

Before the Queenstown Lakes District  
Council

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In the matter of           The Resource Management Act 1991

And                            The Queenstown Lakes District Proposed District Plan Topic 13  
Queenstown Mapping – Group 1B (Queenstown Urban  
(Frankton and South))

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**MEMORANDUM OF COUNSEL FOR**

Hansen Family Partnership (#751)  
FII Holdings (#847)  
Peter and Margaret Arnott, Fernlea Trust (#399)  
The Jandel Trust (#717)  
Universal Developments (#177)

Dated 22 August 2017

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**Solicitor:**  
Rosie Hill  
Anderson Lloyd  
Level 2, 13 Camp Street, Queenstown 9300  
PO Box 201, Queenstown 9348  
DX Box ZP95010 Queenstown  
p + 64 3 450 0700 | f + 64 3 450 0799  
rosie.hill@al.nz

**Counsel:**  
Warwick Goldsmith  
Barrister  
PO Box 213, Queenstown 9365  
m + 64 021 220 8824  
warwickgoldsmith@gmail.com

## MAY IT PLEASE THE PANEL

### Introduction

- 1 This Memorandum of Counsel is lodged for the Submitters listed on the front cover page (**Submitters**) in respect of further information requested in the course of Hearing Stream 13 – Group 1B in relation to the Submitters' land (**Frankton North**).
- 2 This Memorandum responds to the following requested information:
  - (a) Two versions of the proposed vehicle access rule (Rule 16.5.11.3 (iv)) to reflect either incorporation by reference of NZTA Research Report 453, or alternatively, prescribed traffic generations rates within the rule;
  - (b) A Structure Plan which indicates the proposed primary internal roading within Frankton North;
  - (c) Revised provisions which reflect a Structure Plan approach to that internal roading;
  - (d) Revised height provisions for Frankton North which reflect the transition to adjacent Rural Zone land to the north.
- 3 The following Appendices are attached to this Memorandum:

**Appendix A** - Revised provisions for Chapters 16 and 27 (trackchange version identifying amendments to the version presented at the hearing);

**Appendix B** – Revised provisions for Chapters 16 and 27 (clean version with all amendments accepted);

**Appendix C** - Structure Plan for Frankton North;

**Appendix D** – Alternative Rule 16.5.11.3(iv);

**Appendix E** – Copy original Table C.1 from the NZTA Research Report 453.

### Vehicle Access Rule 16.5.11.3 (iv)

- 4 In the course of the Hearing, the Commission questioned the certainty of reference within this Rule to the NZTA Research Report 453, which measures traffic and trip generation for particular activities. In response, it is submitted that certainty could either be provided for by way of incorporating the Report by reference in the PDP, or otherwise by extracting relevant figures from the Report and including those within the Rule.

- 5 The first option, being incorporation of the Research Report 453 by reference, is included in the provisions in Appendix A and Appendix B as Rule 16.5.1.3(iv). The alternative option, being inclusion of a specific Table, is attached as Appendix D which contains an alternative Rule 16.5.11.3(iv).
- 6 Counsel submits that the first option may be considered the preferable option, for the following reasons:
- (a) The first option Rule 16.5.11.3(iv) contains an appropriate degree of certainty by referring to a specific Table in a specific document and to specific figures in that specific document (as the proposed rule now includes reference to the 50 Percentile Peak Hour Figures).
  - (b) Inclusion of the entire Table by reference results in inclusion of traffic generation rates for a range of activities, including activities which are noncomplying within the BMUZ but in respect of which consent might be sought by way of noncomplying activity consent application.
  - (c) The alternative option would likely require adaptation of the Table to match the BMU zone provisions (refer following paragraph).
- 7 To assist in understanding this point, Counsel attaches to this Memorandum, in Appendix E, a copy of the relevant Table C.1 from the Research Report. If one compares that photocopied Table, with the Table in Appendix D, there are some differences. Counsel has deleted some references which appear to be inappropriate (such as reference to a large hospital which seems very unlikely, and a reference to service stations which are a noncomplying activity in the BMUZ). Additional amendments might be considered appropriate in order to properly match this Table to the BMUZ. If the alternative option is preferred, the Commission may wish to refer the drafting of this Table to Council staff as there are a number of other references which may be considered inappropriate. For example, there is a reference to "*Inner City (Multi Units)*". The reference to "*Inner City*" might be considered appropriate for deletion, but it might be considered equally appropriate to retain the reference to "*Multi Units*".

### **Structure Plan**

- 8 The Commission raised concerns relating to primary internal roading through Frankton North from the SH6 Roundabout, and how it could be ensured that this would eventuate so as to enable future development of the entirety of Frankton North.
- 9 A Structure Plan has been drafted for Frankton North (Appendix C) and consequential amendments to Chapters 16 and 27 to reflect this approach. New Rule 16.5.11.6 and assessment matters within Rule 27.7.13.1 work together to

ensure that both subdivision and development trigger the need for design and layout of the primary road access. Allowance has been included for a potential variation in location of up to 50m to provide some flexibility in final subdivision design.

10 It will be noted that the Required Primary Road Access shown on the Structure Plan terminates at a cadastral boundary in each direction. The reasons for that are:

(a) The primary purpose of the Structure Plan roading is to ensure all landowners can achieve access to the SH6 Hawthorne Drive Roundabout. In this case there are two landholdings beyond the termination points (the Arnott land to the west and the Universal Developments Limited land to the east). The four major landowners will therefore have assurance of access to the Roundabout.

Note: The exception to the above is the Jandel Trust Property which will have to rely on its existing access to SH6. However a specific assessment matter has been included in Rule 27.7.13.1 which would enable the Council, when considering an application for subdivision of the Universal Developments Limited land, to provide for roading access through to the Jandel Trust property.

(b) Location of the Primary Roding Access as shown on the Structure Plan has been assessed and agreed between the owners of the land through which that roading runs. No assessment has been carried out of potential roading routes beyond the two termination points shown on the Structure Plan.

(c) At this point in time it is not known whether Council will seek to achieve connection through to Ferry Hill Drive (to the east) or Hansen Road (to the west). Decisions on those potential connections could affect the location of roading through the Universal Developments Limited land and/or the Arnott land. The Structure Plan enables such decisions to be made in the future.

11 For the information of the Commission, the roading shown on the Structure Plan has been modelled on a similar Structure Plan approach which applies in the Northlake Special Zone:

(a) The primary purpose of the Required Roding in the Northlake Structure Plan is to identify primary connections with the external roading network;

(b) The secondary purpose is to ensure that all landowners have access to the primary internal roading network, resulting in the Northlake Structure

Plan showing 'Required Rooding' links that provide essential connections from the external roading network through to the boundaries of internal landowners but not beyond those boundaries.

### **Height Rule**

- 12 Amended Rule 16.5.8.3 provides a differential height limit between land south and north of the National Grid Yard. Land to the north is now proposed to be limited to 5.5m so as to provide for sensitive treatment adjoining the adjacent Rural Zone. Associated matters of discretion have been included within this provision to strengthen this intent.

**Dated this 22<sup>th</sup> day of August 2017**

A handwritten signature in cursive script, appearing to read 'Warwick Goldsmith', followed by a small dash.

Warwick Goldsmith/Rosie Hill

Counsel for the Submitters

**Appendix A**

**Frankton North Plan Provisions (trackchanged version)**

## Appendix A – Revised Frankton North Provisions (Trackchange Version)

### Chapter 16 – Business Mixed Use Zone

1. Insert the following new Objective 16.2.3, as follows:

**16.2.3 The development of land fronting State Highway 6 (between Hansen Road and Ferry Hill Drive) provides a high quality mixed-use environment which is sensitive to its location at the entrance to Queenstown, minimises traffic impacts to the State Highway network, is appropriately serviced and prevents reserve sensitivity effects from road and aircraft noise.**

2. Insert new policies in support of the new Objective 16.2.3, as follows:

**16.2.3.1 Encourage low impact stormwater design that utilises on-site treatment and storage / dispersal approaches, and avoids impacts on the State Highway network.**

**16.2.3.2 Provide a planting buffer along the road frontage to soften the view of buildings from the State Highway network.**

**16.2.3.3 Provide for safe and legible transport connections that avoid any new access to the State Highway and integrate with the road network and public transport routes on the southern side of State Highway 6.**

**Note:** Attention is drawn to the need to consult with the New Zealand Transport Agency (NZTA) prior to determining an internal and external road network design under this policy.

**Note:** Attention is drawn to the need to obtain a Section 93 notice from the NZ Transport Agency for all subdivisions on State Highways which are declared Limited Access Roads. The NZ Transport Agency should be consulted and a request made for a notice under Section 93 of the Government Roading Powers Act 1989.

**16.2.3.4 Require that the design of any road or vehicular access within individual properties is of a form and standard that accounts for long term traffic demands for the area between Hansen Road and Ferry Hill Drive, and does not require the need for subsequent retrofitting or upgrade.**

**16.2.3.5 Provide a safe and legible walking and cycle environment that links to the other internal and external pedestrian and cycling networks and destinations on the southern side of State Highway 6 along the safest, most direct and convenient routes and is of a form and layout that encourages walking and cycling.**

**16.2.3.6** Provide an internal road network that ensures road frontages are not dominated by vehicular access and parking and enables full development of the zone.

**16.2.3.7** Require as necessary all new and altered buildings for activities sensitive to road noise located within 80m of the State Highway be designed to provide protection from sleep disturbance and maintain appropriate amenity.

**16.2.3.8** Prevent Activities Sensitive to Aircraft Noise within the Outer Control Boundary of Queenstown Airport.

3. Insert new Rule 16.4.17, as follows:

<u>16.4.17</u>	<u>Activities Sensitive to Aircraft Noise (ASAN) between the Queenstown Airport Air Noise Boundary (Ldn65) (ANB) and the Queenstown Airport Outer Control Boundary (Ldn55) (OCB).</u>	<u>PR</u>
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4. Insert new Rule 16.4.18, as follows:

<u>16.4.18</u>	<u>All activities, except residential activities which do not exceed a density of 40 residential units per hectare of land (gross area)</u> <u>Discretion is restricted to an assessment of traffic generation to ensure that the proposed activity will not breach Rule 16.5.11.3.</u>	<u>RD</u>
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4.5. Amend Rule 16.5.8 Maximum Building Height, as follows:

<b>16.5.8</b>	<p><b>Maximum Building Height</b></p> <p>The maximum building height shall be:</p> <p>...</p> <p><u>16.5.8.3 Frankton <u>North</u></u></p> <p style="padding-left: 40px;"><u>a. <u>For the land located north of the National Grid Yard:</u></u></p> <p style="padding-left: 80px;"><u>i. <u>5.5 m</u></u></p> <p style="padding-left: 80px;"><u>ii. <u>12 m</u></u></p> <p style="padding-left: 40px;"><u>b. <u>Any other part of the Zone up to 12m —Permitted</u></u></p> <p>Discretion is restricted to <del>consideration of all of the following:</del></p> <p><u>Queenstown:</u></p> <ul style="list-style-type: none"> <li>• the design and quality of the building, including the use of articulated facades, active street frontages and the treatment of corner sites;</li> </ul>	<b>NC</b>
		<b>RD</b>
		<b>NC</b>
		<b>NC</b>



	<ul style="list-style-type: none"> <li>• modulated roof forms, including screening of plant and services</li> <li>• material use and quality;</li> <li>• the avoidance of large monolithic buildings;</li> <li>• the impact on the street scene;</li> <li>• privacy and outlook for residential uses</li> <li>• sunlight access to adjoining residential zoned land and/or public</li> <li>• space;</li> <li>• Crime Prevention Through Environmental Design (CPTED) considerations;</li> <li>• where appropriate, the integration of Horne Creek into the development and landscaping; and</li> <li>• <u>      </u> facilitation of the provision of residential activities</li> </ul> <p><a href="#">Frankton North:</a></p> <p><a href="#">Treatment of the interface with the rural zone through Rule 16.5.11.1.1.</a></p>	
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5-6.        Insert a new Rule 16.5.11, as follows:

16.5.11	<p><a href="#"><u>Site Fronting State Highway 6, Frankton North</u></a></p> <p><b><u>16.5.11.1 Buildings</u></b></p> <p><u>Matters of Discretion:</u></p> <p><u>In addition to the matters of discretion provided for within Rule 16.4.2 (above):</u></p> <p><u>Management of the transition between the BMU Zone and the rural zone</u></p> <p><u>Assessment Matters:</u></p> <p>i. <u>Management of the transition of that part of the zone between the National Grid Corridor and the Rural Zone through an appropriate design response that <a href="#">maintains visual connections to the surrounding outstanding natural landscape by providing:</a></u></p> <ul style="list-style-type: none"> <li>• <u>Greater proportions of open space between buildings; and</u></li> <li>• <u>Lower building heights</u></li> </ul> <p><b><u>16.5.11.2 Acoustic Insulation and Mechanical Ventilation</u></b></p> <p><u>All residential buildings, or buildings containing activity sensitive to</u></p>	<u>RD</u>
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	<p><u>road noise located within 80 m of State Highway 6 between (between Hansen Road and the Shotover River) shall be designed to meet internal sound levels of AS/NZ 2107:2000.</u></p> <p><u>Compliance with this rule can be demonstrated by submitting a certificate to Council from a person suitably qualified in acoustics stating that the proposed construction will achieve the internal design sound level</u></p> <p><b>16.5.11.3 Vehicle Access onto State Highway 6 at Frankton</b></p> <p><u>Development of the BMU zone in Frankton to the north of State Highway 6 shall:</u></p> <p>(i) <u>Ensure that there is no new direct vehicular access from the zone to State Highway 6.</u></p> <p>(ii) <u>Not generate more than a total of 1,430 vehicle movements (two-way) using the State Highway 6 / Hawthorne Drive roundabout during in the evening weekday peak hour.</u></p> <p>(iii) <u>Not generate more than 55 vehicle movements (two-way) per hectare of land using the State Highway 6 / Hawthorne Drive roundabout during the evening peak hour (calculated in proportion to and on the basis of the gross area of land being developed).</u></p> <p><u>(iv) Compliance with (ii) and (iii) above will be assessed and determined in accordance with the 50 Percentile Peak Hour Trips traffic generation rates set out in Table C.1 of the New Zealand Transport Agency Research Report 453 – Trips and Parking Related to Land Use*, when resource consent is sought for any activity (other than a residential activity at a density no greater than 40 residential units per hectare which is deemed to comply with (ii) and (iii) above).</u></p> <p><u>(iv)(v) If part of the zone is developed, not adversely affect the ability of any other part of the zone to be developed without requiring consent under this rule.</u></p> <p><u>* Document incorporated by reference: Douglass, M and S Abley (2011) “Trips and parking related to land use. NZ Transport Agency Research Report 453”. Webpage: <a href="http://www.nzta.govt.nz/assets/resources/research/reports/453/docs/453.pdf">http://www.nzta.govt.nz/assets/resources/research/reports/453/docs/453.pdf</a></u></p>	<p>NC</p> <p>NC</p> <p>RD</p> <p>RD</p> <p>RD</p> <p>RD</p> <p>RD</p>
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	<p><u>Discretion is restricted to:</u></p> <ul style="list-style-type: none"> <li>• <u>Potential traffic effects on and arising from the State Highway / Hawthorne Drive roundabout (including outcomes of consultation with the New Zealand Transport Agency (NZTA);</u></li> <li>• <u>The potential concentration of traffic generation undermining the development potential elsewhere in the Zone.</u></li> </ul> <p><b><u>16.5.11.4 Landscaping</u></b></p> <p><u>Any development shall include landscaping which provides a planting buffer fronting State Highway 6 as follows:</u></p> <p>a. <u>A density of two plants per square metre located within 4m of the State Highway 6 road boundary selected from the following species:</u></p> <ul style="list-style-type: none"> <li>- <u>Ribbonwood (Plagianthus regius)</u></li> <li>- <u>Corokia cotoneaster</u></li> <li>- <u>Pittosporum tenuifolium</u></li> <li>- <u>Grisilinea</u></li> <li>- <u>Coprosma propinqua</u></li> <li>- <u>Olearia dertonii</u></li> </ul> <p><u>Once planted these plants are to be maintained in perpetuity.</u></p> <p><u>Matters of discretion:</u></p> <ul style="list-style-type: none"> <li>- <u>Mitigation of the visual impacts of building when viewed from State Highway 6, Frankton.</u></li> </ul> <p><b><u>16.5.11.5 Boundary Setback</u></b></p> <p><u>The minimum setback of buildings from the boundary with State Highway 6, <del>and which lie located on land which is</del> at the same level (vertically) as the State Highway carriageway, shall be 20m.</u></p> <p><del>Matters of discretion is restricted to:</del></p> <ul style="list-style-type: none"> <li>- <u>Visual impacts of building when viewed from State Highway 6.</u></li> </ul>	<p><u>RD</u></p> <p><u>RD</u></p> <p><u>RD</u></p>
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	<p><b><u>16.5.11.6 Structure Plan</u></b></p> <p><u>Internal road access shall be provided in accordance with the Structure Plan in Rule 16.7 as follows:</u></p> <p>a. <u>Road access into the zone from State Highway 6 shall be via the fourth (northern) leg of the Hawthorn Drive/State Highway 6 roundabout (Designation #370), unless otherwise approved by the NZ Transport Agency;</u></p> <p>a-b. <u>Subject to compliance with a. above, Required Primary Road Access shall be provided as shown on the Structure Plan except that the exact location of such roading may vary by up to 50 metres.</u></p>	<p><u>RD</u></p>
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7. Insert a new Heading for '16.7 Frankton North - Structure Plan' and include the Structure Plan for the Frankton North Business Mixed Use Zone (attached).

## Chapter 8 – Medium Density Residential Zone

The following changes to Chapter 8 are as a consequence of the rezoning of the MDR land on the northern side of State Highway 6 at Frankton to BMU, and the subsequent addition of an objective, policies and rules to that Chapter relating to this area.

1. Delete Objective 8.2.8 and associated Policies 8.2.8.1 to 8.2.8.7 (inclusive).
2. Delete Objective 8.2.10 and associated Policies 8.2.10.1 and 8.2.10.2
3. Delete from Rule 8.4.11 Residential Unit, the matters of discretion relating to the land fronting State Highway 6 between Hansen Road and the Shotover River.
4. Delete Rule 8.5.2 Sound Insulation and mechanical Ventilation
5. Delete Rule 8.5.3 Development on land fronting State Highway 6 between Hansen Road and Ferry Hill Drive

## Chapter 27 – Subdivision

1. Insert a new Rule 27.7.13 (QLDC Right of Reply version dated 26 August 2016), as follows:

<u>27.7.13</u>	<b><u>Frankton North BMUZ</u></b>	
<u>27.7.13.1</u>	<u>Subdivision within the Frankton North BMUZ.</u> <u>Control is limited to:</u> <ul style="list-style-type: none"><li>• <u>The matters of control listed under Rule 27.7.1;</u></li><li>• <u>Provision of Required Primary Road Access as shown on the Frankton North BMUZ Structure Plan, except that the exact location of such roading may vary by up to 50 metres;</u></li><li>• <u>The design and layout of vehicle access to provide connections to any adjoining roads or land needing access to enable future subdivision.</u></li></ul>	<u>C</u>

## Appendix C

### [Alternate wording for Rule 16.5.11.3 (iv) inserting trip rates from NZTA]

8. Insert new Rule 16.5.11.3 (iv) Vehicle Access onto State Highway 6 at Frankton, as follows:

(iv) Compliance with (ii) and (iii) above will be assessed and determined in accordance with the traffic generation rates set out in the following Table, when resource consent is sought for any activity (other than a residential activity) at a density no greater than 40 residential units per hectare which is deemed to comply with (ii) and (iii) above).

**Table - Traffic Generation Rates**

<u>LAND USE CATEGORIES</u>		<u>Units per...</u>	<u>Peak Hour Trips</u>
<u>1.ASSEMBLY</u>	<u>1.1 Church</u>	<u>Congregation</u>	<u>1.0</u>
<u>2. COMMERCIAL</u>	<u>2.1 Office</u>	<u>100m'GFA</u>	<u>1.6</u>
<u>3.EDUCATION</u>	<u>3.1 Preschool</u>	<u>Pupil</u>	<u>1.1</u>
	<u>3.2 Primary</u>	<u>Pupil</u>	<u>0.6</u>
	<u>3.3 Secondary</u>	<u>Pupil</u>	<u>0.1</u>
	<u>3.4 Tertiary</u>	<u>Pupil</u> <u>100m' GFA</u>	<u>0.2</u> <u>1.1</u>
<u>4. INDUSTRY</u>	<u>4.1 Warehousing</u>	<u>100m'GFA</u>	<u>0.9</u>
	<u>4.2 Contractor</u>	<u>100m' GFA</u>	<u>2.8</u>
	<u>4.4 Manufacture</u>	<u>100m' GFA</u>	<u>1.4</u>
<u>5. MEDICAL</u>	<u>5.1 Centre</u>	<u>Professional</u>	<u>9.9</u>
	<u>5.2.1Hospital (Small)</u>	<u>Bed</u>	<u>1.8</u>
<u>7. RESIDENTIAL and VISITOR ACCOMMODATION</u>	<u>7.1 Inner City (Multi Unit)</u>	<u>Unit</u>	<u>0.3</u>
	<u>7.2.1 Dwelling (Inner Suburban)</u>	<u>Unit</u>	<u>1.1</u>
	<u>7.4.1Retirement Home</u>	<u>Bed</u>	<u>0.3</u>
	<u>7.6 Motel</u>	<u>Occ. unit</u>	<u>0.8</u>
	<u>7.7 Hotel</u>	<u>Room</u>	<u>0.8</u>
<u>8. RETAIL</u>	<u>8.1 Shop</u>	<u>100m'GFA</u>	<u>26.2</u>
	<u>8.2.1Shopping Centre (Small)</u>	<u>100m' GFA</u>	<u>14.6</u>
	<u>8.2.1Shopping Centre (Medium)</u>	<u>100m' GFA</u>	<u>12.2</u>
	<u>8.2.1Shopping Centre (Large)</u>	<u>100m' GFA</u>	<u>7.1</u>
	<u>8.2.1Shopping Centre (CBD)</u>	<u>100m' GFA</u>	<u>6.6</u>
	<u>8.3 Garden Centre</u>	<u>100m'GFA</u>	<u>14.1</u>
	<u>8.4 Discount</u>	<u>100m'GFA</u>	<u>11.2</u>
	<u>8.5 Supermarket</u>	<u>100m'GFA</u>	<u>15.8</u>
	<u>8.6 Bulk</u>	<u>100m'GFA</u>	<u>4.0</u>
	<u>8.7 Restaurant</u>	<u>Seat</u>	<u>0.6</u>
	<u>8.8 Fast Food</u>	<u>100m'GFA</u>	<u>36</u>
	<u>8.9 Bar</u>	<u>100m'GFA</u>	<u>10.3</u>
	<u>8.140 Market</u>	<u>100m'GFA</u>	<u>1.8</u>
<u>8.121 Produce</u>	<u>100m' GFA</u>	<u>58.6</u>	

**Appendix B**

**Frankton North Plan Provisions (clean version with amendments accepted)**

## Appendix B – Revised Frankton North Provisions (Clean Version)

### Chapter 16 – Business Mixed Use Zone

1. Insert the following new Objective 16.2.3, as follows:

**16.2.3 The development of land fronting State Highway 6 (between Hansen Road and Ferry Hill Drive) provides a high quality mixed-use environment which is sensitive to its location at the entrance to Queenstown, minimises traffic impacts to the State Highway network, is appropriately serviced and prevents reserve sensitivity effects from road and aircraft noise.**

2. Insert new policies in support of the new Objective 16.2.3, as follows:

**16.2.3.1 Encourage low impact stormwater design that utilises on-site treatment and storage / dispersal approaches, and avoids impacts on the State Highway network.**

**16.2.3.2 Provide a planting buffer along the road frontage to soften the view of buildings from the State Highway network.**

**16.2.3.3 Provide for safe and legible transport connections that avoid any new access to the State Highway and integrate with the road network and public transport routes on the southern side of State Highway 6.**

**Note:** Attention is drawn to the need to consult with the New Zealand Transport Agency (NZTA) prior to determining an internal and external road network design under this policy.

**Note:** Attention is drawn to the need to obtain a Section 93 notice from the NZ Transport Agency for all subdivisions on State Highways which are declared Limited Access Roads. The NZ Transport Agency should be consulted and a request made for a notice under Section 93 of the Government Roadway Powers Act 1989.

**16.2.3.4 Require that the design of any road or vehicular access within individual properties is of a form and standard that accounts for long term traffic demands for the area between Hansen Road and Ferry Hill Drive, and does not require the need for subsequent retrofitting or upgrade.**

**16.2.3.5 Provide a safe and legible walking and cycle environment that links to the other internal and external pedestrian and cycling networks and destinations on the southern side of State Highway 6 along the safest, most direct and convenient routes and is of a form and layout that encourages walking and cycling.**



16.2.3.6 Provide an internal road network that ensures road frontages are not dominated by vehicular access and parking and enables full development of the zone.

16.2.3.7 Require as necessary all new and altered buildings for activities sensitive to road noise located within 80m of the State Highway be designed to provide protection from sleep disturbance and maintain appropriate amenity.

16.2.3.8 Prevent Activities Sensitive to Aircraft Noise within the Outer Control Boundary of Queenstown Airport.

3. Insert new Rule 16.4.17, as follows:

<u>16.4.17</u>	<u>Activities Sensitive to Aircraft Noise (ASAN) between the Queenstown Airport Air Noise Boundary (Ldn65) (ANB) and the Queenstown Airport Outer Control Boundary (Ldn55) (OCB).</u>	<u>PR</u>
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4. Insert new Rule 16.4.18, as follows:

<u>16.4.18</u>	<p><b><u>All activities, except residential activities which do not exceed a density of 40 residential units per hectare of land (gross area)</u></b></p> <p><u>Discretion is restricted to an assessment of traffic generation to ensure that the proposed activity will not breach Rule 16.5.11.3.</u></p>	<u>RD</u>
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5. Amend Rule 16.5.8 Maximum Building Height, as follows:

<b>16.5.8</b>	<p><b>Maximum Building Height</b></p> <p>The maximum building height shall be:</p> <p>...</p> <p><u>16.5.8.3 Frankton North</u></p> <p style="padding-left: 40px;"><u>a. For the land located north of the National Grid Yard:</u></p> <p style="padding-left: 80px;"><u>i. 5.5 m</u></p> <p style="padding-left: 80px;"><u>ii. 12 m</u></p> <p style="padding-left: 40px;"><u>b. Any other part of the Zone 12m</u></p> <p>Discretion is restricted to:</p> <p><u>Queenstown:</u></p> <ul style="list-style-type: none"> <li>• the design and quality of the building, including the use of articulated facades, active street frontages and the treatment of corner sites;</li> </ul>	<b>NC</b>
		<b>RD</b>
		<b>NC</b>
		<b>NC</b>

	<ul style="list-style-type: none"> <li>• modulated roof forms, including screening of plant and services</li> <li>• material use and quality;</li> <li>• the avoidance of large monolithic buildings;</li> <li>• the impact on the street scene;</li> <li>• privacy and outlook for residential uses</li> <li>• sunlight access to adjoining residential zoned land and/or public</li> <li>• space;</li> <li>• Crime Prevention Through Environmental Design (CPTED) considerations;</li> <li>• where appropriate, the integration of Horne Creek into the development and landscaping; and</li> <li>• facilitation of the provision of residential activities</li> </ul> <p>Frankton North:</p> <p>Treatment of the interface with the rural zone through Rule 16.5.11.1.1.</p>	
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6. Insert a new Rule 16.5.11, as follows:

<u>16.5.11</u>	<p><b><u>Frankton North</u></b></p> <p><b><u>16.5.11.1 Buildings</u></b></p> <p><u>Matters of Discretion:</u></p> <p><u>In addition to the matters of discretion provided for within Rule 16.4.2 (above):</u></p> <p><u>Management of the transition between the BMU Zone and the rural zone</u></p> <p><u>Assessment Matters:</u></p> <p>i. <u>Management of the transition of that part of the zone between the National Grid Corridor and the Rural Zone through an appropriate design response that maintains visual connections to the surrounding outstanding natural landscape by providing:</u></p> <ul style="list-style-type: none"> <li>• <u>Greater proportions of open space between buildings; and</u></li> <li>• <u>Lower building heights</u></li> </ul> <p><b><u>16.5.11.2 Acoustic Insulation and Mechanical Ventilation</u></b></p> <p><u>All residential buildings, or buildings containing activity sensitive to road noise located within 80 m of State Highway 6 between</u></p>	<u>RD</u>
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	<p><u>(between Hansen Road and the Shotover River) shall be designed to meet internal sound levels of AS/NZ 2107:2000.</u></p> <p><u>Compliance with this rule can be demonstrated by submitting a certificate to Council from a person suitably qualified in acoustics stating that the proposed construction will achieve the internal design sound level</u></p> <p><b><u>16.5.11.3 Vehicle Access onto State Highway 6</u></b></p> <p><u>Development shall:</u></p> <p>(i) <u>Ensure that there is no new direct vehicular access from the zone to State Highway 6.</u></p> <p>(ii) <u>Not generate more than a total of 1,430 vehicle movements (two-way) using the State Highway 6 / Hawthorne Drive roundabout during in the evening weekday peak hour.</u></p> <p>(iii) <u>Not generate more than 55 vehicle movements (two-way) per hectare of land using the State Highway 6 / Hawthorne Drive roundabout during the evening peak hour (calculated in proportion to and on the basis of the gross area of land being developed).</u></p> <p>(iv) <u>Compliance with (ii) and (iii) above will be assessed and determined in accordance with the 50 Percentile Peak Hour Trips traffic generation rates set out in Table C.1 of the New Zealand Transport Agency Research Report 453 – Trips and Parking Related to Land Use*, when resource consent is sought for any activity (other than a residential activity at a density no greater than 40 residential units per hectare which is deemed to comply with (ii) and (iii) above).</u></p> <p>(v) <u>If part of the zone is developed, not adversely affect the ability of any other part of the zone to be developed without requiring consent under this rule.</u></p> <p><u>* Document incorporated by reference: Douglass, M and S Abley (2011) “Trips and parking related to land use. NZ Transport Agency Research Report 453”, Webpage:</u> <u><a href="http://www.nzta.govt.nz/assets/resources/research/reports/453/docs/453.pdf">http://www.nzta.govt.nz/assets/resources/research/reports/453/docs/453.pdf</a></u></p> <p><u>Discretion is restricted to:</u></p> <ul style="list-style-type: none"> <li><u>Potential traffic effects on and arising from the State</u></li> </ul>	<p><u>NC</u></p> <p><u>NC</u></p> <p><u>RD</u></p> <p><u>RD</u></p> <p><u>RD</u></p> <p><u>RD</u></p> <p><u>RD</u></p>
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	<p><u>Highway / Hawthorne Drive roundabout (including outcomes of consultation with the New Zealand Transport Agency (NZTA):</u></p> <ul style="list-style-type: none"> <li>• <u>The potential concentration of traffic generation undermining the development potential elsewhere in the Zone.</u></li> </ul> <p><b><u>16.5.11.4 Landscaping</u></b></p> <p><u>Any development shall include landscaping which provides a planting buffer fronting State Highway 6 as follows:</u></p> <p>a. <u>A density of two plants per square metre located within 4m of the State Highway 6 road boundary selected from the following species:</u></p> <ul style="list-style-type: none"> <li>- <u>Ribbonwood (Plagianthus regius)</u></li> <li>- <u>Corokia cotoneaster</u></li> <li>- <u>Pittosporum tenuifolium</u></li> <li>- <u>Grisilinea</u></li> <li>- <u>Coprosma propinqua</u></li> <li>- <u>Olearia dartonii</u></li> </ul> <p><u>Once planted these plants are to be maintained in perpetuity.</u></p> <p><u>Matters of discretion:</u></p> <ul style="list-style-type: none"> <li>- <u>Mitigation of the visual impacts of building when viewed from State Highway 6, Frankton.</u></li> </ul> <p><b><u>16.5.11.5 Boundary Setback</u></b></p> <p><u>The minimum setback of buildings from the boundary with State Highway 6, located on land which is at the same level (vertically) as the State Highway carriageway, shall be 20m.</u></p> <p><u>Discretion is restricted to:</u></p> <ul style="list-style-type: none"> <li>- <u>Visual impacts of building when viewed from State Highway 6.</u></li> </ul> <p><b><u>16.5.11.6 Structure Plan</u></b></p> <p><u>Internal road access shall be provided in accordance with the</u></p>	<p><u>RD</u></p> <p><u>RD</u></p> <p><u>RD</u></p>
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	<p><u>Structure Plan in Rule 16.7 as follows:</u></p> <p>a. <u>Road access into the zone from State Highway 6 shall be via the fourth (northern) leg of the Hawthorn Drive/State Highway 6 roundabout (Designation #370), unless otherwise approved by the NZ Transport Agency;</u></p> <p>b. <u>Subject to compliance with a. above, Required Primary Road Access shall be provided as shown on the Structure Plan except that the exact location of such roading may vary by up to 50 metres.</u></p>	<p><u>RD</u></p>
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7. Insert a new Heading for '**16.7 Frankton North - Structure Plan**' and include the Structure Plan for the Frankton North Business Mixed Use Zone (attached).

## Chapter 8 – Medium Density Residential Zone

The following changes to Chapter 8 are as a consequence of the rezoning of the MDR land on the northern side of State Highway 6 at Frankton to BMU, and the subsequent addition of an objective, policies and rules to that Chapter relating to this area.

1. Delete Objective 8.2.8 and associated Policies 8.2.8.1 to 8.2.8.7 (inclusive).
2. Delete Objective 8.2.10 and associated Policies 8.2.10.1 and 8.2.10.2
3. Delete from Rule 8.4.11 Residential Unit, the matters of discretion relating to the land fronting State Highway 6 between Hansen Road and the Shotover River.
4. Delete Rule 8.5.2 Sound Insulation and mechanical Ventilation
5. Delete Rule 8.5.3 Development on land fronting State Highway 6 between Hansen Road and Ferry Hill Drive

## Chapter 27 – Subdivision

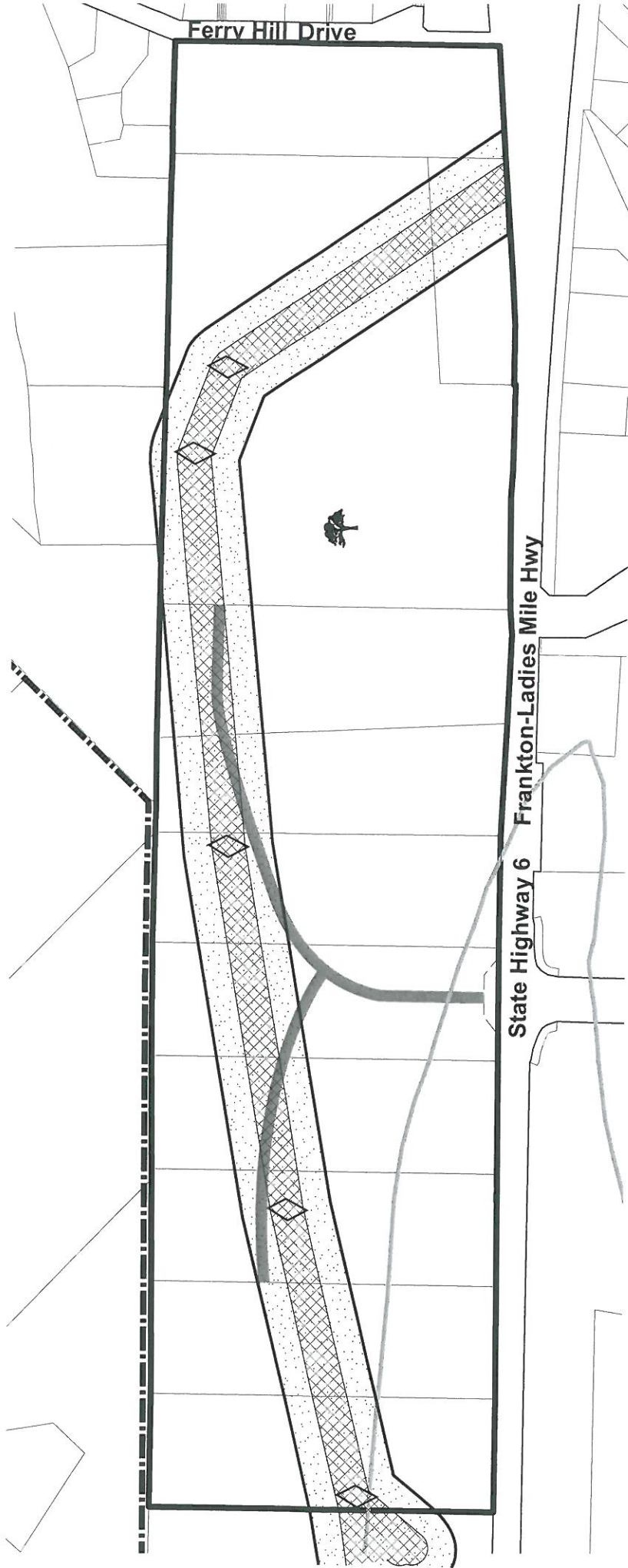
1. Insert a new Rule 27.7.13 (QLDC Right of Reply version dated 26 August 2016), as follows:

<u>27.7.13</u>	<b><u>Frankton North BMUZ</u></b>	
<u>27.7.13.1</u>	<u>Subdivision within the Frankton North BMUZ.</u> <u>Control is limited to:</u> <ul style="list-style-type: none"><li>• <u>The matters of control listed under Rule 27.7.1;</u></li><li>• <u>Provision of Required Primary Road Access as shown on the Frankton North BMUZ Structure Plan, except that the exact location of such roading may vary by up to 50 metres;</u></li><li>• <u>The design and layout of vehicle access to provide connections to any adjoining roads or land needing access to enable future subdivision.</u></li></ul>	<u>C</u>










**Appendix C**  
**Frankton North Structure Plan**

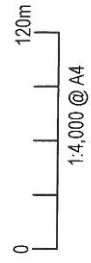
# Frankton North Business Mixed Use Zone Structure Plan

August 2017



## Key

-  Activity Area
-  Designation #370
-  Queenstown Airport Outer Control Boundary
-  Urban Growth Boundary
-  Protected Tree #203
-  Required Primary Road Access
-  National Grid Yard
-  National Grid Subdivision Corridor
-  Pylon





## Appendix D

### **[Alternate wording for Rule 16.5.11.3 (iv) inserting trip rates from NZTA]**

1. Insert new Rule 16.5.11.3 (iv) Vehicle Access onto State Highway 6 at Frankton, as follows:

(iv) Compliance with (ii) and (iii) above will be assessed and determined in accordance with the traffic generation rates set out in the following Table, when resource consent is sought for any activity (other than a residential activity at a density no greater than 40 residential units per hectare which is deemed to comply with (ii) and (iii) above).

**Table - Traffic Generation Rates**

LAND USE CATEGORIES		Units per...	Peak Hour Trips
1.ASSEMBLY	1.1 Church	Congregation	1.0
2. COMMERCIAL	2.1 Office	100m'GFA	1.6
3.EDUCATION	3.1 Preschool	Pupil	1.1
	3.2 Primary	Pupil	0.6
	3.3 Secondary	Pupil	0.1
	3.4 Tertiary	Pupil	0.2
100m' GFA		1.1	
4. INDUSTRY	4.1 Warehousing	100m'GFA	0.9
	4.2 Contractor	100m' GFA	2.8
	4.4 Manufacture	100m' GFA	1.4
5. MEDICAL	5.1 Centre	Professional	9.9
	5.2.1Hospital (Small)	Bed	1.8
7. RESIDENTIAL and VISITOR ACCOMMODATION	7.1 Inner City (Multi Unit)	Unit	0.3
	7.2.1 Dwelling (Inner Suburban)	Unit	1.1
	7.4.1Retirement Home	Bed	0.3
	7.6 Motel	Occ. unit	0.8
	7.7 Hotel	Room	0.8
8. RETAIL	8.1 Shop	100m'GFA	26.2
	8.2.1Shopping Centre (Small)	100m' GFA	14.6
	8.2.1Shopping Centre (Medium)	100m' GFA	12.2
	8.2.1Shopping Centre (Large)	100m' GFA	7.1
	8.2.1Shopping Centre (CBDI)	100m' GFA	6.6
	8.3 Garden Centre	100m'GFA	14.1
	8.4 Discount	100m'GFA	11.2
	8.5 Supermarket	100m'GFA	15.8
	8.6 Bulk	100m'GFA	4.0
	8.7 Restaurant	Seat	0.6
	8.8 Fast Food	100m'GFA	36
	8.9 Bar	100m'GFA	10.3
8.10 Market	100m'GFA	1.8	
8.11 Produce	100m' GFA	58.6	

**Appendix E**

**Copy Table C.1 of NZTA Research Report 453**

Table C.1 New Zealand trip generation and parking demand

LAND USE CATEGORIES		No. of Sites Surveyed			Survey Results by Percentile																	
		Parking	Peak Hour Trips	Daily Trips	15%			50%			85%											
					Parking Demand	Peak Hour Trips	Daily Trips	Parking Demand	Peak Hour Trips	Daily Trips	Parking Demand	Peak Hour Trips	Daily Trips									
				Units per...																		
1. ASSEMBLY	1.1 Church	6	3	0	0.4	0.9	-	0.4	1.0	-	0.4	1.1	-	0.4	1.1	-	0.4	1.1	-			
2. COMMERCIAL	2.1 Office	6	12	4	2.4	0.9	13.5	2.4	1.6	19.6	2.7	3.2	2.5	2.7	3.2	2.5	2.7	3.2	2.5			
3. EDUCATION	3.1 Preschool	25	26	6	0.1	0.7	3.3	0.2	1.1	3.7	0.2	0.3	1.4	0.2	0.3	1.4	0.2	0.3	1.4			
	3.2 Primary	4	6	3	0.1	0.4	1.3	0.2	0.6	1.4	0.2	0.3	0.7	0.2	0.3	0.7	0.2	0.3	0.7			
	3.3 Secondary	5	2	2	0	0.1	0.3	0	0.1	0.3	0.1	0.1	0.1	0.1	0.1	0.1	0.1	0.1	0.1			
	3.4 Tertiary	6	4	2	0.1	0.1	0.8	0.3	0.2	1.1	0.3	0.3	0.2	0.2	0.3	0.2	0.2	0.3	0.2			
4. INDUSTRY	4.1 Warehousing	3	2	2	0.9	0.5	3.4	2.7	1.1	7.3	4.4	1.7	11.3	2.7	1.1	7.3	4.4	1.7	11.3			
	4.2 Contractor	13	21	2	0.3	0.2	1.9	0.9	0.9	2.1	1.7	1.0	2.4	0.9	0.9	2.1	1.7	1.0	2.4			
	4.4 Manufacture	7	7	0	0.8	0.4	-	2.8	2.8	-	5.1	6.2	-	2.8	2.8	-	5.1	6.2	-			
	4.4 Manufacture	17	18	6	0.4	0.5	7.6	1.1	1.4	17	2.0	2.7	30.0	1.1	1.4	17	2.0	2.7	30.0			
5. MEDICAL	5.1 Centre	1	4	5	1.5	8.0	38.5	1.5	9.9	59.8	1.5	11.6	79.4	1.5	9.9	59.8	1.5	11.6	79.4			
	5.2.1 Hospital (Small)	5	3	1	0.8	0.7	-	1.6	1.8	-	2.3	3.0	13.5	0.8	0.7	-	1.6	1.8	-			
	5.2.1 Hospital (Large)	4	1	1	0.9	-	-	1.5	-	-	2.1	-	3.1	0.9	-	-	2.1	-	3.1			
	5.1 Stadium	6	0	0	0.2	-	-	0.2	-	-	0.2	-	-	0.2	-	-	0.2	-	-			
6. RECREATION	6.1 Stadium	1	2	0	-	0.2	-	-	0.3	-	-	-	-	-	0.3	-	-	-	-			
	7.1 Inner City (Multi Unit)	0	14	38	-	0.9	7.8	-	1.1	9.5	-	1.2	10.9	-	1.1	9.5	-	1.2	10.9			
	7.2.1 Dwelling (Inner Suburban)	0	1	6	-	5.4	-	-	6.9	-	-	0.9	8.2	-	6.9	-	-	0.9	8.2			
	7.2.2 Dwelling (Outer Suburban)	0	4	4	-	0.9	6.9	-	1.1	8.5	-	1.4	10.1	-	1.1	8.5	-	1.4	10.1			
	7.3 Dwelling (Rural)	5	4	4	0.3	0.2	1.9	0.3	0.3	2.1	0.4	0.4	2.4	0.3	0.3	2.1	0.4	0.4	2.4			
	7.4.1 Retirement Home	4	1	1	0.8	-	-	0.9	-	-	-	1.0	0.3	2.6	-	-	-	1.0	0.3	2.6		
	7.4.2 Retirement Units	5	1	1	0.2	-	-	0.3	-	-	-	0.4	0.5	2.5	-	-	-	0.4	0.5	2.5		
7.5 Hostel	17	21	17	0.4	0.3	0.6	0.9	0.8	1.7	1.4	1.4	3.0	0.4	0.3	0.6	0.9	0.8	1.7	1.4			
7.6 Motel	4	3	3	0.6	0.4	3.2	1.2	0.8	4.8	1.8	1.2	6.4	1.2	0.8	4.8	1.8	1.2	6.4				
7.7 Hotel	9	11	6	1.7	10.4	47.0	4.3	26.2	93.4	9.5	42.5	129	4.3	26.2	93.4	9.5	42.5	129				
8. RETAIL	8.1 Shop	79	54	13	1.7	9.5	33.9	3.6	14.6	92.0	5.0	18.9	141	3.6	14.6	92.0	5.0	18.9	141			
	8.2.1 Shopping Centre (Small)	39	23	5	2.0	9.0	53.5	3.3	12.2	77.3	4.9	17.2	101	2.0	9.0	53.5	3.3	12.2	77.3			
	8.2.1 Shopping Centre (Medium)	40	19	3	1.5	3.8	43.0	2.7	7.1	62.4	3.7	9.9	83.7	1.5	3.8	43.0	2.7	7.1	62.4			
	8.2.1 Shopping Centre (Large)	8	2	1	1.0	4.8	-	1.7	6.6	-	2.9	8.5	56.9	1.0	4.8	-	1.7	6.6	-	2.9	8.5	
	8.2.1 Shopping Centre (CBD)	4	7	7	0.5	1.9	12.2	3.1	14.1	82.2	6.1	27.8	147	0.5	1.9	12.2	3.1	14.1	82.2			
	8.3 Garden Centre	6	6	1	3.2	4.5	-	5.2	11.2	-	6.5	15.3	100	3.2	4.5	-	5.2	11.2	-	6.5	15.3	
	8.4 Discount	12	11	3	3.0	13.5	73.6	4.2	15.8	102	5.3	17.9	129	3.0	13.5	73.6	4.2	15.8	102	5.3	17.9	
	8.5 Supermarket	17	20	7	0.8	1.0	13.5	1.6	4.0	28.4	2.2	5.6	44.8	0.8	1.0	13.5	1.6	4.0	28.4	2.2	5.6	44.8
	8.6 Bulk	7	9	5	0.2	0.2	1.3	0.5	0.6	3.7	0.6	0.5	6.1	0.2	0.2	1.3	0.5	0.6	3.7	0.6	0.5	6.1
	8.7 Restaurant	5	5	4	4.5	15.9	169	8.0	36	266	10.8	52.2	362	4.5	15.9	169	8.0	36	266	10.8	52.2	362
	8.8 Fast Food	19	10	3	5.9	4.1	35.2	8.0	10.3	63.5	10.9	15.6	92.1	5.9	4.1	35.2	8.0	10.3	63.5	10.9	15.6	92.1
	8.9 Bar	3	11	4	6.6	36.2	209	7.9	65.1	449	9.1	100.9	718	6.6	36.2	209	7.9	65.1	449	9.1	100.9	718
8.10 Service Station	3	2	3	1.6	1.2	10.6	2.4	1.8	16.6	3.3	2.4	22.4	1.6	1.2	10.6	2.4	1.8	16.6	3.3	2.4	22.4	
8.11 Market	3	2	2	5.9	48.3	439	6.3	58.6	463	6.7	68.8	487	5.9	48.3	439	6.3	58.6	463	6.7	68.8	487	
8.12 Produce	3	2	2	5.9	48.3	439	6.3	58.6	463	6.7	68.8	487	5.9	48.3	439	6.3	58.6	463	6.7	68.8	487	