to Lake Wanaka and surrounded by a low rolling landscape;
- (b) is a key destination and stopping point for national and international visitors, in an economy heavily reliant on tourism, where visitors have high expectations for its urban amenity and strong relationship with its landscape setting;
- (c) is compact and clearly recognisable as the community and commercial centre within the town with a focus on growth adjacent to the lake edge activities;
- (d) is highly accessible by foot with active ground floors and a vibrant street life. Growing traffic issues are planned to be relieved by an arterial upgrade of Brownston Street;
- (e) has some recent examples of high quality architecture with a strong vernacular that has been influenced to some degree though design guides and Urban Design Panel processes; and
- (f) is surrounded by the large Pembroke Park and lakeshore public open spaces and complemented by the Bullock Creek corridor, streetscape enhancements and some lanes within.

21. WTC: BUILDING HEIGHT

21.1 Submitters 202 (Graham Dickson) and 225 (Quentin Smith) oppose the proposed Height overlay and height rules (13.5.8 and 13.5.9), instead requesting that the height limit rule be simplified to state a maximum building height of 10m, with a maximum of 2 storeys.

21.2 Submitters 13.5 (DD and KK Dugan Family Trust), 438 (New Zealand Fire Service), 650 (Foodstuffs South Island Ltd and Foodstuffs South Island Properties Ltd), and 705 (Ardmore Holdings Wanaka Limited) support the Wanaka Height Precinct and rules (13.5.8 and 13.5.8) and request that they be retained as notified, citing (variously) that the Height Precinct will enable more flexible building design, more land efficient use, and good quality urban design.

- 21.3** Submitter 238 (NZIA Southern and Architecture + Women Southern) (NZIA) supports the proposed Wanaka Town Centre height provisions subject to reference to the Wanaka Town Centre Design Guidelines to ensure sun to streets is not blocked and that upper levels are set back where appropriate to retain solar access to public spaces and all projects in the Wanaka Height Precinct being subject to design review.
- 21.4** Ms Jones has asked me to provide evidence as to whether the rules will achieve Objectives 13.2.3 and 13.2.4 (and associated policies) and, specifically, whether the amended height rules will adversely affect visual amenity.
- 21.5** My review of building heights along Ardmore Street identifies that most buildings are 2-3 storeys high with more recent developments raised for flood mitigation. Several have used pitched gables to diversify their ridge lines (Figure 29).⁴⁸
- 21.6** I understand the tallest building in the height zone is the three storey Middle Earth building at 10m on the street facade and 10.9m overall (Figure 29).⁴⁹ I understand this excludes flood levels.
- 21.7** I consider the notified 12m to eave line, a 4m height difference between the Wanaka Height Precinct Overlay and the remainder of the town centre, to be appropriate. I refer to my evidence on the urban outcomes of a 12m height limit within the Queenstown Town Centre (at Section 5 above).
- 21.8** I acknowledge that Wanaka has a lower scale built form than Queenstown. However, I consider the PDP permitted 12m height limit at the eave is appropriate from a legibility perspective, albeit applied to a small section of the Wanaka town centre, both in recognition of their relationship as the primary and secondary town centres in the District and the importance of this urban frontage within the town itself.
- 21.9** The fourth storey setback rule will assist in maintaining a human scale at the street facade, in association with other matters of discretion, which I support. I

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note an evolving style of some lakefront buildings is to recess the main facade with dining terraces and balconies along the street or simply to step back the upper storey (Figure 29).⁵⁰ I support the use of this approach to retain a consistent character and human scale along Ardmore Street, while accommodating extra height.

- 21.10** Both height zones have a further 2m allowance to the ridge line. I support this allowance, which will enable modulation of roof forms and variation along the street, for visual interest. This maintains the potential character relationships with the diversity of roof forms that already exist. The difference in approach from the QTC height provisions would likely emphasise the use of non-habitable gables, potentially creating some moderate character distinction from Queenstown.
- 21.11** Without the benefit of a massing model, it is hard for me to establish if this additional height would block lake views from residential properties in the Residential Medium Density zone to the south of the town centre. My impression, however, is that it would be unlikely and view shafts along the public street grid would continue to remain unaffected.
- 21.12** In my opinion the considerable width of Ardmore Street, slip lanes and parking, and associated street trees will likely absorb this additional massing and mitigate visual dominance when viewed from along the lake front public spaces.
- 21.13** One of my main concerns with the increase in height along Ardmore Street is the potential shading effects from redevelopment of those sites between 139 and 127 Ardmore Street into central parts of the block. My perception is these are most likely to be redeveloped through the life of the Plan, continuing the line of recent development from Dungarvon Street (Figure 30).⁵¹
- 21.14** These sites are currently occupied by an existing collection of single storey buildings that back on to Pembroke Lane, threaded by well used private laneways. The redevelopment of these sites will likely change the character of this area and potentially affect the pedestrian amenity within the block. The width of the service-orientated Pembroke Lane, running in an east to west

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direction, may minimise some of the shading effects on the more sensitive spaces within this area.

21.15 Nonetheless, I think it is impractical to expect urban laneways to have generous access to sun for most of the day, as regularly experienced in Queenstown, and there are a range of alternative public open spaces in the vicinity of the town centre that could serve this purpose.

22. WTC: DUNGARVON STREET HEIGHTS

22.1 DD and KK Dugan Family Trust (54) supports the Wanaka Height Precinct (shown on proposed planning map 21), in particular where it applies to the submitter's property at 8 Dungarvon St. The submitter supports good quality urban design and would like to see more flexible development options made available in this part of Wanaka Town Centre that better utilise the sites capacity and location. The submitter requests that the Council confirm the Wanaka Height Precinct in the Wanaka Town Centre Zone and Precinct applying to the land owned by the submitter.

22.2 Ms Jones has asked me to consider the extension of the Wanaka Height Precinct along Dungarvon Street at the western edge of the town centre.

22.3 I support the extension of the Height Precinct along Dungarvon Street (Figure 31)⁵² for reasons relating to:

- (a) clearly defining the edge of the town centre along the Pembroke Park edge;
- (b) improving the legibility of the town centre for views across the park and the lake shore; and
- (c) maximising the western aspect of the town centre for afternoon and evening activities.

22.4 I consider the potential shading is likely to have minimal effect on the existing less-sensitive uses adjacent to its eastern boundary, primarily the supermarket car park.

- 22.5** In my opinion, a street width to building height ratio is not applicable for increases in height along Dungarvon Street. Instead, I consider the large size of Pembroke Park is likely to visually absorb the proposed height increase in this part of the town centre.
- 22.6** I also think the park would receive positive benefits from further spatial containment through more height and a defined street edge in this area, assisting to promote greater urban vitality.

23. WTC: HELWICK STREET HEIGHTS

- 23.1** Submitter 240 (Gem Lake Limited) requests that the Wanaka Town Centre zoned part of Helwick Street is included within the Wanaka Height Precinct and that further or consequential or alternative amendments be made to give effect to this.
- 23.2** Ms Jones has asked me to consider whether there are any effects on adjacent sites where the precinct only goes to mid-block and whether it would be better to extend to Helwick St as sought by Submitter 240.
- 23.3** I note that the Height Precinct returns up the southern side of Helwick to the corner of Dunmore Street. In my view there would be merit in also increasing heights along the opposite, northern, side of Helwick Street to the same corner (Figure 32).⁵³
- 23.4** In my opinion, it is appropriate to enable a consistent and legible built form along the two lake front blocks of the town centre where the focus is for much of the town centre's current redevelopment.
- 23.5** This approach completes a perimeter block typology of taller edge buildings, addressing the lake and wider streets within the town, with lower internal buildings, addressing the finer grain laneways and public spaces within the block.
- 23.6** I understand that extending the Height Precinct to 1 and 7 Dunmore Street, which serves to reinforce the legibility of the typology described, is out of scope.

- 23.7** I am sympathetic with Submitter 240 suggesting an increase in the heights along the remainder of Helwick Street. I anticipate there is likely to be future demand for additional height in this area, primarily in response to the realignment of the arterial road to Brownston Street and the potential new role that this street may inherit as the new gateway to the town centre and lakefront.
- 23.8** I note that there is also a proposed Town Centre Transition Overlay, which will presumably respond to this transport opportunity and provide an amenity buffer to the existing residential zones on its southern boundary.
- 23.9** However, I do not support this part of Submission 240 at this stage. I consider it is important to incentivise the consolidation of the town centre redevelopment in the blocks close to the lake and park amenity in the first instance and if capacity demands then provide for additional height, if necessary.

24. WTC: UPPER ARDMORE STREET HEIGHTS

- 24.1** Submitter 238 (NZIA Southern and Architecture + Women Southern) (NZIA) suggests the proposed Wanaka Height Precinct is in the wrong place and that the proposed Wanaka Height Precinct should be moved to a more appropriate location on Ardmore Street. The most appropriate location suggested in the submission is the north side of Upper Ardmore street between Monley Lane and Hettich Street.
- 24.2** Ms Jones has asked me to consider the relief sought for a further extension of the height precinct to the eastern side of upper Ardmore Street.
- 24.3** The existing heights in this strip of commercial buildings are relatively consistent and are opposite a large underdeveloped area of land on the opposite side of Ardmore Street, backing on to Bullock Creek (Figure 34).⁵⁴
- 24.4** I do not consider that the Height Precinct should be extended up the hill to upper Ardmore Street (east), as it currently represents an urban form and legibility that is appropriate for its location on the fringe of the town centre, as discussed in my evidence on urban form (at paragraph 6.28). Any

intensification of this area should be coordinated with the southern side of Ardmore Street, as part of a comprehensive corridor approach.

25. WTC: SITE COVERAGE

- 25.1** Submitter 650.2 (Foodstuffs South Island Ltd and Foodstuffs South Island Properties Ltd) supports the inclusion of the New World Wanaka within the Wanaka Town Centre Zone and the exclusion of site coverage maximum. Removal of site coverage maximums will allow greater flexibility in design and better promote the efficient use of land and built resources. Conversely, submitter 238 seeks that "greater than 80% building coverage should remain discretionary to ensure pedestrian linkages are retained and parking provided for."
- 25.2** Ms Jones has asked me to consider the removal of the 80% coverage rule in the Town Centre environment.
- 25.3** I refer to the section on site coverage in relation to the Queenstown Town Centre earlier in my evidence (Section 17). I consider this is equally applicable to Wanaka.
- 25.4** The Wanaka Town Centre Character Guideline 2011 states that 'site coverage over the 80% permitted threshold would be viewed favourably'.⁵⁵
- 25.5** Like Queenstown, I understand there is sufficient existing access to and levels of service of public open space, including the 'Park Edge Streets',⁵⁶ Pembroke Park, Wanaka Lakeshore, and Bullock Creek corridor. These are supplemented by views to the natural landscape beyond, that provide further visual relief to the town centre.
- 25.6** I have observed that developers are taking opportunities to provide private open space of their own accord, such as the publicly accessible courtyard and raised dining terrace of 153 and 155 Ardmore St, respectively. I consider these are likely to be site specific responses based on market demand, such as maximising lakefront views and north facing amenity. They are not

55 Wanaka Town Centre Character Guideline, QLDC, 2011 pg 9
56 Wanaka Town Centre Character Guideline, QLDC, 2011, pgs 29-33

something that I consider should be required on all sites within the town centre.

Comprehensive Development Plans

25.7 On the basis of the request by Submitter 238 to reinstate the 80% building coverage rule in Wanaka to ensure pedestrian linkages are retained and parking provided for, I support adding a coverage rule and related Comprehensive Development Plan requirement on sites greater than 1400m².

25.8 Ms Jones has asked me to consider whether the Queenstown Town Centre approach of imposing a coverage rule on large sites to enable pedestrian opportunities may also be a suitable option for Wanaka.

25.9 I refer to Comprehensive Development Plans in relation to the Queenstown Town Centre earlier in my evidence (Section 14). I consider my reasoning to be similar for Wanaka in this respect. While there are less examples of existing comprehensive development in Wanaka, Figure 35⁵⁷ identifies several opportunities where there are underdeveloped sites positioned in key locations, such as the site south of Pembroke Lane, the New World Supermarket and those adjacent to Bullock Creek. These would significantly benefit the whole town centre if they were well-integrated into the open space and access network.

25.10 As for Queenstown, the 1400m² trigger is based on analysis of site sizes across the town centre. The addition of sites between 1400 m² and 1800 m² capture more opportunities to improve the provision of through-block links, notably the New World Supermarket block and sites along upper Ardmore Street, and a key gateway site on the corner of Ardmore and Brownston Streets.

26. WTC: PEDESTRIAN LINKS

26.1 Submitter 238 (NZIA) requests that the (discretionary) 80% building coverage rule be reinstated to ensure pedestrian linkages are retained and parking provided for, while submitter 673 (Foodstuffs South Island Limited and Foodstuffs (South Island) Properties Limited) supports its removal.

26.2 Ms Jones has asked me to consider the provisions for pedestrian links, similar to that proposed for Queenstown Town Centre.

26.3 I refer to the section on Pedestrian Links in relation to the Queenstown Town Centre earlier in my evidence (Section 15). I consider this is equally applicable to Wanaka. The Council has identified potential alignment of lanes in the Wanaka Town Centre Character Guideline, which are incorporated by reference (Figure 35).⁵⁸ In my view, ongoing RD applications for Comprehensive Development Plans, Site Coverage and Building rules should be used to secure these links. It is appropriate and a good incentive where pedestrian links and other types of open space count towards fulfilling their RD or NC planning requirements. This provides an appropriate balance between anticipated outcomes and the flexibility around exact alignment for future applicants.

26.4 Existing alignments noted in the Character Guidelines, such as the Pembroke Lane network and Bullock Creek walkway, could be provided for in a Pedestrian Links section of the WTC Plan.

27. BUSINESS MIXED USE ZONE – CHAPTER 16

Background

27.1 The Business Mixed Use zone in the PDP is split over two main urban areas: Gorge Road, including Wakatipu High School site, Queenstown; and Anderson Heights, Wanaka (Figure 36).⁵⁹

27.2 I describe the existing Gorge Road context (Figure 37)⁶⁰ as:

- (a) having a low-rise scale relationship within the context of a dramatic landscape setting;
- (b) sitting at the base of steep and vegetated natural landforms within a gorge formed by Ben Lomond and Queenstown Hill, hence the name;
- (c) bookended by the prominent Cecil and Coronet Peaks, distant landscape features that terminate views at either end of the Gorge.

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- (d) a key gateway into Queenstown from Arrowtown, Coronet Peak Ski Area and Arthurs Point, including Shotover River tourism enterprises;
- (e) part of a confined corridor of development following Gorge Road, a busy arterial route linking to the town centre, with some parts of the zone extending across the valley floor between operative HDR neighbourhoods and the largely underutilised Warren Park; and
- (f) served by a local Fresh Choice supermarket.

27.3 I understand Wakatipu High School is due to relocate to a new site at Remarkables Park in Frankton, currently under construction, providing opportunities for redevelopment of some or all of this site in the short to medium term.

27.4 I describe the existing Anderson Heights context (Figure 38)⁶¹ as:

- (a) having a low rise scale within the context of a broad and open landscape;
- (b) sitting on top of a prominent lake terrace, surrounded by Low Density Residential Zone neighbourhoods, and large Domini and Lismore Parks; and
- (c) an informal grid of streets with a long frontage to Plantation Road and Anderson Road, which links to Albert Town.

27.5 I refer you to 16.1 Zone Purpose in the PDP, which provides a useful overview of the key issues the zone provisions are targeting. From my urban design perspective, the zone:

- (a) contains a diverse mix of business activities with some light industrial and yard based uses;
- (b) has a broad collection of simple, small to large format commercial buildings of up to 2 storeys with deep building setbacks. There is little continuity in building siting and most have associated driveways, car parking, display or service yards with minimal or immature landscape;
- (c) low quality public amenity, including basic streetscape, underdeveloped parks and few community facilities other than Wakatipu High School (Figure 39);⁶²

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- (d) accessible to both town centres by convenient walking or cycling modes and on a local bus route (Gorge Road); and
- (e) provides significant opportunities for brownfield redevelopment with minimal transition issues within the zone.

27.6 The former North Shore City Council's Good Solutions Guide for Mixed Use Development in Town Centres,⁶³ identifies a number of advantages of this type of development for the public, developers and the environment. They include:

- (a) meeting increased demand for accommodation close to town centre amenities and services;
- (b) creating an interesting, vibrant street life by bringing together a diverse range of people and activities;
- (c) increasing demand and support for local businesses;
- (d) reducing transport costs in terms of time, money, and energy consumption;
- (e) creating a safer environment by combining facilities used at different times of the day;
- (f) catering to people's changing life / work needs;
- (g) higher rates of occupancy due to greater density;
- (h) rapid development of a site's potential by reducing the risk of oversupplying the market with a single building type;
- (i) synergy of uses can create a vibrant urban destination, resulting in greater immediate returns;
- (j) increased long-term appreciation of property values;
- (k) intensifies town centres, thereby reducing sprawl and conserving the city's natural environment;
- (l) enables occupants to reduce the amount of time they spend travelling, thereby decreasing road congestion, traffic pollution, and wasted time;
- (m) provides greater opportunities for using public transport, walking and cycling; and
- (n) enhances the quality of the local environment by creating lively, populated urban areas.

27.7 I note that the advantages listed assume that activities are generally compatible with residential use, as typically occurs in these types of areas

63 Good Solutions Guide for Mixed Use Development in Town Centres, North Shore City Council, 2005

close to urban centres. The Strategic Directions chapter, BMU zone purpose and objectives, and recent adoption of a Special Housing Area for Gorge Road signals that the Council is seeking real change in this respect.

27.8 However, in my opinion, the broad nature of the operative Business zone's existing uses, like Gorge Road and Anderson Heights, do not always lend themselves kindly to urban design best practice. While I acknowledge some less compatible activities with residential have become NC within the PDP, such as industrial uses, and will potentially be redeveloped as land values increase, there are still a broad range of uses that are permitted in the BMU zone that I consider to be inappropriate. I understand there is no scope to refine the mix of activities and, as a result, I consider there will need to be stronger provisions in some parts of the PDP to mitigate potential adverse amenity effects on residential activities, in particular, and other sensitive uses such as public open spaces.

27.9 I consider the PDP addresses some of the fundamental urban design concerns that most strongly influence the zones' relationship between uses, particularly residential, and with its immediate and wider contexts.

27.10 However, below in my evidence I have suggested several amendments and additions that would further support this approach. These acknowledge that the provision for residential activity in a mixed use zone consciously substitutes some of the amenity outcomes that residents would expect in purely residential zones for other amenity benefits that come with the vibrancy and interest of living in a more diverse part of the town.

28. BMU: WHETHER URBAN DESIGN REQUIREMENTS SHOULD BE REDUCED

28.1 Submission 746.3 (Bunnings Limited) seeks that urban design-related matters in Rule 16.4.2 should be 'de-tuned' to allow for a more flexible built form for non-residential activities.

28.2 Firstly, Ms Bowbyes has requested I consider if the matters for discretion detailed in Rule 16.4.2 are appropriate to achieve Objectives 16.2.1 and 16.2.2 and, in particular the desire to provide for a mixture of commercial and residential activities.

- 28.3** I support Objectives 16.2.1 and 16.2.2 and consider the associated policies address the relevant issues for mixed use development in Queenstown and Wanaka.
- 28.4** In general, I support the intention of the matters of discretion in Rule 16.4.2. However, I do not consider they capture the key urban design qualities that are described in Objectives 16.2.1 and 16.2.2, or are robust enough to manage the effects of higher density, mixed use developments.
- 28.5** In particular, I consider the matters of discretion should include the key terms identified in all the policies under Objective 16.2.2. I do not see some of these policy terms referenced elsewhere in the rules and therefore question how they can be achieved. In my view, these should be more explicit in this respect.
- 28.6** In reviewing those matters of discretion already included in the rule, I recommend replacing references like '*blends well*' and '*the detail of the façade is sympathetic with others in the vicinity*', as I consider the provisions anticipate a deliberate change towards higher quality of design and a different character to what currently exists in the zone.
- 28.7** I also consider the list of building design terms in Policy 16.2.2.1 more helpful than those under bullet point three of Rule 16.4.2 relating superficially to '*detail of the façade*'. These should be more about the fundamentals of sleaving or breaking up large building forms, modulation, articulation and achieving a better human scale generally.
- 28.8** I support the inclusion of a provision relating to residential open space in the fourth bullet point. I do, however, think this is more appropriate as a rule and discuss this later in my evidence.
- 28.9** Although there is less opportunity for on-site landscape to dominate in more intensively developed areas, I consider landscape could be used in an effective way as a visually unifying or softening element for mixed use and should also be referenced.
- 28.10** In my view an additional matter considering a development's relationship with streets and public open spaces, including Horne Creek should be added. This needs to provide for the consideration of pedestrian amenity, convenient

access, CPTED issues and appropriate arrangement and screening of car parking, storage and service areas in relation to these.

- 28.11** I further suggest a provision be added to allow for the adaptability of ground floor uses over time, generally related to floor heights, with priority for retail and hospitality frontages along key access routes. I support the specific reference in Rule 16.5.3 to Gorge Road and consider that a more general matter of discretion would support that approach along other key frontages like Anderson and Plantation Roads.

29. BMU: A LOWER DESIGN BAR FOR NON-RESIDENTIAL ACTIVITIES

- 29.1** Also in relation to Submission 746.3 (Bunnings Limited), Ms Bowbyes has requested I consider whether it would be appropriate to have a lower design bar for non-residential activities.

- 29.2** I have reviewed the Christchurch and Auckland mixed use zones and in urban design terms they have the same anticipated higher quality outcomes for non-residential uses as they do for residential. However, they do have some practical rule differences related to use, such as outdoor living space requirements for residential activities, which places some additional design requirements over those for non-residential uses. In my view this does not lower the bar for non-residential, instead I consider that it raises the standard to enhance residential amenity.

- 29.3** Given the housing shortage in Queenstown, particularly affordable housing, there is a drive to incentivise a transition toward residential activities in the BMU zone. However, I am concerned that a lower design bar may have the opposite effect of consolidating non-residential uses further. In my opinion, a lowering of the amenity provisions would:

- (a) disadvantage residential with an even more enabling consent path;
- (b) potentially perpetuate the lower quality non-residential environment that currently exists; and
- (c) provide less certainty for future residential amenity in relation to design of neighbouring uses.

- 29.4** In my experience, one of the biggest issues with mixed use development is reverse sensitivity between activities, particularly residential. I consider that it is likely that higher residential densities become stigmatised if the surrounding environmental quality is poor, thereby undermining the Council's intensification goals in this zone and also potentially other zones.
- 29.5** There are a range of creative design approaches that can be used to mitigate potential reverse sensitivity issues at the outset and minimise the need for active management over the long term. For that to be successful it is important to be able to review designs, on a level playing field, where there is potential to manage one or other of the activities to optimise development outcomes in an efficient and effective way.
- 29.6** While I acknowledge that many non-residential activities have less amenity needs than residential, there is always going to be the potential for horizontal mixing of uses within sites or where they share internal boundaries within or adjacent to the BMU zone (Figure 40⁶⁴). For that reason, in my opinion the design of all developments will need to be configured appropriately and/or rules put in place to mitigate any potential adverse effects between more sensitive neighbouring activities. A consistent design review allows for more flexibility to accommodate a range of relationships between a diverse mix of activities. In my view, simple rules, such as setbacks, recession planes and screening, are blunt instruments in this sense and reliance on such rules may overly restrict the intensity of uses anticipated by the Council.
- 29.7** In addition, I consider there is an added complication with the vertical mixing of uses within the one building if two amenity expectations are applied (Figure 41⁶⁵).
- 29.8** I consider that the anticipated character of higher intensity uses and built form should be transitioning towards a more pedestrian orientated zone, particularly as they are close to the existing town centres. It is therefore important to have some consistency of built form outcomes in the relationship with streets and other public spaces. In my view all applications should focus on designs that achieve a higher amenity and safe built outcomes where they interface with these areas.

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- 29.9** In my review of lot sizes, there are a number of large sites within the zone that increase the potential for a mix of uses, both horizontally and vertically, within a development. Without a holistic design review, the likelihood of poor amenity outcomes on these sites for occupants, neighbours and the community is significant. This further reinforces the need for a comprehensive development approach, particularly for sites like Wakatipu High School (Figure 42⁶⁶).
- 29.10** In my view a holistic development focus will assist in assessing applications for the larger sites within the zone, of which there are many, including the Wakatipu High School site. If within scope, I support the introduction of a Comprehensive Development Plan, like those within Plan Change 50 and the PDP town centre zones, as an appropriate way to achieve this.
- 29.11** I have reviewed the analysis maps based on a potential 1400m² threshold (Figure 43⁶⁷) for a Comprehensive Development Plan and consider this triggers sites capable of accommodating multiple buildings and opportunities for:
- (a) maintaining and enhancing a key gateway site into Queenstown and Anderson Heights;
 - (b) managing potential significant land use change on larger brownfield sites, particularly where they are adjacent to large existing operations (e.g. Allied Concrete Plant) where size provides some flexibility to effectively manage potential reverse sensitivity issues;
 - (c) enhanced accessibility on strategically located sites, such as the Wakatipu High School site, including those that could provide additional public open space connections;
 - (d) enhancing the continuity, environmental quality and amenity of Horne Creek; and
 - (e) integrating existing large scale buildings within a development, such as the Mitre 10 at Anderson Heights.
- 29.12** In summary, my view is that both residential and non-residential uses should be subject to the same activity status and level of design review.

29.13 Given the BMU zone is new for the District, I also suggest the Council prepare non-statutory design guidance relating to the anticipated design outcomes and common mitigation approaches between uses to give more direction and certainty to applicants and Plan administrators.

30. BMU: ACTIVITY STATUS OF BUILDINGS

30.1 Various submissions seek that the activity status for buildings in the BMU zone should be controlled rather than restricted discretionary. Submission 344.6 (Fletcher Distribution Ltd and Mico New Zealand Ltd) seeks that buildings or building extensions for Building or Trade Suppliers up to 1000m² gross floor area (**GFA**) should be a controlled activity, rather than restricted discretionary.

30.2 Ms Bowbyes has requested I consider whether controlled or RD is the most appropriate activity status for all buildings, from an urban design perspective. She notes the status has changed from controlled to RD in the PDP BMU chapter and that Rule 16.6.2, as notified, places limits on notification.

30.3 I refer to my discussion on controlled and RD activities earlier in relation to my evidence on the Queenstown and Wanaka town centres zone (Section 19). I consider that the reasons that I support a RD approach in those zones is still applicable, on balance, in the BMU zone.

30.4 From the perspective of the BMU zone, I consider the following issues support the introduction of the PDP RD approach:

- (a) a new zone that is seeking to establish more intensive uses at higher heights within established lower density areas;
- (b) higher quality development is sought and the first tranche of development in the life of this Plan will likely set the tone for development throughout the zone and other mixed use zones in the future;
- (c) a complex mix of uses and a diverse range of associated built form typologies that need to be well integrated;
- (d) potential for reverse sensitivity effects for incoming and local residents that will need to be well-considered to avoid long term management issues;
- (e) adjacency to natural landscapes and prominent views, particularly within the confines of Queenstown Gorge; and

- (f) the need to efficiently and effectively utilise large sites that are typical of the zone.

30.5 I support the matters of discretion in the PDP with some suggested additions identified throughout my evidence, specifically paragraphs 28.4 – 28.11 above.

30.6 I do not support the relief sought in submission 344.6. I consider the Zone Purpose, Objectives and Policies indicate a conscious shift by the Council to achieve greater compatibility between activities and higher quality design anticipated for the zone. I note that Policy 16.2.2.6 specifically addresses large format retail and the need to integrate larger building forms and activate edges.

30.7 Residential uses are a key activity in this context and, in my view, represent a smaller, more domestic scale. The potential scale of a 1000m² building or extension, say a warehouse of 20 x 50m, is a substantial building relative to typical residential activities, for example the equivalent of approximately 20 one bedroom units at 50m² per unit. Comparatively, the likely built form to accommodate building or Trade Supplier type activity would also potentially represent taller stud heights, a bulkier mass and lower quality materials.

31. BMU: GORGE ROAD AREA

Horne Creek

31.1 Submissions 238.6 and 238.92 (NZIA) seek that Horne Creek should be 'opened up' as a natural feature and potential pedestrian link to the QTC.

31.2 Ms Bowbyes has requested I consider the relative merits of requiring or encouraging Horne Creek to be naturalised and used in the manner requested by the submitter, including:

- (a) whether the relief sought is appropriate, given the relationship of the Creek to the zone boundary; and
- (b) whether it would be appropriate to include consideration of Horne Creek in the matters of discretion for buildings detailed in notified Rule 16.4.2 as notified.

31.3 I note the Horne Creek corridor either follows along the BMU zone edge or cuts into the zone with a number of Gorge Road properties where it becomes

largely culverted (Figures 44 and 45⁶⁸). I understand that any change to the physical extent of the BMUZ will be heard at a later PDP hearing considering rezonings.

31.4 Having consulted with my Landscape Architect and Ecologist colleagues, I understand it is considered best practice to daylight streams⁶⁹ and achieve multiple environmental benefits from these landscape features, including:

- (a) stormwater attenuation and treatment;
- (b) native planting providing local ecological habitats;
- (c) ecological connectivity with links along environmental gradients for aquatic and terrestrial fauna;
- (d) visual amenity;
- (e) distinctive character feature; and
- (f) provision of recreational links along the stream corridor.

31.5 I note this would be consistent with existing and successful daylighting treatments of Horne Creek, up and down stream, such as within Matakauri Park and the Village Green/ Ngāi Tahu Courthouse development, respectively (Figures 45,⁷⁰ 12⁷¹ and 26,⁷² respectively). There are also strategic approaches to daylighting the creek promoted elsewhere, such as Athol Street referenced within the QTCS.⁷³

31.6 Furthermore, I support the provision of local amenity in an area that has both a lower quality public realm relative to other parts of the town and is likely to be deficient in open space as the zone intensifies.

31.7 I understand from correspondence with QLDC officers that there is unlikely to be sufficient levels of service in terms of *quantity* of public open space within urban intensification areas, such as Gorge Road. I consider Horne creek to be a potential open space resource on flat, accessible land, which can enhance the diversity of open spaces in the Gorge Road area, complementing the

68 Appendix A.

69 In urban design and urban planning, daylighting is the redirection of a stream into an above-ground channel. Typically, the goal is to restore a stream of water to a more natural state. Daylighting is intended to improve the riparian environment for a stream which had been previously diverted into a culvert, pipe, or a drainage system. (Source: Wikipedia)

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73 Queenstown Town Centre Strategy at pages 33-34

larger Warren Park (Figure 46⁷⁴). Warren Park is designation 226 in the PDP, rolled over from the ODP, for 'recreation reserve' purposes.

- 31.8** I consider an access easement along the creek alignment, as an alternative for a non-trafficked north/south movement route parallel with the busy Gorge Road, would be a good a strategic aim. This could eventually provide access along the full length of Horne Creek from wetland to lake. I understand similar arrangements have been made along the Frankton Arm walking track.
- 31.9** I recognise that Horne Creek encroaches on a few sites within the BMU zone, particularly those between 53-67 Gorge Road. There is potential for development opportunities on these sites to be unfairly constrained, despite benefitting from the potential amenity gains within the development. An option for these sites could be to realign the creek to the eastern boundary, which is a practical solution regularly used by my colleagues for roading infrastructure.
- 31.10** I consider it appropriate, in light of broadening the mix of uses and offsetting intensification along Horne Creek, that daylighting and remediation of the creek be incentivised through the consenting process. In my view, a key incentive could include additional height, particularly as these sites abut the steeper slopes of Queenstown Hill.
- 31.11** The BMU zone does not currently have a minimum landscape coverage rule. However, if it were to be included, as I have suggested later in my evidence, I consider that would add an additional incentive to daylight the stream if this was included in the calculation.
- 31.12** Where there are potential technical issues with the age of infrastructure and/or future infrastructure capacity of culverts, I am informed by my colleagues that there are available mechanisms that can achieve daylighting in lieu of upsizing or replacing pipes for these types of catchments, particularly if existing overland flow paths (flooding) are an issue. This is something a developer could consider when doing a cost/ benefit analysis. In my view, it should be an additional consideration when deciding whether to include further provisions for Horne Creek in the BMU chapter, such as a matter of discretion, providing the opportunity to constructively work with applicants to achieve positive effects from development.

31.13 In these and other parts of the BMU zone where the creek could have a direct interface with development, it is important that sensitive integration with the proposed buildings and landscape is achieved, including the appropriate orientation of buildings to address the creek for amenity and CPTED reasons.

31.14 I therefore support the submission where access and remediation to Horne Creek is practical or can be strongly incentivised. In my view a reference to this effect should be included in Policy 16.2.2.2 and as a matter of discretion under RD Rule 16.4.2.

Building Heights (notified Rule 16.5.7 and relevant policies)

31.15 Submitter 392.13 (Erna Spijkerbosch) seeks various relief as follows:

- (a) 20m heights should only be enabled on the eastern side of Gorge Road;
- (b) buildings greater than 12m in height should follow a notified process unless they are located on the eastern side of Gorge Road;
- (c) a maximum 12m height adjoining a residential zone;
- (d) allow 20-25m heights on the eastern edge of the zone, tapering to 12m at the Gorge Road frontage; and
- (e) require landscaping at the street frontage to soften the appearance of tall buildings on either side of the street.

31.16 I have structured my response to the submitter under the key sub-headings in my evidence to follow.

31.17 Firstly, I have been requested by Ms Bowbyes to summarise the key effects of building height from an urban design perspective. I refer to the potential adverse effects from greater building height I identified earlier in my QTC zone evidence (at paragraph 4.1).

31.18 I consider this list to be applicable to the BMU zone with the exception of items (c) and (d) from that list:

- (c) *a strong contrast to existing smaller scaled buildings, including heritage stock; and*
- (d) *a distinct change in character and loss of familiarity/ identity within the community.*

- 31.19** In regard to item (c), while there are some smaller scaled buildings in the zone, I do not consider they have the fine grain or heritage qualities that could be adversely affected by adjacent taller or bulkier buildings. I consider this is applicable to the two town centre zones, but not to those currently developed within the operative Business Zone.
- 31.20** Furthermore, in relation to item (d), there are few existing character traits or significant identifying features within the ODP Business Zone that I would consider capable of being a recognisable loss to the community. To my knowledge, there is little evidence of significant shared and recognised values associated with the zone. While there will potentially be a significant change in character within a BMU zone, this could be a positive effect, provided urban design considerations are well managed.
- 31.21** However, I consider there may still be a significant loss of familiarity in the Gorge Road area with development under the PDP RD activity status. With a considerable height difference between a permitted 12m and RD 20m, I have assumed applicants will be highly incentivised to maximise building heights, particularly if an application is non-notified. This has been modelled and illustrated in Figures 48 and 49.⁷⁵
- 31.22** In my opinion, the PDP represents a significant change to the character in this section of the gorge and it will need to be developed in a way that the community can readily adapt to and accept this change. Provisions need to ensure sufficient quality design to appropriately integrate with the gorge context and, where possible, maintain and enhance the experience of living and working in Queenstown.
- 31.23** I am also concerned that the scale and character of potential development under the PDP could compete with the urban form and legibility of the town centre as a key destination in the town. In my view, the zone is unlikely to be of a comparable quality to justify this recognition, at least in the short to medium term, and would be better recognised as a supporting gateway and/or corridor leading to the town centre. I discuss this further below with reference to the other potential adverse effects of building height.

31.24 Other than with regard to height, the potential of the BMU zone to visually compete with the legibility of the town centre is less likely. I consider it most likely to be differentiated through:

- (a) its more linear nature;
- (b) a more diverse built form;
- (c) less consistent mix of uses;
- (d) larger format buildings; and
- (e) the proliferation of other ground level uses, such as storage and parking areas.

Building Heights for the Gorge Road area

31.25 Ms Bowbyes has requested I consider whether the building heights detailed in notified Rule 16.5.7.1 (redrafted Rule 16.5.9.1) are appropriate for the Gorge Road area, with reference to how the proposed provisions will achieve the objectives (16.2.1 and 16.2.2) of the chapter.

31.26 In my assessment, the Gorge Road corridor provides for good urban form opportunities, closely matching higher density with convenient accessibility. There is an existing range of alternative accessibility modes already available, such as walking, cycling, and public transport, to and from the town centre, associated community facilities and other local amenities. I regard Frankton Road as a similar corridor along SH6 to the west, albeit with a residential focus and most of the intensive development below road level.

31.27 Enabling intensive brownfield redevelopment, by utilising existing infrastructure and amenities to significantly increase the capacity of compatible activities, promotes sustainable development. Less sensitive commercial uses enable a quicker transition where height consistency, shading and visual dominance effects are not as critical. This can potentially offset or delay the erosion of residential coherence in other existing areas of the town, while increasing the diversity of residential typologies in Queenstown.

31.28 I support the submission 392.13 (Erna Spijkerbosch) to retain the PDP 12-20m height range in notified Rule 16.5.7.1 (redrafted Rule 16.5.9.1) in areas east of

Gorge Road. It is suitable for intensive development, given the proximity to the steep rock and vegetated face of Queenstown Hill (Figure 50⁷⁶).

- 31.29** I refer to decisions made regarding PC50, with reference to the Queenstown Height Study.⁷⁷ This related to zones under parts of Ben Lomond, where development at the foot of this dominant landform was considered appropriate to absorb taller built forms. This section of Gorge Road under Queenstown Hill is similar in my view.
- 31.30** The landscape formation of Queenstown Hill has a consistent and gently sloping toe along the Horne Creek floodplain, where in my view, steep rock outcrops and vegetated slopes would dominate over potential taller redevelopment sites at its toe.
- 31.31** I note that existing development within the PDP HDR zone also begins to 'step up' Queenstown Hill at the southern end of this block, along Hallenstein Street, thereby providing a visible urban edge higher up the slope that taller development could integrate with (Figure 51⁷⁸).
- 31.32** I do not regard the area as highly visible from key viewpoints within the QTC, and elevated parts of Queenstown Hill and Ben Lomond. Although I recognise there may be other elevated views to the area, particularly from smaller parts of the operative HDR zone, along Huff Street, and PDP HDR zone, along Halenstein Street (Figures 52 and 53,⁷⁹ respectively), it is unlikely that this part of Gorge Road would be visually dominating or in a direct line of sight of residences.
- 31.33** As discussed above in my evidence relating to Horne Creek, I consider it may be worthwhile considering further opportunities for additional building height in the context of achieving positive effects of daylighting and access to the creek. Maximum heights up to those suggested by the submitter may well be able to be accommodated if assessed as a non-notified, NC activity offset against improvements to Horne Creek as a relevant policy response along with exemplary urban design. I note a similar mechanism has been used to secure lanes in the Town Centre zones under Policy 12.2.2.5.

76 Appendix A.
77 Queenstown Height Study: Landscape and Urban Design Assessment, QLDC 2009, pages 13-14
78 Appendix A.
79 Appendix A.

31.34 Notwithstanding this general approach, I consider there are two exceptions where there should be a lower permitted and/ or RD height range:

- (a) Gorge Road Centre – site of an existing low rise business park at the very northern end of Gorge Road (east), beyond Bush Creek reserve and to the west of Matakauri Park, a prominent wetland reserve at the northern gateway to Queenstown (Figure 54⁸⁰); and
- (b) Caltex Service Station – a site at the corner of Gorge Road and Hallenstein Street (Figure 55⁸¹).

31.35 Both sites are detached from those contiguous sites between Gorge Road and the steeper sections of Queenstown Hill. The Gorge Road Centre is separated by the large Matakauri Park, which pushes development out into central parts of the gorge. This is a prominent gateway to the town with the potential to obstruct view shafts in both directions up and down the gorge and visual connections to the steep rock walls at the top of the Gorge. Likewise, the Caltex Service Station is separated by Hallenstein Street and the adjacent PDP HDR zone, including a Chapel opposite, and could also obstruct views from these existing properties.

31.36 I support the intention of submission 392.13 (Erna Spijkerbosch) to keep building heights lower on the western side of Gorge Road.

31.37 In my opinion, there is a higher likelihood that the area west of Gorge Road could result in a visually dominant band of tall buildings stretching across the broader valley floor and potentially extend up the lower slopes of Ben Lomond. The latter was the subject of the Queenstown Height Study.

31.38 The Queenstown Height Study focuses on areas at the toe of Ben Lomond, and in my opinion it is useful in considering heights west of Gorge Road at the interface with the Wakatipu High School site. The study notes as follows⁸²:

- (a) *Hamilton Road/ Huff Street – limited capability to absorb additional height as it is 'not consistent with urban form on the floodplain below'*
- (b) *Additional height could also create a 'more exaggerated wavy edge', over alluvial fans and exaggerated by 'green fingers'*

80 Appendix A.

81 Appendix A.

82 Queenstown Height Study: Landscape and Urban Design Assessment, QLDC 2009, pages 17-20

- (c) *'Considerable extra height in this location would detract from the legibility of the landscape setting. It would also compromise one of the aesthetic characteristics of urban Queenstown: nestling at the base of Ben Lomond'. Built form already occupies the lower slopes of Ben Lomond.*

31.39 I understand that there have not been any similar studies carried out to assess the likelihood of potential adverse visual effects of increased heights for the rest of the gorge, including the proposed BMU zone. As such, I cannot conclusively assess the potential significance of effects and have only provided an urban design perspective based on a basic modelling and best practice approach, informed by the conclusions reached so far and discussion to follow.

31.40 From an urban design perspective, the western side of Gorge Road is more fragmented than the east with several parts of the zone either projecting out into or wrapping around existing (operative) HDR zoned areas and Warren Park (Figures 55 and 56,⁸³ respectively). In reviewing the City Engine model (as explained earlier in Paragraph 1.12 of this evidence and in Ms Jones' QTZ s42A report), I consider there would be potential visual dominance effects from buildings up to 20m in height in these areas. Accordingly, I consider it appropriate to have a more comparative height between the eastern side of Gorge Road and the adjacent residential zones. Currently, permitted heights are up to 8m on flat sites in the operative HDR zone. However, I understand the PDP HDR (Stage 1) is still being heard and that the s42A report recommends a permitted activity status for a 12m height limit and RD activity status for up to 15m. This area of land is to be in notified Stage 2. I would be supportive of the BMU zone matching this proposed building height approach, should the Panel accept this recommendation.

31.41 Other benefits of a lower height range on the western side of Gorge Road include:

- (a) the potential mitigation of adverse shading effects for ground level retail and hospitality along the more consistent eastern side of Gorge Road (Figure 56⁸⁴);

83 Appendix A.
84 Appendix A.

- (b) a less visually enclosed and confined Gorge Road corridor (Figure 57⁸⁵);
- (c) a layering of building heights up against Queenstown Hill; and
- (d) a broader landscape outlook for occupants of taller buildings along the eastern side of Gorge Road.

31.42 While I have supported the submission and support a lower height range to the west of Gorge Road, I do not consider this to necessarily contradict the Strategic Directions of the PDP or intentions of the Gorge Road Special Housing Area. In my experience, the relationship between height and density is not always directly related and there are many good urban design examples that achieve high residential densities with lower heights (Figure 58⁸⁶)⁸⁷. Often the taller buildings can:

- (a) require greater separation to achieve appropriate amenity outcomes, such as solar access, privacy, and wind mitigation;
- (b) utilise the available land less efficiently, such as the configuration of open space; and
- (c) reduce the sense of street definition and urban vitality at ground level.

31.43 Similarly, I observe there to be opportunities, particularly on the Wakatipu High School Site, where a comprehensive development approach could achieve considerable densities with medium-rise development of say 3 or 4 storeys. I have provided examples of the types of development I consider appropriate for this area in Figure 59.⁸⁸

32. BMU: APPLYING RD (12 – 20M) HEIGHTS THROUGHOUT THE ZONE

32.1 Ms Bowbyes has requested I address whether it is appropriate for the RD (12 – 20m) heights to apply throughout the zone, as it applies in the notified chapter to the Gorge Road portion of the BMU zone.

32.2 I have already outlined in general terms my suggested approach to the Gorge Road portion of the zone with a lower height range to the west of Gorge Road.

85 Appendix A.

86 Appendix A.

87 Towards an Urban Renaissance, Urban Task Force, UK, 1999

88 Appendix A.

- 32.3** However, as discussed in the Town Centre zones section of my evidence above, I support a modest height range to allow for some built form flexibility and/or diversity of roofscape for visual interest.
- 32.4** In the QTC zone, I supported a 2 - 3m height difference used between permitted and RD activity statuses, which is flexible enough to enable an additional floor with urban design assessment. I consider this approach could also be used for the more sensitive parts of the Queenstown BMU zone, west of Gorge Road and those isolated sites at the northern and southern limits of the zone.
- 32.5** In reviewing potential outcomes using the City Engine model, I conclude there to be capacity for a similar 2 - 3m allowance, up to a 15m RD height limit, that could be applied for more design flexibility. This may also provide a further incentive for well-considered residential use. As discussed earlier in my evidence, there are examples in the QTC of four storeys, vertically mixed developments that include upper storey residential uses at 12m in height that I do not consider are good urban design outcomes (Figure 8⁸⁹).
- 32.6** I support the permitted 12m height limit for Anderson Heights, Wanaka, within a generally smaller scale context and a more open, rolling landscape. I do not consider heights up to 20m would be appropriate in this context and understand there is no scope to apply a lower RD threshold in this portion of the zone.
- 32.7** I have reviewed Rule 16.5.7 for height and consider, if a wide spread use of a RD activity status is used, particularly for taller buildings, the matters of discretion could be further improved to address:
- (a) shading effects;
 - (b) privacy and outlook for residential uses;
 - (c) modulated roof forms, including screening of plant and services;
 - (d) treatment of corner sites;
 - (e) CPTED considerations; and
 - (f) material use and quality.

33. BMU: REQUIREMENT FOR BUILDINGS TO HAVE A STEPPED FRONTAGE

33.1 Ms Bowbyes has requested I address the appropriateness of including a requirement for buildings to have a stepped frontage from the 4th storey and above to assist with limiting the impact of heights. Rule 13.5.9.3 from the WTC provisions was provided as an example.

33.2 I support the provision for a stepped frontage as an effective way to enable simple building forms while creating a more comfortable human scale at street level and managing other effects, such as downdrafts, along the Gorge Road corridor. Essentially, this creates a podium-type development, which has been used successfully elsewhere. I note Auckland has introduced a similar provision into its mixed use zone, albeit a 6m step.

33.3 In this instance, where there is a considerable difference between permitted and RD heights in the Gorge Road area, I consider it preferable to a recession plane. A recession plane may encourage complex ziggurat built forms, which would likely detract from the long visual corridor of Gorge Road and steep landscape qualities of the gorge.

33.4 In my opinion, a step at the 4th storey would also allow for a compatible building height to street width ratio of approximately 1:1.7 as in the QTC zone (Figure 60⁹⁰). Located opposite my suggested 12m permitted height to the west of Gorge Road, this approach:

- (a) minimises the potential creation of a canyon effect;
- (b) reinforces the U-shaped valley form of the gorge; and
- (c) maintains more open view shafts to Cecil and Coronet Peaks at either end of the corridor (Figure 61⁹¹).

34. BMU: HEIGHT RECESSION AND SETBACK STANDARDS

34.1 Submissions 542.4⁹², 545.4⁹³, 550.4⁹⁴, 556.9⁹⁵ and 634.9⁹⁶ request that the recession line should be 45° inclined towards the site from points 3m above the nearest residential zone boundary.

90 Appendix A.
91 Appendix A.
92 G H & P J Hensman.
93 High Peaks Limited.

- 34.2** Ms Bowbyes has requested I consider whether the relief sought is appropriate in achieving Objective 16.2.2 and whether the height recession and setback standards detailed in Rule 16.5.1 will be effective in limiting the impact of building heights on adjoining residential zoned land.
- 34.3** I consider transition issues for the zone are potentially most acute against adjacent existing residential zones. As identified, the Wanaka BMU zone is largely surrounded by the PDP Low Density Residential zone and the Queenstown BMU zone (west of Gorge Road) by the operative HDR zone.
- 34.4** In my observations, the existing developed residential areas adjacent to both the Gorge Rd and Anderson Heights BMU zones tend to be located on its west, east and southern edges where the effects of overshadowing are likely to be the greatest (Figures 62 and 63⁹⁷). Although, in my view, the eastern areas of the Gorge Road portion of the zone are less affected due to existing road buffers.
- 34.5** I note that throughout large parts of the residential zones there are areas designated open space and these are therefore less sensitive to overshadowing, overlooking and privacy effects reducing the extent of the existing residential interface. However, if the status of these spaces were to change then the potential boundary effects may be greater.
- 34.6** To better understand the influence of the recession planes on zone edge development, I refer to the City Engine modelled scenarios of the two recession plane angles at permitted 12m building heights at equinox and the two solstices¹, set out in Figure 64 and 65.⁹⁸ The shadow tracking undertaken illustrates that the 35° recession plane provides more protection from overshadowing, than at 45°. With the steeper recession plane, overshadowing tends to extend over adjacent houses, in addition to side and back yards, and could potentially adversely affect internal amenity. I consider this to be undesirable, as these occupants are less likely to have any expectation of this potential effect when relocating to the area.

94 Ngai Tahu Property Limited.
95 Skyline Enterprises Limited.
96 Trojan Holdings Limited.
97 Appendix A.
98 Appendix A.

- 34.7** The proposed shallower recession plane would also push larger building forms back into the site, potentially enabling taller screen planting to be provided while also softening or screening the broader building bulk that could occur.
- 34.8** I note there is no differentiation in recession plane angles in Rule 16.5.1, unlike those in the residential zones. I support the latter approach as a way of potentially differentiating between 35° and 45° recession planes, particularly for northern aspects, to provide some relief for those submissions.
- 34.9** However, this needs to be weighed against other amenity issues related to recession planes, including visual privacy from overlooking and visual dominance. The greatest potential for overlooking and visual dominance is with steeper recession planes on boundaries. When recession planes steepen, such as between 35° and 45°, buildings can be positioned closer to the zone edge potentially exaggerating these effects.
- 34.10** I do not consider this to be a current issue for Anderson Heights, as Domini Park is adjacent to its northern boundary.
- 34.11** The only existing developed residential areas on the northern boundaries of the BMU zone in Wanaka include those sites along the southern side of Sawmill Road, whose back yards abut the Wakatipu High School site (Figure 42⁹⁹). I note that this is the existing location of larger school buildings on the site, up to two storeys, and I assume that landowners and residents already have some expectation that visual dominance and privacy issues may be compromised in this location. I therefore consider that the likelihood of significant adverse amenity effects along this boundary with an increase in the recession plane angle to 45° for 12m buildings is lower, providing buildings are managed through good urban design.
- 34.12** In my view, only some typologies within the BMU zone will likely provide upper level windows and I accept there are other broader issues of site efficiency that also need to be taken into consideration. Ultimately, I consider the proposed relief sought for 45° to be acceptable on the northern boundaries as a reasonable balance between the local amenity issues of those living adjacent to these zones and broader district wide issues of accessibility and urban consolidation.

- 34.13** In terms of changes to Rule 16.5.1, I suggest adding the terms 'visual dominance' and 'residential privacy' to the rule title to further qualify the purpose of recession planes and set back provisions.
- 34.14** I consider the key terms of privacy, dominance and shading are appropriate matters of discretion. In my view the term dominance should be qualified with the term 'visual' (i.e. visual dominance) for clarity.
- 34.15** I also support the addition of screen planting to the matters of discretion as a potential way of mitigating adverse visual dominance and privacy effects.

35. BMU: REQUIREMENT FOR ONSITE LANDSCAPING AT THE STREET FRONTAGE

- 35.1** Ms Bowbyes has requested I consider whether a requirement for onsite landscaping at the street frontage is appropriate in a 'high intensity' mixed use zone.
- 35.2** I support the submission, as I consider the existing public realm and streetscape amenity is not currently high along the Gorge Road corridor and Anderson Heights.
- 35.3** A landscape strip is effective in helping to unify a potentially disparate and intensive mix of uses, while also helping to soften the scale of development and generally improving the visual amenity of the zone.
- 35.4** While a landscape strip provides more opportunity for landscape amenity to be introduced, in my experience allowances should be made for outdoor dining and any associated access paths to retail, hospitality and/ or commercial units within a related rule or as a matter of discretion. It is important that development is able to address the street frontages and the provision of a landscape strip is not simply used as a buffer device for strip shop configurations that turn their back to the street.
- 35.5** I support the approach taken in the Christchurch Replacement District Plan Business Mixed Use Zone, which provides options to either build up to street, set back with landscape planting or a mix of approaches, depending on the nature of the activity. While retail and hospitality frontages should be provided for at ground level on appropriate frontages, such as Gorge, Anderson and Plantation Roads, in reality they are more likely to require larger footprints with

broader frontages than those in the town centres. A landscape strip therefore provides continuity between sites and other streetscene disruptions, such as driveways and car parking.

35.6 Landscape strips can also be effective in screening and mitigating the visual impact of car parking, service and storage areas, although these should be discouraged along more pedestrian orientated corridors.

35.7 I support Rule 16.5.3 and in other areas where residential units could occupy the ground floor, where a minimum front yard setback or 'transition zone' of 2m is considered a desirable minimum in my experience. This would be consistent with minimum landscape setbacks for other uses.

35.8 I note the BMU zone is silent on any requirement for landscaping, other than as a matter of discretion for buildings. I therefore consider a rule requiring a minimum 10% coverage to be appropriate. There is also the potential to allocate this on-site landscape coverage toward achieving a higher amenity and more unifying approach to the street frontage.

36. BMU: OUTDOOR LIVING

36.1 Submission 238.105 (NZIA) seeks that outdoor living areas are included as a requirement.

36.2 Ms Bowbyes has requested I consider whether a rule is necessary, given that Rule 16.4.2 (bullet 4) includes open space in the matters of discretion. This is intended to provide flexibility for developers.

36.3 I support the submission recognising that the benefits of open space include:

- (a) convenient access to fresh air and nature;
- (b) the ability to retreat to personal space and personalise an external area; and
- (c) spatial relief through enhanced indoor/ outdoor flow.

36.4 In my experience, these are critical to achieving a basic living standard, particularly in areas of intensive development. I refer to the 'The Good

Solutions Guide' that indicates '*Mixed Use is often more intensive than single use development*'.¹⁰⁰

- 36.5** I accept that smaller space standards for outdoor living areas are appropriate in more intensive development, as it is generally appropriate to shift the emphasis from private to public amenity. However, in my opinion, this depends on available and assessable public open spaces and, as noted earlier, the proposed BMU zones in the District are not currently as well empowered in that respect as other urban areas in the District.
- 36.6** I therefore support the provision of more formal minimum outdoor living space requirements and consider that a quantitative approach, rather than a matter of discretion, is preferable in providing certainty for prospective applicants/residents and most effective in ensuring it is of a usable proportion and of a suitable space standard relative to the size of the dwelling.
- 36.7** I note that as such minimum quantitative standards are generally consistent across the metropolitan areas of Auckland and Christchurch. I consider these standards a useful starting point if applicants wish to negotiate alternative arrangements related to the qualities of a particular site or design solution through the resource consent process.
- 36.8** In my opinion, outdoor living areas should be relevant to the size of the unit provided. A requirement for dedicated open space on larger units could incentivise more efficient communal space for smaller affordable units.
- 36.9** I consider further flexibility can be provided within the standards through the ability to distribute outdoor living space between different design approaches, such as gardens, balconies, roof terraces, and types of open space - private and/ or communal.
- 36.10** It is also generally accepted that higher density zones typically shift more emphasis toward the use of communal space provision where efficiencies can be gained through the shared use of facilities.
- 36.11** While I still favour regulating to achieve appropriate outdoor living space provision, I am sympathetic to the reality that environmental conditions in

Queenstown, such as shading from natural landforms and longer winters, discourage use of outdoor spaces. That said, I consider that to be less likely to be so in Wanaka. A potential option is to allow communal spaces to be internalised for taller multi-unit developments. I would be supportive of that approach, provided some of this allocation was to indoor communal space, such as gyms, common rooms, shared kitchens etc. as a means to offset the intensity of largely apartment-based living.

36.12 Again, I note the zone is silent on any requirement for landscaping, other than as a matter of discretion for buildings. In my view a rule requiring minimum 10% coverage for landscaping should be included, as there is the potential to allocate this on-site landscape coverage toward more usable outdoor living space.

36.13 From a built form perspective, I consider balconies a useful architectural device to provide building modulation/ articulation and provide a more domestic design quality to help improve legibility between the activity mixes in the zone (Figure 66¹⁰¹).



Timothy Church
2 November 2016

APPENDIX A

[provided separately]