

**BEFORE THE INDEPENDENT HEARING PANEL  
FOR THE QUEENSTOWN LAKES PROPOSED DISTRICT PLAN**

**Under the** Resource Management Act 1991  
**In the matter** of the Urban Intensification Variation to the proposed  
Queenstown Lakes District Plan

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**STATEMENT OF EVIDENCE OF CAMERON WALLACE  
ON BEHALF OF QUEENSTOWN LAKES DISTRICT COUNCIL**

**URBAN DESIGN**

**6 June 2025**

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**1. PROFESSIONAL DETAILS**

**1.1** My full name is Cameron Wallace.

**1.2** I am a Partner and Urban Designer at Barker & Associates (B&A). I hold a Master of Urban Design (1st Class Honours) and a Bachelor of Planning (1st Class Honours) from the University of Auckland. I have been a Full Member of the New Zealand Planning Institute since 2014 and am a Member of the Urban Design Forum Aotearoa.

**1.3** I have 16 years' professional experience working in urban design and urban planning, gained in both the public and private sector, in the United Kingdom and New Zealand. Since 2018, I have been employed as an urban designer at B&A. In my current role, I regularly assist local authorities and government departments with policy and district plan development in relation to growth management and urban design matters. This has included leading urban design input into the development of other intensification related plan changes designed to give effect to the National Policy Statement on Urban Development 2020 (NPSUD) for other Tier 2 authorities including Rotorua Lakes Council and Nelson City Council.

**1.4** I also provide up-front urban design input into a wide range of development schemes for private clients and Auckland Council, including multi-unit residential buildings in both greenfield and brownfield environments as well as more traditional greenfield subdivisions across New Zealand. This includes recent experience in Queenstown, undertaking master planning work to inform future development within the Te Pūtahi - Ladies Mile Plan change area.

**1.5** Of particular relevance to the matters that will be covered in my evidence, I have provided urban design advice and evidence for a number of policy and development projects including:

- a. Plan Change 9 – Rotorua District Plan, specifically acting as lead urban designer advising Council on implementation of the Medium Density Residential Standards, development of a complimentary High Density Residential Zone and development of non-statutory urban design guidelines to give effect to the NPSUD;
- b. Plan Change 29 – Nelson Resource Management Plan, specifically acting as lead urban designer advising Council on the introduction of new medium

and high-density residential zones and changes to commercial zones to give effect to the NPSUD;

- c. Te Pūtahi - Ladies Mile Variation – Queenstown Lakes PDP, specifically provision of urban design advice and evidence for submitters in relation to the proposed provisions of the Medium Density and High-Density Residential Zones;
- d. Intensification Plan Changes, specifically provision of urban design advice and evidence for a range of private and public sector clients to various intensification plan changes including Selwyn District, Waipa District, Waikato District, Hamilton City, Auckland City and Wellington City; and
- e. Urban design advice assessment, specifically provision of urban design advice and assessment for numerous residential, commercial, and mixed-use schemes across New Zealand. This includes residential intensification and town centre development projects in a number of smaller regional cities and towns including Whangārei, Hamilton, Gisborne, Napier, Havelock North, Palmerston North, Nelson, and Queenstown.

**1.6** I have been engaged by the Queenstown Lakes District Council (**QLDC** or **Council**) to provide urban design evidence in relation to the hearing of submissions on the Urban Intensification Variation (**UIV**) to the Queenstown Lakes Proposed District Plan (**PDP**). I authored the “Method Statement – Accessibility and Demand Analysis” dated May 2023 (Accessibility and Demand Analysis) that was included as Appendix 3 of the s32 Report of the UIV as well as the “District Plan Urban Design Review – NPSUD Implementation” report dated May 2023 (**Urban Design Review**) which was included as Appendix 4 of the s32 Report of the UIV.

**1.7** Although this is a Council hearing, I confirm that I have read the Code of Conduct for Expert Witness contained in the Environment Court Practice Note 2023 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.

- 1.8** The key documents I have used, or referred to, in forming my view while preparing this evidence are:
- a. Section 32 evaluation for Implementing Policy 5 of the National Policy Statement on Urban Development dated August 2023 (**S32**);
  - b. The Accessibility and Demand Analysis and Urban Design Review attached to the s32 Report for the UIV as Appendices 3 and 4;
  - c. Queenstown Lakes Proposed District Plan Stage 1 & 2 Decision Version dated May 2018 and April 2021 (**PDP**);
  - d. S42A Reports and Council's expert evidence for Stream 6 (Residential Zones) and Stream 8 (Business Zones) of the PDP review;
  - e. Understanding and implementing intensification provisions for the National Policy Statement on Urban Development, prepared by the Ministry for the Environment and dated September 2020; and
  - f. Submissions and Further Submissions on the UIV of relevance to the spatial extent of zones and urban design matters.

**1.9** I do not attach to this evidence the Accessibility and Demand Analysis and Urban Design Review reports, as they are already attached as Appendix 3 and Appendix 4 to the s32 Report. However, I emphasise that I authored them, and they form the basis of my evidence and professional opinion. For brevity I do not seek to repeat their content in full but have made clear where I have made recommendations, in response to submission, that differ from the recommendations I made in each report. I have included a summary of each report, in Sections 4 and 5 of my evidence.

## **2. EXECUTIVE SUMMARY**

- 2.1** The key conclusions of my evidence are:
- a. I consider that the general thrust of the notified UIV remains appropriate in urban design terms;
  - b. Many of the potential amenity effects often associated with more intensive development sought to be enabled through the UIV (whether real or perceived) and identified by some submitters are unlikely to be uniformly felt or considered relevant by all existing and future residents or visitors. There will be a high degree of variation based on individual circumstances

related to one's socio-economic status, culture, age, and household composition. In this regard, someone may be more than happy to make a trade-off of a smaller, cheaper residential unit to free up capital for recreational pursuits. Alternatively, someone may prefer the convenience of a smaller dwelling with a short commute, to a larger dwelling with a long commute. In my opinion, the planning framework needs to accommodate a range of different household types and preferences;

- c. Having considered the submissions received on the UIV relevant to my evidence, I do consider that there would be some benefit in minor amendments to the spatial extent of the Medium Density Residential (**MDRZ**), High Density Residential (**HDRZ**) and Business Mixed-Use (**BMUZ**) Zones. This includes both extensions and reductions in places;
- d. A large number of submissions were received seeking “downzoning” or a reduction in height limits over broad areas (e.g. around Wānaka and Queenstown Town Centres). These requests were typically in areas which I consider to be the most accessible locations within the District and with proximate access to a wide range of services and destinations that are important for day-to-day living, have higher land values (per m<sup>2</sup>) reflecting greater levels of demand, and may better support greater levels of walking, cycling and public transport usage (supporting reductions in GHG emissions). In this regard, I consider intensification of these areas would provide for positive urban design outcomes and would be consistent with the policy direction established by the NPS-UD.
- e. When seeking to implement the NPSUD, I am of the opinion that the planning framework as it applies to urban design matters should provide sufficient design flexibility to respond to individual site circumstances while minimising overly onerous development standards to provide design flexibility and better enable a range of housing choices to emerge;
- f. Having considered the submissions received on the UIV, I consider that a number of amendments to some of the key bulk and location standards of the HDRZ, Local Shopping Centre (**LSCZ**), Queenstown Town Centre (**QTCZ**) and Wānaka Town Centre (**WTCZ**) Zones would be appropriate in urban design terms. This includes:

- i. Provision for increased heights via a restricted discretionary activity status in the HDRZ;
  - ii. Relatively small increases in height in some of the LSCZ and parts of the QTCZ and WTCZ;
  - iii. Amendments to the Building Setback at Upper Floors within the QTCZ;
- g. The development standards proposed (e.g. recession planes and building setbacks) assist in responding to submitters concerns around more intensive building forms (especially in the MDRZ and HDRZ) whilst not unduly limiting the potential for more intensive building forms to occur; and
- h. Ultimately, I consider that the the development standards that apply to a particular zone should not seek to entrench particular amenity preferences from some sections of the community. Rather, the urban design and amenity effects of more intensive development envisioned by the notified UIV is in my view best managed by a combination of consistent development standards which establish a broad building envelope, with matters of detail to be assessed by way of design review. This process will help address actual or potential adverse urban design effects associated with development whilst enabling the benefits of intensification to be better realised across the District.

### **3. INTRODUCTION AND SCOPE OF EVIDENCE**

**3.1** The UIV is QLDC's response to the NPSUD as a tier two council. It is intended to support a compact urban form through greater levels of residential and business intensification in existing zoned urban areas, to support a well-functioning urban environment.

**3.2** The UIV, as it relates to urban design matters, introduces a number of changes to the spatial extent and development standards associated with the LDSRZ, MDRZ, HDRZ, the QTCZ, WTCZ, LSCZ and BMUZ. These changes included amendments to a number of development standards related to both the density of development as well as the bulk and scale of buildings. This included various changes to permitted height limits, sunlight admission standards, building setbacks and on-site amenity

standards to better enable the development of more intensive building typologies including terraced houses, walk-up apartments and mid-rise apartments.

**3.3** In this statement of evidence, I address matters related to the Accessibility and Demand Analysis which was used by Council to inform the spatial extent of various residential and business zones, as well as urban design issues related to development standards which impact on the bulk and scale of buildings (and their associated impacts) within those zones.

**3.4** Specifically, my evidence covers:

- a. A summary of the Accessibility and Demand Analysis which informed the UIV;
- b. A summary of the Urban Design Report which informed the UIV;
- c. Analysis of submissions relating to key bulk and scale standards within the LDSRZ, MDRZ, HDRZ, QTCZ, WTCZ, LSCZ and BMUZ;
- d. Analysis of submissions relating to the spatial application of the LDSRZ, MDRZ, HDRZ and BMUZ (including rezoning requests). This includes undertaking an additional sensitivity test of the Accessibility and Demand Analysis relating to existing and planned public transport services in response to submissions from the New Zealand Transport Agency (**NZTA**) and Ministry of Housing and Urban Development (**MHUD**); and
- e. A summary of the approach to additional modelling and design testing for provisions related to development in Arrowtown.

#### **4. DEMAND AND ACCESSIBILITY ANALYSIS**

**4.1** The extent of various zones that are proposed to be varied through the UIV (and associated controls relating to the height and density of development) was informed, in part, by an Accessibility and Demand Analysis I undertook on behalf of the Council. A methodology statement setting out the process I undertook and inputs into this analysis was included as part of the s32 report supporting the notified UIV.<sup>1</sup> I rely on that methodology for the purposes of this evidence, but do step through some of the key aspects of it. In its most simplified form, the process identified those areas with the greatest level of accessibility and / or demand and

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1 Appendix 3 of the Section 32 Report

sought to apply more intensive zonings in these locations in line with the intent of Policy 5 of the NPSUD.

**4.2** In order to demonstrate compliance with Policy 5 of the NPSUD, it was first necessary to determine the ‘level of accessibility’ for any given area across urban environments within the District and how this might translate to heights and density of urban form. Establishing a ‘level of accessibility’ invariably requires an analysis of how areas perform relative to one another. It is my understanding of Policy 5 of the NPSUD that it directs that where the level of accessibility increases, the density and height of urban form should also increase. I do not consider that Policy 5 requires the Council to increase density or height in a uniform way just because an area is serviced by public transport. This is because density and height is to be enabled that is commensurate with the level of accessibility. Similarly, where demand is high, relative to other areas, the density and height of urban form should also increase.

**4.3** The NPSUD policy framework, including Policy 1(c), and supporting guidance prepared by the Ministry for the Environment (MfE),<sup>2</sup> provides an outline of the destinations which need to be considered when seeking to establish a ‘level of accessibility’. This includes jobs, commercial services, community services, natural spaces, and open spaces. While I acknowledge the MfE guidance has no statutory weight in the UIV process, I consider this broad approach to accessibility analysis identified by MfE is a useful reference document that is aligned to common methods of accessibility analysis undertaken in overseas jurisdictions. It is also well aligned to other well-established strategies such as the New Zealand Urban Design Protocol (e.g. the principles of choice and connections). In light of this direction, physical proximity to the following were considered:

- a. Town Centre Zones;
- b. Local Shopping Centre Zones;
- c. Employment Nodes (derived from 2018 Census data);
- d. Shopping Malls;
- e. Primary, Intermediate, and Secondary Schools;

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<sup>2</sup> Understanding and implementing intensification provisions for the National Policy Statement on Urban Development, September 2020  
<https://environment.govt.nz/assets/Publications/Files/Understanding-and-implementing-intensification-provisions-for-NPS-UD.pdf>

- f. Tertiary Education Providers;
- g. Early Childhood Education Centres;
- h. Full-service supermarkets (e.g. Woolworths) and smaller supermarkets (e.g. 4Square);
- i. Major Open Spaces (e.g. sportsfields) and general recreational open spaces;
- j. Community and Religious Facilities;
- k. Medical Centres, Pharmacies and Lakes District Hospital;
- l. Public Transport Services (Bus and Ferry); and
- m. Segregated Cycling Routes.

**4.4** In addition to consideration of physical proximity (reflected through walking catchments), weightings were applied to the catchments of individual destinations to reflect the services they provide or their importance for day-to-day living. For example, a town centre contains a greater concentration of diversity and services than a local shopping centre so was assigned a greater weighting. Where particular areas lie in close proximity<sup>3</sup> to a wide number of the destinations and services identified above, these areas were identified as having a higher level of accessibility.

**4.5** As set out in Section 5.1 of my methodology statement<sup>4</sup>, the NPS-UD policy framework does not explicitly exclude accessibility via private motor vehicles. Similar to consideration of accessibility only via public transport or cycling, the relatively compact nature of the main urban areas of Queenstown, Arrowtown and Wānaka means that a wide number of different commercial and community services are likely accessible within a short drive (less than 20 minutes in uncongested conditions) from most neighbourhoods. This is to say many neighbours could be considered to have a good level of accessibility to a range of commercial and community services via private motor vehicles.

**4.6** In contrast, my analysis has focussed on utilising walking catchments as one of the principal measures to determine the level of accessibility of an area. In my opinion this is appropriate as areas with good levels of accessibility via walking will

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3 As set out in the Method Statement - Accessibility and Demand Analysis - Table 1, pg.9  
 4 Pg. 5

invariably have good levels of accessibility by driving (i.e. a 2-minute drive is more convenient than a 15-minute drive). In this regard the areas I have identified as having higher levels of accessibility will also offer a greater choice in the mode of travel allowing residents or visitors to utilise the mode most convenient for them and their purpose for travel. Further, as NPS-UD objectives and policies also seek to support a reduction in greenhouse gas emissions, of which private transport is a major contributing factor in the District,<sup>5</sup> detailed consideration of accessibility via private motor vehicle as a means of informing where greater levels of intensification should be promoted is not considered necessary or appropriate.

- 4.7** In terms of demand, the same guidance prepared by MfE to support the implementation of the NPSUD recommends using land values (relative to other areas across an urban environment) and a land value-to-capital value (LV2CV) ratio as indicators of demand.<sup>6</sup> I consider this to be an appropriate approach because land values help to provide an indication of where, without budget constraints, people would prefer to be. Further, these can be identified through a consistent, quantitative method (derived from the QLDC ratings database) that applies across the District allowing a comparison of a specific area *relative* to another.
- 4.8** In addition, MfE identifies a number of features which could indicate the potential for greater demand for housing in a particular location such as proximity to key services or centres. These matters were captured as part of the Accessibility and Demand Analysis and were combined with land value data using a bivariate analysis run through GIS software to understand relative demand for housing and commercial uses in any given location across existing urban areas.
- 4.9** The analysis summarised above and as set out in full in the Accessibility and Demand Analysis resulted in a recommendation to increase the extent of the HDRZ around the QTC and to increase the extent of the MDRZ along Frankton Road, the WTC and the area west of Remarkables Park. In addition to the changes to the extent of these zones, a number of changes were also recommended to various development controls that had the effect of increasing the height and density of

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5 Otago Region Greenhouse Gas Profile 2021 - [https://www.orc.govt.nz/media/10129/otago-region-ghg-profile-report\\_v4.pdf](https://www.orc.govt.nz/media/10129/otago-region-ghg-profile-report_v4.pdf), pg. 17

6 Understanding and implementing intensification provisions for the National Policy Statement on Urban Development, September 2020, pg. 38.

development enabled in these zones. Key changes included relaxation of height, recession plane and outlook controls, and removal of density controls. Several existing controls were retained (e.g. maximum building length) while other controls were also proposed to help mitigate the impact of more intensive development in a manner which responded to the local context (e.g. upper-level building setbacks to help maintain views and privacy).

## **5. URBAN DESIGN REPORT**

**5.1** The extent of changes to provisions across the various zones captured by the UIV was also informed, in part, by an Urban Design Report I prepared on behalf of the Council. This was included as Appendix 4 the s32 report supporting the notified UIV. I continue to rely on the analysis and recommendations contained within the Report methodology for the purposes of this evidence unless stated otherwise, but do step through some of the key aspects of it.

**5.2** In general, my report considered that the general approach to zoning established by the PDP was appropriate. However, various business and residential zones would benefit from several amendments to make them more enabling of intensification opportunities with a greater focus on development standards more closely tailored to the typologies required to realise greater levels of intensification in existing urban areas.

**5.3** From an urban design perspective, I also identified a number of benefits associated with a more enabling framework for intensification of activities in and around centres, including:

- a. more efficient use of scarce urban zoned land;
- b. infrastructure efficiencies, for example a reduced need to extend reticulated water or transport networks, along for the potential redeployment of capital to support more intensive living environments (e.g. investments in open spaces);
- c. passenger transport becomes more viable in terms of reduced subsidies and more frequent services through increased patronage;
- d. public health benefits in terms of facilitating travel mode changes to active modes by enabling more people to live near key amenities and destinations, making walking or cycling viable modes of transport for everyday living;

- e. associated environmental (reduce carbon and particulate emissions) and economic benefits (reduced vehicle running costs) stemming from reduced reliance on cars and fewer car trips per household;
- f. increased housing choice to cater for a range of different households due to changing demographics;
- g. related to the above, opportunities for people to 'age in place' by changing household types as they transition through life-stages rather than having to move around a district or region based on the limited availability of different house types in any given location; and
- h. stronger local economies and business viability associated with increased population densities within particular market catchment areas.

## **6. DEFINITIONS**

**6.1** Several submissions<sup>7</sup> have sought for new and amended definitions to be included within the PDP which would impact on the interpretation and application of outlook space rules applying to the various zones. These definitions include:

- New: 'Principle Habitable Room' which is sought to be defined as "the Habitable Room within a residential unit or visitor accommodation unit with the largest floor area"; and
- 'Habitable Room' which is sought to be amended to "any room in a residential unit or visitor accommodation unit that exceeds 8m<sup>2</sup>, except for a garage, hallway, stairwell or laundry."

**6.2** I do not consider that the changes proposed by the submitters are necessary and note that the proposed definition of habitable room in the notified UIV is aligned with the Housing Improvement Regulations 1947 and the definition of a 'habitable space' under the Building Regulation 1992. Although I consider it to be a fairly common and well-understood term, the PDP could be improved by an amendment to the wording of a "Principal living room / space" to "Main Living Room" to align with the definition within the Residential Tenancies (Healthy Homes Standards) Regulations 2019. Both sets of regulations identified above are important considerations (in addition to the District Plan) when designing new housing and I

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7 For example, Submissions 763, 764, and 768.

consider it to be beneficial in aiding in interpretation and application of the various requirements that these matters are aligned.

- 6.3** I also do not consider that the definition of the Principle Habitable Room sought by submitters is appropriate or necessary based on the flow on impacts to the application of the various outlook space standards contained within the notified UIV. The size of the room is not the relevant factor for which outlook space should be tied, rather it is the type of use and typical periods of occupation that is the relevant consideration. In this regard, bedrooms are primarily occupied when their occupants are asleep and hence obtain a lower benefit from the outlook space. This contrasts with living spaces which are primarily occupied and used throughout daylight and early evening hours.

## **7. LOWER DENSITY SUBURBAN RESIDENTIAL ZONE**

- 7.1** The notified UIV proposed a number of relatively minor changes to the LDSRZ provisions. These included some rationalisation of height standards and amendments to density / additional dwelling standards on larger sites to better enable smaller-scale intensification across the existing urban area. Considering the LDSRZ is the most expansive residential zoning applied across urban areas of the District and the limited opportunity for future greenfield development across the District due to topography and the extent of outstanding natural landscapes and features, I consider it important that the LDSRZ provides for a more enabling framework to better enable some level of intensification to occur.
- 7.2** The notified UIV does not propose changes to the PDP provisions to further enable “residential flats”, and the PDP already has a relatively permissive framework in place whereby residential flats are enabled in the urban zones that enable residential units. By definition in PDP Chapter 2, residential flats are required to be ancillary to, and on the same site as, a residential unit, with a maximum floor area of 70m<sup>2</sup>. Residential flats are a permitted activity in the LDSRZ (pursuant to Rules 7.3.2.5, 7.4.3 and the bulk and location standards), and enable small-format housing in addition to the main residential unit on a site, so that maximum anticipate household densities (including residential flats) of up to 1 in 150m<sup>2</sup> are enabled.

**7.3** I note that a significant number of the submissions in opposition to the provisions of the LDSRZ relate to its application in Arrowtown. This is being addressed specifically in the evidence of Mr Richard Knott and the section 42A report of Ms Bowbyes. As such, all comments set out below in relation to the LDSRZ have not considered any impacts in relation to sites in Arrowtown. I also note that I have prepared some additional modelling work related to potential amendments to development standards applicable to Arrowtown to inform the assessments of Ms Bowbyes and Mr Knott. This is discussed further in Section 16 of my evidence.

### **Building Height**

**7.4** Many of the submissions<sup>8</sup> sought to retain the lower height limits for residential units, and even lower height limits for additional residential units in the LDSRZ that are currently permitted in the PDP. One of the main reasons expressed by submitters related to retention of sunlight access.

**7.5** No changes were proposed in the notified LDSRZ provisions to the recession planes on flat sites, and the UIV proposes to apply the existing recession planes to all building on sloping sites. In my opinion, these recession planes are quite restrictive and have the effect of pushing a second storey of development away from side and rear boundaries in order to maintain appropriate levels of sunlight for adjoining properties throughout the year and a reasonable degree of building separation based on the intended outcomes of the zone.

**7.6** I note that these standards will apply to additional dwellings on a site in the LDSRZ. Therefore, additional controls seeking to reduce overall building height are, in my opinion, unnecessary and restrict design flexibility and typology for no obvious urban design benefit.

### **Recession Planes**

**7.7** Several submissions were received on the proposed amendments to Rule 7.5.5. Some submissions<sup>9</sup> seek for the exemption relating to sloping sites to be retained while others<sup>10</sup> seek reconsideration of the standard to better take into account

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8 For example, Submissions 7, 10, 18, 91, 134, 146, 199, 240, 243, 352, 443, 446, 516, 596, and 691.

9 For example, Submissions 840, 889, 912, 1066,

10 For example, Submissions 7 and 856.

shading. On the other hand, a number of submitters have opposed any change to the current standards on sunlight and amenity grounds.

**7.8** I note that the PDP currently enables higher levels of shading on neighbouring site to be generated as of right from the development of sloping sites, as opposed to the notified UIV. This is because a specific exclusion under Rule 7.5.7(b) means that the recession plane currently only applies for accessory buildings.

**7.9** In my opinion, the simplification of the recession plane standards through the notified UIV is an appropriate balance with the increased height to primary and secondary buildings on sites within the LDSRZ that reflects the more suburban, lower density character of the zone. Three-dimensional modelling of the implications of the recession planes on sloping sites (16m in width) indicates that two storey development is still possible under the standards. There may be site specific situations depending on site orientation and significant elevation changes where this may be more challenging, however I would expect that similar patterns of development as to what currently exists to occur (large dwellings, excavated into a slope).

**7.10** In addition, Submission 1253 has sought that the recession planes apply from a height of 3.5m as opposed to the notified 2.5m. The practical result of the recommended changes would be to make it easier to construct a second storey closer to the site boundary within the LDSRZ. In my opinion such a change is unnecessary when considering the purpose and intent of the zone (including associated standards), where a less intensive and more suburban scale of development is anticipated.

**7.11** I therefore do not consider any changes to the recession plane standards are required.

### **Landscaped Permeable Surface**

**7.12** A small number of submission points<sup>11</sup> seek that the landscape permeable surface coverage requirements be reduced in the LDSRZ from 30% to 20%. The main rationale in those submissions is that it would be difficult to achieve compliance

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11 For example, Submissions 834, 836, 837, 839 and 840.

with the standard on smaller sites, when taking into account building coverage and parking areas. I note that these submissions do not seek a corresponding increase in building coverage or amendments to the proposed boundary setback standards. These are important to consider as the standards work together as a package. A test on two 300m<sup>2</sup> sites measuring 12x25m and 15x20m indicates that provision of a 2m boundary setback from all boundaries is equivalent to 44% and 41% of the total site area respectively. As such, compliance with the landscaped permeable surface standard would only require around 75% of the building setback to be utilised as landscaped permeable surfaces.

- 7.13** As such, I do not consider that the notified 30% requirement is particularly onerous whilst it will also provide opportunities for meaningful landscape planting to occur consistent with the suburban character of the LDSRZ. Accordingly, I do not consider that any changes to the landscaped permeable surface standard is necessary in urban design terms.

#### **Building Coverage**

- 7.14** Submission 1253 seeks that the permitted building coverage be increased from 40% to 50% to provide for better utilisation of land. Similarly, to my discussion on landscaped permeable surfaces I do not consider that the 40% standard is particularly onerous for a suburban environment and will help to maintain a more open and spacious character across the LDSRZ consistent with the purpose of the zone.

#### **Minimum Boundary Setbacks**

- 7.15** RCL Henley Downs Limited (Submitter 1253) has sought to reduce side and rear boundary setbacks to 1.5m and to include an additional exception of the minimum boundary setbacks from roads which apply under Rule 7.5.6 for corner sites which front two road boundaries. Specifically:

*iii. Building setbacks (excluding garages) on sites that adjoin two road frontages, where each frontage is more than 10m in length, shall include one setback of 3m, and the other road boundary setback may reduce to 2m. The 3m setback applies to any site that has frontage to an Arterial or Collector Road.*

**7.16** I do not consider that the amendments sought by the submitter are needed on urban design grounds given the purpose and intent of the LDSRZ and the desire to maintain a suburban character and amenity. The notified boundary setbacks standards help to reinforce the type of development anticipated, providing for more openness (and potentially landscaping) between buildings on adjacent sites. In my opinion, this helps to provide for an important differentiation with the more intensive MDRZ and HDRZ. As such I do not support any amendments to the minimum boundary setback standards as notified.

## **8. MEDIUM DENSITY RESIDENTIAL ZONE**

**8.1** As set out in Section 15 of my evidence below, a number of submissions were received seeking to extend or reduce the extent of the MDRZ as well as make the MDRZ less enabling due to concerns around amenity / character effects. There was no clear relief sought by submissions seeking to make the MDRZ more enabling than that proposed through the notified UIV.

**8.2** As with the LDSRZ, I note that a significant number of the submissions in opposition to the provisions of the MDRZ relate to its application in Arrowtown. Submissions specific to the Arrowtown MDRZ are being addressed specifically in the evidence of Mr Knott and Ms Bowbyes. As such, all comments set out below in relation to the MDRZ have not considered any impacts in relation to sites in Arrowtown.

**8.3** Key changes proposed to the MDRZ in the notified UIV include the removal of density controls, increases in permitted height limits and refinements to recession planes. New standards around outlook and minimum unit sizes are also proposed in the notified provisions. These changes are designed to enable the types of medium density typologies that are now well established across New Zealand.

**8.4** Various submitters<sup>12</sup> that raise concerns around “amenity effects” that could result from medium and high-density housing (including typologies in both the MDRZ and HDRZ) rely on a narrow interpretation of amenity that is focussed on some residential amenity values for existing residents (e.g. sunlight) whilst excluding other aspects of residential amenity values inconsistent with Objective 4 and Policy 6 of the NPSUD. I note that the NPSUD explicitly recognises that changes to existing

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12 For example, Submissions 55, 91, 314, 323, 393, 451, 520, 696, 797, and 934,

built form may detract from amenity values appreciated by some people and that these changes to urban built form are not, of themselves, an adverse effect.

- 8.5** This change does not mean that amenity values are downplayed or can be ignored, but rather the concept of “amenity values” can and should be expected to evolve. In this sense, the concept of amenity is not static and is much broader than issues around access to sunlight or personal aesthetic preferences around larger building forms. Amenity values also encompass a wider range of factors, including proximity / access to services and more affordable housing options. These factors need to be considered in terms of the wider population (including future generations) and an area’s spatial location within an urban environment.

### **Building Height**

- 8.6** With regard to the 11m (+1m) permitted heights notified for the MDRZ in Rule 8.5.1 of the UIV, this is consistent with the approach taken in a number of existing district plans across New Zealand,<sup>13</sup> and enables building typologies typically classed as “medium density housing”. I also note that this height is consistent with the Medium Density Residential Standards (MDRS) which sets out the basic bulk and scale controls which relate to medium density developments, albeit only mandated for Tier 1 local authorities.
- 8.7** The 11m height limit (+1m for gabled roof forms) comfortably enables the development of up to three-storeys with generous internal dimensions on a range of different sites. It also provides flexibility to allow for the accommodation of topographical change on a site without the need for extensive excavation works if desired. This is important for the larger floorplates of low-rise apartments and terraced housing developments that could be anticipated in the MDRZ. It also allows for varied and sloping roof profiles and generous internal floor-to-ceiling heights to enable higher levels of on-site amenity. A reduction in the proposed permitted building height would, in my opinion, unnecessarily reduce design flexibility and would undermine the delivery of common three-storey medium density typologies including narrower terraced houses and walk-up apartments. It

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13 For example: Whangarei District Plan, Rotorua District Plan, New Plymouth District Plan, Nelson Resource Management Plan (PC29), Waipa District Plan, Christchurch District Plan (PC14), Auckland Unitary Plan,

could also encourage a proliferation of flat roofs and lower height internal spaces to ensure compliance with a lower height which would unnecessarily result in poorer urban design outcomes in terms of the townscape and internal amenity for future residents.

**8.8** In my experience, narrow terrace and walk-up apartment typologies are important for attaining greater density of development and provide greater design flexibility that can help encourage a greater variety in house type and size to suit different household compositions. The ability to provide for these typologies will help to enable more people to live in the more accessible locations across the District. These types of housing are common in Tier 1 urban environments and are increasingly common in both Tier 2 and Tier 3 urban environments across New Zealand where intensification has been more broadly enabled (refer to Figure 2 for example). Inclusion of an 11m height standard (+1m allowance for gabled roof forms) (and other standards similar to the MDRS) will also have the benefit of enabling developers from outside the District to “roll-out” established products / typologies<sup>14</sup> from other regions more easily without the need for overly bespoke architectural solutions which have the potential to drive up cost.



**Figure 1 - Top left, three-storey walk-up in Palmerston North; Top right, three-storey walk-up in New Plymouth; Bottom left, three-storey walk-up in Gisborne; Bottom right, three-storey terrace in Dunedin.**

14 See for example the “Newton” typology from Auckland-based housebuilder, Ashcroft Homes (<https://ashcrofthomes.co.nz/listings/newton-plan/>)

**8.9** Approximately 42 submissions<sup>15</sup> were received related to the proposed height limits as they would apply to the MDRZ immediately south-east of the Wānaka Town Centre in the land around Brownston and Tenby Streets. This area was identified as performing particularly well relative to other urban areas across the District in the Accessibility and Demand Analysis. The areas closest to the Wānaka Town Centre are considered to have a high level of accessibility which reduces to a moderate level as one moves away from the Town Centre. This was driven by proximity to the centre itself along with good access to a range of destinations such as open space, supermarkets and community facilities as well as employment opportunities. Given the size of parcels, flat topography, areas of high natural amenity and good accessibility of much of the area I am of the opinion that the height and density of development enabled via the notified MDRZ provisions is entirely appropriate for this area in urban design terms.

## **Density**

**8.10** A key change to the MDRZ at notification was the removal of the current density controls of 1 dwelling per 250m<sup>2</sup>. Again, the removal of density controls is a common approach across New Zealand and recognises that the operative density standards actively discourage the development of medium density typologies. As I noted in Section 4.2 of my Urban Design Report, the operative MDRZ maximum density standards are not aligned with typical terraced housing site sizes seen across New Zealand which typically range from 100-180m<sup>2</sup> in area, whilst walk-up apartment typologies can result in effective site densities of below 1 per 100m<sup>2</sup>. In terms of potential urban design effects associated with the removal of the density standard, the effects envelope from building form remains unchanged as these are set by other standards such as height and recession planes. In my opinion the main effect is related to a broader amenity effect (e.g. increased noise) associated with a potential increase in site intensity. However, I do not necessarily consider this to be an adverse effect noting that people living in close proximity is a key feature of urban life.

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<sup>15</sup> See for example, Submissions 15, 63, 134, 146, 149, 198, 212, 223, 237, 329, 392, 459, 719, 722, 1029 and 1153.

## Recession Planes

- 8.11** A key change to the MDRZ at notification was the rationalisation of the recession plane controls and removal of the distinction between flat and sloping sites. The exception for sloping sites under the PDP where recession planes did not apply was no longer considered to be necessary with the more enabling height provisions and recession planes proposed through the notified UIV.
- 8.12** A number of submissions<sup>16</sup> seek to retain the exemption of sloping sites from the application of the recession plane standards. The difference in approach to sunlight access standards between sloping and flat sites in the PDP and its original rationale was discussed in Section 4.1 of my Urban Design Report appended to the s32 Report, where I also noted that the different recession planes applying depending on the slope of a site resulted in a significantly different effects envelope being enabled on sloping sites when compared with flat sites. The notified approach to recession planes has been an overall simplification and relaxation to better enable medium density building typologies such that this differentiation is no longer required. As such I do not support a reversion back to the sloping site exemption that currently exists within the PDP.
- 8.13** Sean McCleod (Submitter 506) has sought an amendment to Rule 8.5.8 excluding its application where dwellings have a common / shared / party wall along a boundary. I agree that this is a sensible exclusion as they arrangements already anticipate such an infringement and is a common feature in other District Plans across New Zealand. It is also not uncommon to see vacant lot subdivision designed for zero-lot or duplex typologies that pre-emptively incorporate common wall easements in anticipation of future development. Both are important typologies within the spectrum of medium density development in New Zealand and, in my opinion, should be encouraged through planning frameworks.
- 8.14** Michael Gamble (Submitter 260) has sought amendments to Rule 8.5.7 as it relates to MDRZ sites which adjoining Bullock Creek in Wānaka. This includes applying a recession plane to the Reserve (which is excluded under 8.5.7.4) and applying recession planes from the “lowest block elevations” rather than a high or mid-point. I have inferred that the later request relates to taking the recession plane

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16 For example, submissions 134, 831 and 833.

measurement from the lowest point on a site if it features a slope. I do not support either submission point. In terms of the application of recession planes along boundaries of a park or reserve, the frontage to an open space or reserve can provide important amenity for more intensive forms of housing encouraging greater outlook and activation of those spaces. It also provides greater design flexibility over a part of a site which doesn't have an impact on neighbouring residents. With regard to the measurement of recession planes, taking the starting point for planes from lower portions of a site boundary, rather than the actual level of the ground has the potential to undermine the ability to deliver intensification on sloping sites.

- 8.15** Based on the above, the only change I consider appropriate relates to an exception of the recession plane control where it applies to a common / shared / party wall. For consistency, I would also support a consequential change to the minimum building setback and recession plane standard as it applies to the LDSRZ, MDRZ and HDRZ.

### **Building Coverage**

- 8.16** A small number of submissions<sup>17</sup> have requested increases to the maximum building coverage standard of 45% under Rule 8.5.4 to various amounts up to 70%.
- 8.17** In my experience, the 45% provided for is sufficiently enabling for the typologies that are envisioned within the MDRZ. I have encountered a number of resource consent applications on typically narrow sites where carparking / access is included across New Zealand. Once other standards such as outlook space, yards and outdoor living spaces are incorporated into a site layout the resulting building coverage that is possible often sits closer to 40%. As such, a building coverage standard is rarely a limiting factor in development. Further, the proposed building coverage standard also retains a greater sense of openness between buildings and provides opportunities for meaningful landscaping to be incorporated into a development. This quite deliberately contrasts with the much more intensive building forms that would be enabled in the HDRZ and various commercial zones and helps to provide a transition as one moves away from centres and other highly

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17 For example, submissions 1038, 1039, 1040, and 1253.

accessible locations towards the periphery of urban areas where the LDSRZ is the dominant zone utilised.

- 8.18** For this reason, I do not consider any changes to the notified building coverage standard is necessary.

### **Outdoor Living Space**

- 8.19** Standard 8.5.5 of the notified UIV includes minimum requirements for outdoor living spaces of 20m<sup>2</sup> at ground floor and 8m<sup>2</sup> above ground floor. Monica Harris (Submission 10) considers that these spaces are too small and that dwellings require larger spaces of an unspecified dimension.

- 8.20** In response, I note that the standards specify a minimum and do not preclude larger spaces being provided either individually or through a single, larger communal space (Rule 8.5.5.3). Further, the MDRZ is located in areas of higher accessibility where they have more proximate access to open spaces and other services. This helps to enable a variety of building typologies and sizes that can suit a wider range of lifestyle preferences.

- 8.21** With regard to the minimum balcony requirements, this acknowledges that the MDRZ could deliver apartment typologies that do not have direct access to the ground floor. The 8m<sup>2</sup> (with a minimum dimension of 1.8m) is sufficient to comfortably accommodate a small table and chairs, in addition to a small BBQ or pot plants, as well as manoeuvring space around these items. I also acknowledge the current commentary from Central Government<sup>18</sup> which indicates that minimum balcony requirements are likely to be removed in upcoming amendments to national policy direction and that this may occur prior to the hearing of this evidence.

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18 <https://www.beehive.govt.nz/release/going-housing-growth-stage-one-unveiled>

## Outlook Space

- 8.22** Standard 8.5.6 of the notified UIV includes requirements for outlook spaces from specific rooms within new dwellings. This includes the requirement of a 4m deep space (setback) from the principal living room and 1m from all other habitable rooms. RCL Henley Downs Limited (Submission 1253) seeks that the outlook space from a principal living room is reduced to a 3m setback to align with the minimum dimension of an outdoor living space under Rule 8.5.5.
- 8.23** The 4m setback is designed to work in conjunction with the height and recession plane standards which effectively require a 3-storey building to be set-back at least 4m from a site boundary. The 4m dimension is, in my opinion, not overly generous and helps to reinforce a degree of separation between dwellings to provide a modest amount of privacy and views to the outside which is considered important for the well-being of occupants. I also note that the 3m minimum dimension standard for outdoor living spaces also needs to be read alongside the minimum (ground floor) area of 20m<sup>2</sup>. For example, narrower terraced typologies (4 to 4.5m in width) would generate minimum outdoor living space depths of 4.4 to 5m.
- 8.24** Overall, I consider that the 4m dimension is more than enabling enough to support greater levels of intensification whilst providing for a suitable level of on-site amenity for occupants.

## Minimum Boundary Setbacks

- 8.25** RCL Henley Downs Limited (Submitter 1253) has sought to include an additional exception of the minimum boundary setbacks which apply under Rule 8.5.9 for corner sites which front two road boundaries. Specifically:

*iii. Building setbacks (excluding garages) on sites that adjoin two road frontages, where each frontage is more than 10m in length, shall include one setback of 3m, and the other road boundary setback may reduce to 1.5m. The 3m setback applies to any site that has frontage to an Arterial or Collector Road.*

- 8.26** I consider that the above recommendation (1253.12) has merit in urban design terms, as it provides some increased design flexibility especially when other standards (such as outlook and outdoor living space) and vehicle access may be

incorporated into a site layout. A 3m setback along multiple boundaries when combined with other standards may encourage a greater proliferation of outdoor living spaces fronting roads to achieve an efficient layout in terms of yield. This can lead to challenging frontages where on-site privacy and street activation can be compromised. In addition, the proposed exclusion seeks to prioritise frontages to arterial or collector roads which is appropriate in terms of their function and likely traffic flows.

## **9. HIGH DENSITY RESIDENTIAL ZONE**

- 9.1** As set out in Section 15, a number of submissions were received seeking to extend or reduce the extent of the HDRZ (generally referred to as a 'rezoning submission' in the Council's evidence) as well as make the HDRZ more or less enabling. Submissions seeking a reduction in extent or to make the provisions less enabling generally raise concerns around a loss of some types of residential amenity (e.g. existing character, sunlight and views). Submissions seeking an increase in extent or to make the provisions more enabling generally seek to improve the commercial viability of development and/or provide greater opportunities for intensification to occur.
- 9.2** Key changes to the HDRZ as proposed through the notified UIV included a general increase in permitted heights (Rule 9.5.1) from 12m to 16.5m across most sites, amendments to the recession plane (Rule 9.5.3) from 2.5m + 45° along the south, east and western boundaries with a 55° along the northern boundary to 8m + 60° on the north, east and western boundaries with a 45° angle applicable along the southern boundary, a minor reduction in boundary setbacks (Rule 9.5.6) from 2m to 1.5m, the inclusion of an upper storey setback above 10m (Rule 9.5.7) and the inclusion of outlook space standards (9.5.8). No changes were proposed at notification to the existing standards relating to building coverage, landscaped permeable surface coverage, and building length.
- 9.3** The notified changes to the existing development standards are intended to better reflect the intended building typologies and building forms the HDRZ is seeking to accommodate, and better reflect the accessibility or demand characteristics of the zone's spatial extent. In this sense, a high-density residential zone should enable the development of low-to-mid-rise apartment buildings and regard needs to be

had of the typical cadastral patterns where development is to occur. Various submissions seeking reductions in permitted building heights, density controls and /or maintaining the status quo would conflict with the design outcomes expressed through the objectives and policies of the HDRZ.

- 9.4** I have commented on the concerns raised through submissions around amenity effects in paragraph 15.4 of my evidence. In addition to this, I also note that intensification in the form of high-density residential typologies could also provide more opportunities for people to benefit from housing being located in areas with high natural amenity / views of the surrounding landscape (such as elevated lake views from around QTC). However, I do also note that increased building heights may also have the impact of obscuring or blocking views (and amenity) enjoyed by existing residents. The extent to which this actually occurs in reality is difficult to quantify as part of this process as many sites will remain as they are today or alternatively may not develop to the full potential enabled.
- 9.5** The submission of MHUD (Submitter 800) sought that the HDRZ provisions were aligned with the proposed Te Pūtahi Ladies Mile Variation (TPLM). Amongst other controls, the TPLM variation provides for heights of up to 24.5m, increasingly large outlook, building separation and outdoor living spaces based on the height of the building and size of the unit. MHUD state that this would enable an increased level of development and housing yield, and would provide certainty and consistency for developers. Since the MHUD submission on the UIV variation was made, the Minister for the Environment approved the Te Pūtahi Ladies Mile Variation and it now forms part of the PDP.
- 9.6** With respect to MHUD, it is not clear if they have fully understood the rules proposed within the TPLM variation and the area's context as a vacant greenfield environment. In many instances the HDRZ provisions within the TPLM variation are significantly more onerous than those proposed through the notified UIV<sup>19</sup>. In my opinion, application of the HDRZ provisions from the TPLM variation to existing urban areas that fall within the HDRZ would result in significantly less intensification than that proposed through the UIV – the opposite outcome the submission seeks. Notably, the outlook controls would severely constrain a

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19 For example, the TPLM provisions include less enabling recession planes in the MDRZ and minimum outlook depths of up to 12m in the HDRZ.

developer's ability to construct even a two-storey development on typical sites where the HDRZ has been applied. In this regard it is important to look at the suite of development controls that would apply to any given site.

**9.7** For these reasons, I do not support applying TPLM standards to the HDRZ.

### **Building Height**

**9.8** Andrew and Lisa Rankin and Well Smart Investments (Submitters 1170 and 1168) seek amendments to the activity status related to building height within the HDRZ. This includes the provision of a new restricted discretionary activity for buildings between 16.5m and 20m, and a discretionary activity status for buildings above 20m (as opposed to non-complying). I consider that there is merit in this approach in that it provides an opportunity for some increased design flexibility on suitable sites. It would also partly address other submissions<sup>20</sup> which have sought an even more enabling framework for the HDRZ. As set out in my Urban Design Review accompanying the s32 report, infringements to development standards that trigger a non-complying consent can give rise to an overly onerous and uncertain consenting process which can discourage intensification and high-quality design outcomes.

**9.9** I am supportive of enabling (by way of a restricted discretionary activity) increased height within the HDRZ around the QTC and Frankton of up to 20m, noting that these areas have performed the best in terms of accessibility and / or demand under my analysis. I note that Skyline Tours Limited (Submitter 984) also seeks an increase in permitted heights to 18.5m for several blocks in the vicinity of Stanley Street and Sydney Street near QTC, consistent with my revised position as stated above. Under this approach, recession planes would continue to apply such that the increase in building height (above the notified 16.5m) would invariably have to be set back further from a site's boundaries. The recession planes (assuming no infringement is also sought for these) would help to ensure sunlight access to neighbouring sites and would generally limit the occurrence of buildings up to 20m to larger sites where potential adverse effects can be internalised.

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20 For example, submissions 200, 800, 984, 1283.

- 9.10** As set out in section 5.2.2 of my Urban Design Report, the majority of sites within the notified HDRZ feature lot widths of around 15-21m. To accommodate a 20m high building with a floorplate width of 8m on upper floors a site width of at least approximately 25m would be required. In my opinion, the actual or potential effects of increased building height are well understood (e.g. shading, dominance) such that appropriate matters of discretion can be applied and considered as part of an overall design review as part of the resource consent process.
- 9.11** With regard to the HDRZ that applies to the land immediately north of the WTC where height was proposed to be limited to 12m, an increase to 16.5m (by way of a restricted discretionary activity) would also be appropriate and broadly align with the height limits proposed for the WTC. This would, in part, address the submission of MHUD.<sup>21</sup> In my opinion, this area's location in close proximity to the WTC and adjacent to provides a further opportunity to support both high quality and high amenity residential development in this location.
- 9.12** I am also supportive of adopting more enabling height provisions for the HDRZ (up to 20m as a permitted activity) as it would also apply to the Three Parks area of Wānaka consistent with my position as set out in paragraph 15.35-38 (in relation to currently vacant land around Frankton). As a centrally located greenfield environment, the HDRZ in Three Parks benefits from the opportunity to realise greater levels of intensity by virtue of the fact that a wider area can be comprehensively designed and that restrictions typically imposed by cadastral boundaries (e.g. recession planes) do not currently apply. This change would also address, in part, submission points 800.6 (MHUD) and 948.9 (Willowridge Developments).

### **Landscaped Permeable Surface Area**

- 9.13** Several submissions<sup>22</sup> have sought a reduction in the current landscaping (permeable) surface area standard (notified 9.5.4) which required 20% of a site to be in landscaped permeable surface. No changes to this rule were proposed in the notified UIV. The HDRZ is already very enabling in terms of building coverage (at

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21 Submission 800.6.

22 For example, submissions 652, 653, 654, 833, 962, 969, 975, 993, 996, 1003, 1008, and 1010.

70%). The landscaping standard helps to provide some opportunities for landscaping to occur in between buildings and site boundaries. This can help improve outlook, reduce visual impacts of a development and support on-site amenity for future residents. The 20% is, in my opinion, appropriate given the residential nature of the zone and its role in transitioning towards the less intensive LDSRZ and MDRZ. On balance, I do not support any amendment to this standard. I also note that this standard also serves a stormwater function, of which I have no expertise to comment on.

### **Boundary Setbacks**

**9.14** Some submitters<sup>23</sup> sought an amendment to notified Rule 9.5.6 which requires a minimum building setback of 1.5m for all site boundaries (proposed to be reduced from 2m in the current provisions). They generally sought a further reduction to 1m to maintain sufficient space for access and maintenance. The notified suite of standards for the HDRZ provide for larger, taller buildings than is currently enabled and could result in a noticeable change to the built environment. I consider that enabling increased height via a restricted discretionary activity is appropriate from an urban design perspective.

**9.15** In this context, maintaining a sense of building separation between neighbouring sites is important for preserving better opportunities for landscaping as well as a sense of openness through and around buildings. From a practical sense, I also note that the location of vehicle access and outlook spaces will also likely facilitate boundary setbacks greater than the 1.5m proposed. In the context of the built form anticipated within the HDRZ, I support 1.5m, but I do not support a further decrease of this standard to 1m.

### **Building Setback at Upper Floors**

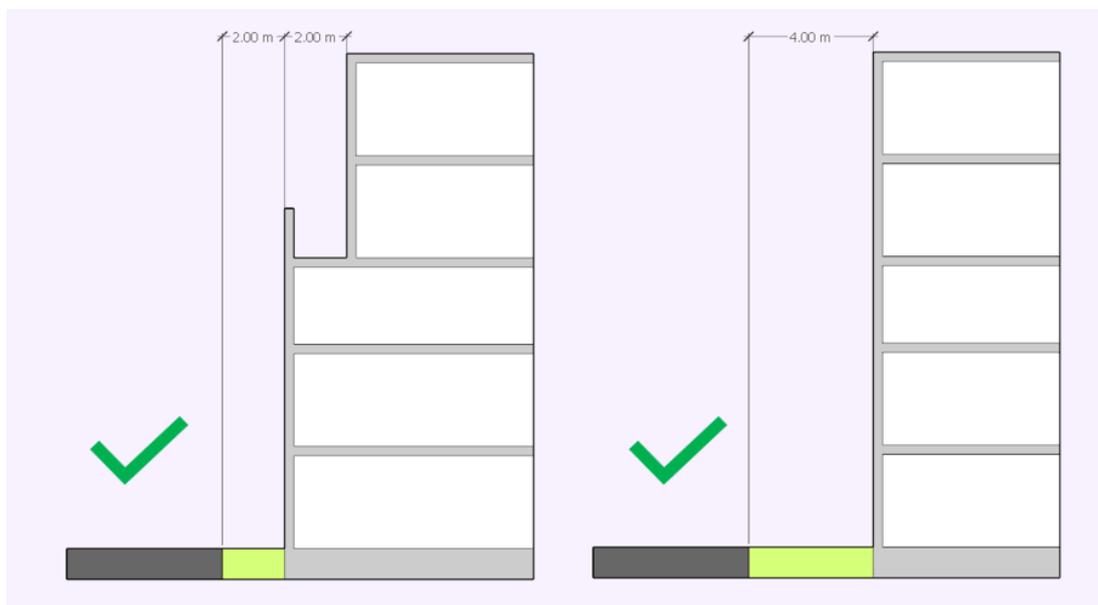
**9.16** A number of submissions<sup>24</sup> seek an amendment to notified Rule 9.5.7.1 (building setback at upper floors) so that it does not apply from a State Highway Road boundary. Noting that an increased building setback of 4.5m is already required from a State Highway Road boundary, I would be supportive of this amendment.

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23 For example, submissions 1168 and 1170.

24 For example, submissions 984, 986 and 1008.

This would effectively enable a situation not dissimilar than that shown on the right in Figure 3 below (this is a duplication of Figure 12 of my Urban Design Report appended to the s32 Analysis). In instances where development is proposed on sites adjoining a State Highway, increased setbacks at upper storeys from the road boundary would already be in place by virtue of the greater front yard requirement. I note I had previously recommended a reduction in the overall building setback rule applying from a State Highway boundary (9.5.6) which I understand was retained due to effects around reverse sensitivity or potential future widening of the corridor.



**Figure 2 - Differing application of potential upper-storey setback within the HDRZ. The building on the right can utilise a greater front yard setback in lieu of the upper-storey setback**

## 10. SUBDIVISION

### Minimum Lot Size in the HDRZ

**10.1** A number of submissions<sup>25</sup> were received opposing the increase in minimum (vacant) lot sizes from 450m<sup>2</sup> to 600m<sup>2</sup> proposed within the HDRZ. The proposed increase in minimum lot size (and increase in minimum lot dimensions) may appear counter intuitive for variation seeking to enable greater levels of intensification.

25 For example, submissions 134, 654, 833, 962, 978, 980, 988, 996, 1003 and 1238.

However, my understanding of the subdivision rule framework is that the minimum lot sizes identified for the HDRZ do not apply where a land-use consent for intensive residential developments has already been approved.

- 10.2** The proposed increase in site sizes in the HDRZ seeks to avoid an issue where vacant lot subdivision within the HDRZ could foreclose on future intensification opportunities that could be achieved through more intensive building typologies such as apartments. Maintaining smaller minimum dimensions and lot sizes could create a constrained building platform therefore creating a risk that only a very specific (lower intensity) building design can be accommodated that does not maximise potential of the zone.
- 10.3** I note that the submission of the Infrastructure Commission (Submitter 1238) raises concerns around the need to amalgamate lots within the HDRZ to overcome issues of the minimum 600m<sup>2</sup> lot size. This appears to be a misunderstanding of how the minimum lot size rule is to be applied and ignores the exclusions that apply to this standard. To the contrary, I note the minimum lot size rule is designed to help avoid the need for future amalgamation to retain flexibility to design and develop more intensive building forms through the more enabling planning provisions proposed.

#### **Minimum Lot Size in the MDRZ**

- 10.4** Two submissions<sup>26</sup> were received seeking amendments to the minimum (vacant) lot dimensions that apply to the MDRZ under notified Rule 27.7.30. The rationale is that they consider the rule, as notified, unnecessarily restricts small / narrow lot options which can appropriately accommodate houses. I would note that vacant lot sizes narrower than 10m in width create potential issues with compliance with other standards such as recession planes resulting in constrained floorplates at upper levels. For example, for a minimum 8m wide vacant lot, the application of a recession plane of 4m + 60° from both boundaries would allow for a building envelope just 4.54m wide at a height of 7m above ground level.
- 10.5** Further, this rule only applies to vacant lot subdivision and must be read in conjunction with the minimum lot area rule which prescribes a minimum area

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26 Submissions 1074 and 1253.

within the MDRZ of 250m<sup>2</sup>. Further, narrower lots can be delivered through a combined land-use / subdivision application in accordance with notified Rule 27.7.32. Accordingly, I do not consider any amendment to the dimensions as notified is necessary.

### **Minimum Lot Size in the LDSRZ**

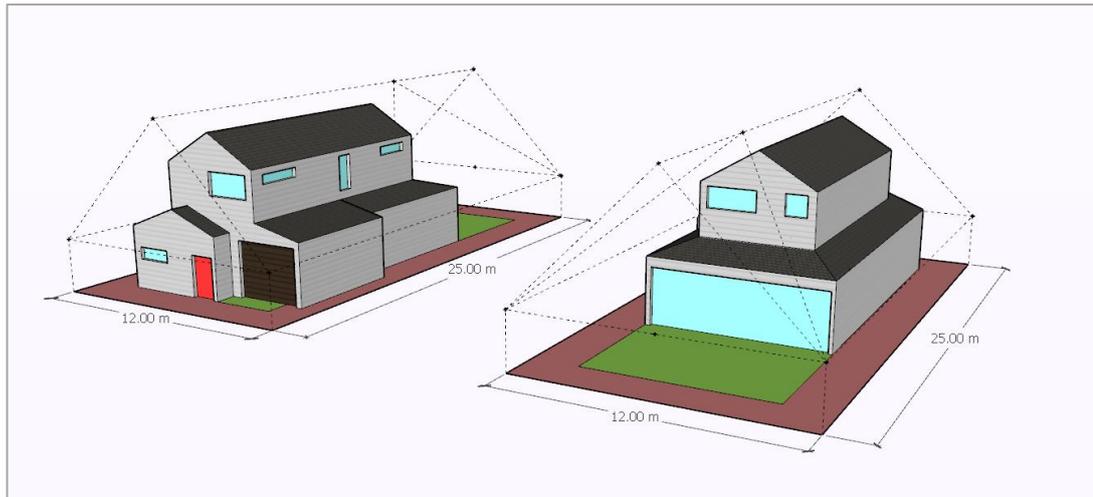
**10.6** Several submissions were received that either support<sup>27</sup> or oppose<sup>28</sup> the amendments to the minimum lot size in the LDSRZ under notified Rule 7.4.9. Reasons for support generally related to it being more enabling for intensification while the reasons for opposition sighted issues around character and amenity. In my opinion, the 300m<sup>2</sup> minimum provides greater opportunities for more gentle intensification in the form of detached homes (on smaller sites). I have done some basic modelling of a 300m<sup>2</sup> (flat) site and note that it is still possible to develop conventional housing when the relevant development standards are also applied. This is shown in **Figure 4** below.

**10.7** With regard to submissions that opposed the reduction on character or amenity grounds, I note that other development standards such as recession planes, boundary setbacks, and building coverage continue to apply. The impact of these controls is that smaller detached dwellings would need to be delivered on the smaller sites enabled. In my opinion, this is entirely consistent with both the anticipated and existing character and amenity of the LDSRZ.

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27 For example, submissions 295, 834, 836, 839 and 840.

28 For example, submissions 134, 155, 228, 365, 489, 1066 and 1029.



**Figure 3 - Example of a 180m<sup>2</sup>, two-storey dwelling on flat, 300m<sup>2</sup> lot complying with all LDSRZ standards**

## **11. LOCAL SHOPPING CENTRE ZONE**

- 11.1** The LSCZ is located in various locations throughout the urban environment in the District with two-to-three storey development typically provided for by the notified UIV provisions. With the exception of the LSCZ located at Frankton, local shopping centres are, relatively speaking, not located in areas that have been identified as having higher relative accessibility or demand within the District. As such, only minor changes were proposed as part of the UIV as notified. These changes included some amendments to permitted height limits and changes to recession planes to provide alignment and consistency with the changes proposed for adjacent residential zones. Increases to heights were designed to align with the proposed heights of adjacent residential zones with an additional allowance to accommodate non-residential activities (e.g. retail) and to enable these sites to act as a focal point for activity.
- 11.2** A number of submissions<sup>29</sup> opposed the changes to both the heights and recession planes which apply to the various LSCZs. Different heights of between 8m to 14m have been sought across the various LSCZs. I also note that there were a number of submissions which supported the notified UIV changes to the LSCZ.

<sup>29</sup> For example, submissions 10, 380, 509, 924, and 1074.

**11.3** In considering the above submissions, I have reassessed each of the heights / recession that apply to the LCSZs (with the exception of Frankton and Arrowtown) and make the following observations:

- a. A height limit of 10m is proposed for Albert Town, Hāwea, Sunshine Bay and Cardrona Valley Road in the notified UIV. This would facilitate development of two to three storeys depending on internal configuration and site topography. Each of these sites feature multiple road boundaries which would serve to provide a physical transition / buffer for increased building scale as well as absorb potential increased effects associated with shading or loss of privacy. In addition:
- b. The **Cardrona Valley Road LSCZ** is currently a greenfield site with the neighbouring LDSRZ under the same land ownership and on the same title. As such, there remains an opportunity to comprehensively design the site to minimise potential impacts from development in the LSCZ (although I also note that the provisions do not require this outcome);
- c. The **Sunshine Bay LSCZ** features two road boundaries to the east and south which is where the main effect of increased building height (e.g. shading) would be felt. The northern boundary is formed by rights of way to a rear lot and the Sunshine Bay Tennis Club providing further separation from adjacent residential uses. In conjunction with the applicable recession plane and building setback standard, I do not consider that a development up to 10m would give rise to any urban design issues at this location;
- d. The **LSCZ at Hāwea** (nearest the lake) covers a large site featuring 3 street boundaries where the main impacts of increased building height (e.g. shading) would be experienced. Along the southern boundary, a 2.5m + 55° recession plane applies which would have the impact of setting the tallest building elements at least 5.25m from the site boundary. In combination with building setbacks and maximum building coverage controls, the most rationale design response to the site would be to locate development towards the Capell Ave frontage to maximise on-site amenity (thus reducing potential effects on sites to the south); and
- e. The **Albert Town LSCZ** features road boundaries to its east, west and south where the main effect of increased building height (e.g. shading) would be felt. Internally the site features a number of freehold two-storey terraced homes

that I understand are used predominantly for short-term rentals. These are orientated towards the external boundaries and served by an internal joint owned access lot which separates the dwellings from the commercial uses. As such, I consider any future development up to 10m would have negligible effects internally or externally to the site.

- f. A height limit of 12m is proposed for **Lake Hāwea South**. This was based on the shared boundaries with both the MDRZ and LDSRZ with height limits of 11m and 8m respectively. However, I note that the LCSZ boundary is shared predominantly with (unformed) roads shown on the Lake Hāwea South Structure Plan (rule 27.13.19). The 12m height was intended to provide a degree of consistency between the various height limits of the differing adjoining residential zones. Universal Developments Hawea (Submitter 470) has sought an increase in permitted heights to 14m. When considered with the applicable recession plane, a 14m high building would need to be set back at least 8m from the site boundaries. Considering this area of Lake Hāwea South is still largely undeveloped, and the presence of road boundaries and other open spaces shown on the Structure Plan in PDP Chapter 27 I consider that an increase to 14m would be appropriate as it could better enable the development of more intensive typologies in an area where accessibility is likely to improve.
- g. A height limit of 14m is proposed for **Fernhill and Kelvin Heights**:
  - i. The Fernhill LSCZ is a small site approximately 693m<sup>2</sup> bounded on two sides by the MDRZ with streets forming the zone boundary. Existing site access and on-site parking is (logically) provided along the southern boundary of the site (at a lower elevation) providing for a separation from the existing building with adjacent sites. Should the site be redeveloped this design response would remain the most likely built form outcome and from a practical sense provide for a reasonable degree of separation from adjacent residential sites.
  - ii. The Kelvin Heights LSCZ is a greenfield site that shares boundaries with both the MDRZ and LDSRZ as well as a street. The MDRZ is also undeveloped while the LDSRZ sites features established homes which sit at higher elevations than the LCSZ. Development of Kelvin Heights would provide the potential for improving accessibility of the site (through the

provision of commercial or community activities). The site also features high level of natural amenity with elevated, north facing views over Lake Whakatipu which is likely to better support the feasibility of residential development at upper-levels.

**11.4** Based on the above, I do not consider reductions in the heights proposed or recession planes that apply are needed to address any actual or potential urban design effects. I do support an increase in the height limits at Lake Hāwea South from 12m to 14m.

## **12. BUSINESS MIXED-USE ZONE**

**12.1** Generally speaking, the BMUZ is located in areas with moderate to high levels of accessibility and are suitable to enable heights and densities consistent with that provided for in the HDRZ.

**12.2** The notified UIV proposed a number of relatively minor changes to the BMUZ. These changes were largely proposed to provide alignment and consistency with the changes proposed for adjacent residential zones. This included minor height increases and amendments to recession planes. Variation to the height and density of development enabled within the various areas that feature the BMUZ was retained. Submissions expressed both support<sup>30</sup> and opposition<sup>31</sup> for the proposed amendments. Reasons for opposition predominantly related to issues of amenity although no specific evidence or detail on this matter has been provided at this stage.

**12.3** Consistent with my position on development standards in the MDRZ and HDRZ over general concerns of amenity, I do not support any changes that seek to reduce the notified density of development for the BMUZ based on the submissions received.

**12.4** The Southern Lakes Property Trust (Submitter 1055) is seeking an increase in height to the BMUZ within the Three Parks area to 20m as a permitted activity. Consistent with my position regarding the HDRZ in Three Parks as set out in Paragraphs 9.11 and 15.35 of my evidence, I support increased permitted building heights in the

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30 For example, submissions 9, 72, 139, 389, 468, 658, 807, 965, 999, 1038 and 1065.

31 For example, submissions 10, 32, 344, 373, 450, 498, 1074, 1105 and 1162.

Three Parks BMUZ. Increased building heights within the Three Parks BMUZ could either support more intensive commercial uses, increasing local employment opportunities or alternatively be utilised for more intensive residential uses in an area where there are a number of existing or planned amenities in the immediate environment including schools, open spaces, supermarkets and other retail opportunities.

### **13. QUEENSTOWN TOWN CENTRE ZONE**

**13.1** The UIV introduced a number of changes to development standards that apply across the QTCZ. Key changes to the QTCZ as proposed through the notified UIV included a general simplification and increase in permitted heights (Rule 12.5.9) from 8m up to 24m, the application of setbacks from residential zones (Rule 12.5.10), the inclusion of an upper storey setbacks above either 8m or 12m (Rule 12.5.8) and the inclusion of outlook space standards (12.5.12). No changes were proposed to a number of existing standards relating to building coverage, pedestrian linkages, noise and verandahs.

**13.2** The existing PDP provisions of the QTCZ manage urban design issues through a relatively complex mix of development standards and assessment matters as well as special carve-outs for individual sites which I understand had their genesis within the ODP and various appeals to the Environment Court. In undertaking my review of the existing provisions, I noted that there was a particular focus on sunlight access during the middle of the day around mid-winter which had a strong influence on building heights enabled.

**13.3** Whilst sunlight remains a relevant consideration for future development, I considered that the existing approach to development in the QTCZ was very restrictive with the maximum level of development primarily based on periods with the minimum amount of potential sunlight access. In my opinion, such an approach limits any meaningful ability to intensify within the QTCZ. The proposed provisions contained within the UIV addressed this issue by enabling greater building heights whilst including additional standards to ensure streets and open spaces continued to receive appropriate levels of sunshine throughout the year.

## Building Height

**13.4** A number of submissions<sup>32</sup> oppose the changes to the permitted building heights which would apply across the QTCZ. Various recommendations for different permitted building heights (including no change) up to 18m have been recommended in various submissions. As with other zones, principal concerns around increased building heights relate to issues around amenity and sunlight access. I also note that there were a number of submissions<sup>33</sup> which supported the permitted building heights for various areas across the QTCZ. Submissions were also received seeking some refinements or clarifications on how the rules would be applied.<sup>34</sup>

**13.5** In terms of requests for a reduction in building heights, I do not support any further reductions in height than that proposed in the notified UIV. As a general principle, I consider it appropriate to provide for the greatest density of development (as expressed through height and building coverage) within the QTC due to its role within the wider urban environment, level of accessibility and relative demand from a range of different land-use activities. In my opinion, the UIV has struck an appropriate balance in facilitating this (in line with the expectations of the NPS-UD) whilst seeking to respond to the specific context of the QTC. The approach adopted through the UIV builds upon the existing approach contained within the PDP, specifically:

- a. When combined with topography, maintains an “amphitheatre” type pattern of development that can already be observed where building height rises away from the lakefront. This also has the benefit of helping to maintain some potential for views from across the QTC towards Lake Wakatipu;
- b. It provides for a step-down in building height towards the lake front to help maintain sunlight access and amenity in this important public space;
- c. It acknowledges and responds to the heritage character and lower scale of development around Ballarat, Church and Earl Streets; and
- d. In conjunction with upper-level setbacks, it responds to the predominantly low-to-mid rise character of QTC.

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<sup>32</sup> For example, submissions 10, 431, 509, and 1074.

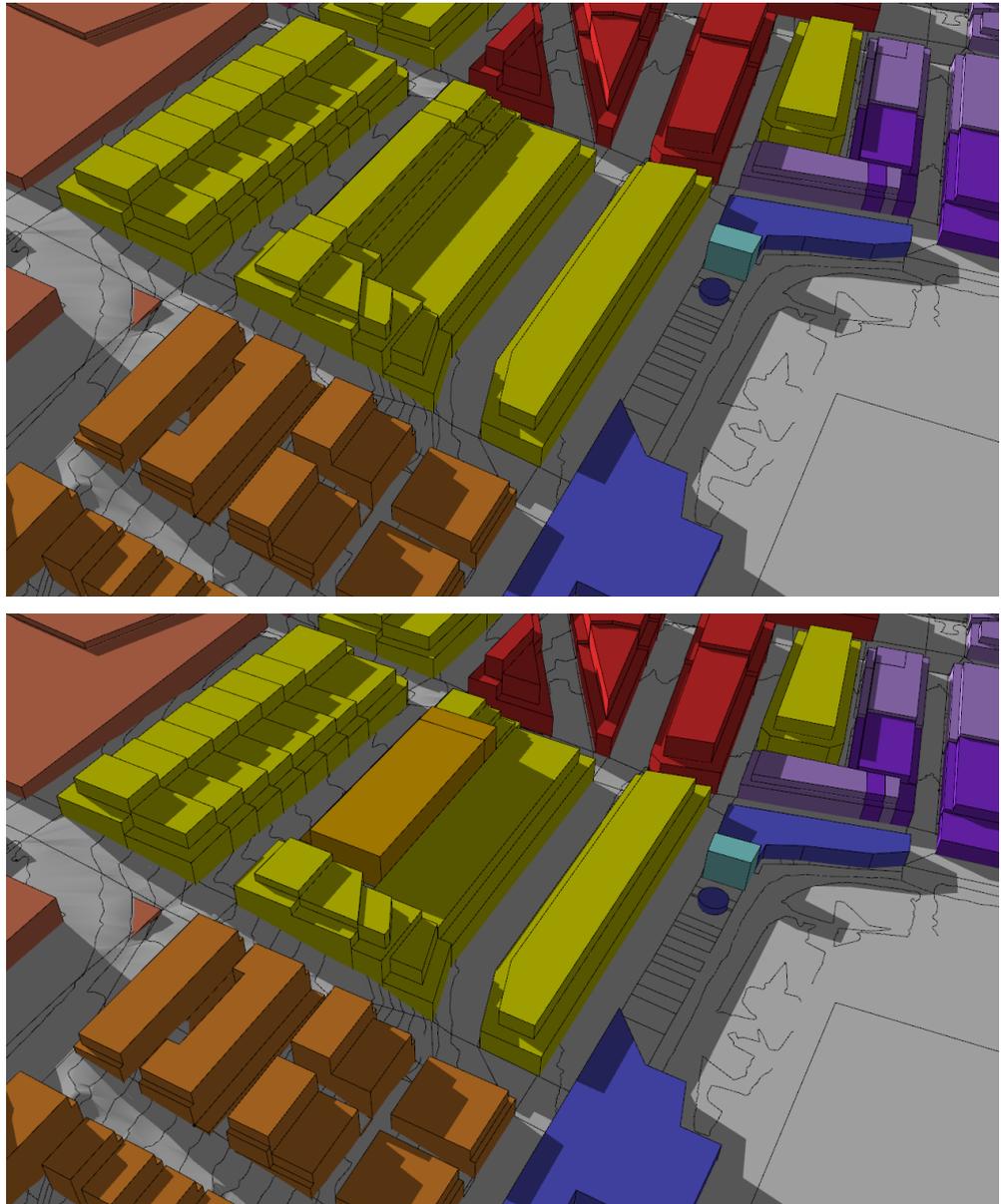
<sup>33</sup> For example, submissions 389, 776, 964, 966, 967, 968, 971, 974, 981, 983, 985, 987, 998, 1000, 1005, 1006, and 1009.

<sup>34</sup> For example, submissions 991 and 1168.

- 13.6** Man Street Properties (Submitter 991) supported the proposed height limits but sought changes to how the permitted height limits were measured in relation to the site at 12-26 Man Street in line with bespoke rules which applied under the ODP and PDP that recognised the nature of the underlying topography of the site. Upper Village Holdings 3 Limited (UVH3) (Further Submitter 1335) opposed the relief sought on the grounds that it considers the application of height limits should be applied consistently across the QTCZ and that it would create additional bulk and dominance on UVH3's landholdings. With regards to the first matter, I agree in principle that ideally a consistent approach should be taking to the application of zone standards across a District Plan. However, as is evidenced throughout the PDP and ODP there are a number of site-specific variations to standards (or additional standards). As such, site specific exceptions are not particularly unusual within the context of resource management practice in the District.
- 13.7** Submission 991 provides a number of useful diagrams to illustrate the matter. In urban design terms I have no objections to the changes proposed by Submitter 991. I have updated my original 3D model to understand the implications of any potential change and note that the request does not give rise to any additional problematic shading effects when compared with the notified provisions, noting that additional shading generated is generally limited to the roofscape of adjacent properties (refer to Figure 5 for example). Further, I note that the relief sought would essentially redistribute theoretical building bulk internally to the block where it is less problematic in terms of potential visual impacts being set-back from street boundaries and obscured by other buildings. I do not agree with UVH3's submission that the potential increase (or redistribution) of height could be considered to give rise to adverse dominance effects.
- 13.8** I consider that the proposed building heights remain relatively modest (at 20m) and well within what is considered a human scale of development. Further, in my view, dominance effects are challenging to quantify based on simple bulk and location standard at the plan change stage. This is because there are many other contributing factors to consider when assessing potential dominance effects such as: the overall building composition, building modulation, the articulation, the general façade treatment and materiality, the colour strategy and glazing strategy.

These matters can be appropriately considered within a future resource consent process for any new building under Rule 12.4.7.

**13.9** Accordingly, I consider that the relief sought by Man Street Properties as it relates to their site is appropriate in urban design terms.



**Figure 4 - Model Shot at 1.30pm on 21 July showing the notified theoretical bulk (top) against the recommended changes by the submitter (bottom)**

**13.10** Carter Queenstown 2015 Limited (Submitter 776) opposes the lack of a clearly defined height limit for the part of the land zoned QTCZ and legally described as Section 2 Block XVII Town of Queenstown and requests that this area be subject to a height limit of 4 metres. This site is currently a park/ reserve that is owned by

QLDC and is designated in the PDP for Recreation Reserve. I understand that the existing height limit on this site is between 10m and 12m. This request appears to be a largely academic exercise based on the existing use and designated purpose of the site. In my opinion, rezoning the site to Open Space – Informal Recreation would be the most appropriate response however I understand there is not jurisdiction to do that. In terms of height limits, I would consider a height limit on this site of 8m would be appropriate to align with other sections of the waterfront immediately north of the land subject to the submission. This would also be aligned with the general approach across QTC where building heights step down towards the lake edge.

### **Building Setbacks at Upper Floors**

**13.11** The notified UIV provisions amended and simplified the existing building setback standard (12.5.8), and updated it to take into account the increases in building heights proposed. This amendment included two separate standards related to permitted floor heights for Height Precinct 2 and Height Precinct 3 and 4. There was general support in submissions<sup>35</sup> of the proposed standards. However, there were requests<sup>36</sup> seeking to reduce the setback to 2m, apply it only to main road frontages, or to delete the rule in its entirety. The main rationale provided for amending the standard noted that it would have a disproportionate impact on smaller sites within Queenstown Town Centre.

**13.12** I agree that the standard would have a greater impact on smaller sites, and would likely add to construction complexity and cost of development. I also note that applications which do not seek to utilise the full height envelope available would not have an impact that may necessitate a 6m building setback. However, the intention of this rule needs to be considered in conjunction with the wider height increases proposed across the QTCZ. In this regard, the rule has sought to balance the need to better enable more intensive development within the QTC, whilst also acknowledging some of the characteristics of the QTC that some members of the community consider to be important. In this regard, the standard was considered to provide a number of benefits, including:

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35 For example, submissions 389, 779, 964, 968, 973, 987, 990, 991, 1004, 1006, 1007, and 1009.

36 For example, see submissions 779, 878, 964, 968, 971, 983, 987, 990, 998, 1006, and 1009.

- a. New development as viewed from the street would retain the predominant “low-scale” 3 to 4 storey character as viewed from its immediate surrounding which is prevalent across the QTC;
- b. A set-back of 6m as viewed from the street could effectively “hide” around 2 additional storeys of development enabled from the increased heights;
- c. It provides opportunities for upper-level balconies/ communal open spaces that could benefit from access to increased levels of sunlight from their elevated position; and
- d. Where applicable, maintains a degree of sunlight access to key open spaces and often works in addition to building setbacks created from street corridors.

**13.13** In light of the above, and based on the information before me I do not consider that there is any need to delete this standard in some submissions. However, I consider that there would be merit in adopting a tiered approach to the setback control where a lower standard (e.g. 3m) applies for building proposed at heights of between 12m and 16m, while the full 6m is not triggered until buildings exceed this height. If the later is triggered, then those portions of the building between 12m and 16m would still need to be set back 6m from the street boundary to avoid an issue where “wedding cake” type building forms are encouraged. These can be especially problematic in terms of construction complexity / cost.

**13.14** Reid Investment Trust (Submitter 878) seeks that the building height setback standard apply to main road frontages only, and lanes be excluded (e.g. Searle Lane and Cow Lane). I also understand that a number of other pedestrian links may trigger the upper floor setbacks. I note that some of these lanes serve a predominantly servicing function and / or are already extensively shaded by the existing low height of development in the town centre or are themselves partially enclosed by buildings / verandahs. Further, based on my own observations the use of the spaces by pedestrians is noticeably lower than the other main streets throughout the town centre (e.g. Ballarat Street, Beach Street and Shotover Street). As such, the potential benefits and purpose of Rule 12.5.8 are not likely to be directly applicable or even realisable in these spaces. Considering the instances where this would apply, I agree with the submitter and would support a refinement to 12.5.8 to exclude lanes within the Town Centre.

## Ground Floor Heights

**13.15** The UIV notified a new standard 12.5.11 which introduced a minimum floor-to-ceiling height of 4m at the ground floor. The general intent of the standard was to future-proof the ground floor of buildings for a greater variety of uses – particularly active uses including retail and to avoid an issue of low-height commercial spaces in an attempt to accommodate more levels of development above. A number of submissions<sup>37</sup> were received in terms of the drafting of the rule and how it would be applied, with a request that it only apply to new buildings.

**13.16** As drafted, I agree that there are potential issues with the wording of this rule. Firstly, I would note that the intent of the rule was to be applied to floor-to-floor heights, rather than floor-to-ceiling with detail on the later not something usually considered in a resource consent process. I note that the height of ceilings can typically vary between uses, while the floor height (i.e. the structure) is fixed once built. I support a change in the wording within the standard to refer to “floor-to-floor” height to align with the standards purpose and assist with ease of application.

**13.17** In terms of how this standard is to be applied, I agree with the submitter that it should not apply to alterations to existing buildings – noting it may be practically impossible to meet this standard for an existing building with structural floor-to-floor heights of less than 4m. In terms of additions, there are some circumstances where I also agree with the submitter where this may be impractical or unnecessary such as an addition to the rear of an existing building. However, for an addition along a street facing façade the intent and purpose of the standard would remain relevant. As such, it could be appropriate to add in a qualifier that it applies for building additions located along a street facing boundary.

## Outlook Space

**13.18** I am not aware of any specific submissions which opposed the inclusion of the new outlook space rule (12.5.11). However, two submissions (771 and 776) sought amendments to the application of the rule to apply to a newly defined “habitable room”. I have discussed this matter and its application in Section 6 of my evidence.

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37 For example, submissions 964, 966, 967, 968, 971, 972, 973, 974, 976 and 981.

## **14. WĀNAKA TOWN CENTRE ZONE**

**14.1** The UIV proposes to introduce a number of minor amendments to the WTCZ. These included an increase in permitted building heights across most of the Town Centre from 12m and a maximum of three-storeys to 16.5m, amendments to sunlight access and consequential amendments to ensure alignment with other business zones (e.g. outlook and waste management).

**14.2** A number of submissions<sup>38</sup> support the general intent of the notified UIV but also seek to include stronger urban design provisions relating to matters of design (e.g. the look and feel of development). In response to these submissions a number of refinements to the policies and matters of assessment to reflect principles of the Wānaka Town Centre Character Guideline have been proposed in the evidence of Ms Frischknecht. I am supportive of these proposed changes and consider that they would be of assistance in informing and reviewing applications for new development in Wānaka Town Centre.

### **Building Height**

**14.3** A number of submissions<sup>39</sup> oppose the changes to the permitted heights which apply across the WTCZ with a clear desire to retain the status quo. As with other zones, principal concerns around increased building heights relate to issues around amenity (e.g. sunlight access). I also note that there were some submissions<sup>40</sup> which supported the notified height limits or sought further increases in Height Precinct 1.<sup>41</sup> As with other zones, I do not support reductions in the height limits proposed within the notified UIV. However, I support the requests to increase height limits to the 16.5m which applies more broadly across the WTCZ as set out in Submission 662 and 663 and agree that as these sites are already setback from Ardmore Street that the rationale of the step down towards the lake front is less relevant.

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38 For example, submissions 339, 360, and 725.

39 For example, submissions 10, 303, 325, 332, 340, 341, 355, 375, 406, 493, 533, 546, 563, and 564.

40 For example, submissions 13, 360, 389, 396, 782 and 982.

41 For example, submissions 662 and 663.

**14.4** The submissions of D&K International Properties (Submitter 662) and Ardmore Trustee Nominee (Submitter 663) identify potential issues with the proposed height limits in conjunction with the minimum ground floor height standard when considering standard floor-to-floor heights. I note that I supported an increase in height limits within the WTCZ to 20m which would support development of five-to-six storeys (as opposed to the four storeys the 16.5m limit as notified would enable) and as such, did not consider the above to be an issue at the time of drafting the UIV. I agree with the concerns raised in the submissions around the practical effect of the two standards on intensification in WTC. In my opinion, to address the issues identified in the submissions, an increase in height to at least 18m would be required to address these. However, I also remain of the opinion that a height limit of 20m is appropriate for the balance of the Wānaka Town Centre.

#### **Building Setback at Upper Floors**

**14.5** The submissions of D&K International Properties (Submitter 662) and Ardmore Trustee Nominee (Submitter 663) have requested an amendment to 13.5.9.1 and 2 so that upper floor setbacks for corner sites or sites that share a road and open space boundary only apply to one frontage.

**14.6** I have broadly discussed the rationale and benefits of the upper floor setbacks in paragraphs 13.11 of my evidence. These matters are also relevant to the WTCZ and would be undermined by the proposed changes identified in submission 662 and 663. As such, I do not support the proposed request.

#### **Other Standards**

**14.7** Other submissions<sup>42</sup> relating to Rules 13.5.15 (Outlook Space) and Rule 13.5.16 (Minimum Ground Floor Height) were similar to those related to the QTCZ. My response to these submissions is set out in Section 13 of my evidence above and I make no further comment.

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42 For example, Submissions 360, 396, and 982.

**15. OPPOSITION TO EXTENT OF PROPOSED ZONE CHANGES (“REZONINGS”)**

- 15.1** I refer to Section 4 above where I introduce the Accessibility and Demand Analysis report I prepared and is attached to the s 32 report. It is directly relevant to this (and following) sections of my evidence.
- 15.2** A number of submissions raise opposition to the proposed extension of both the MDRZ and HDRZ boundaries in a general sense or by raising broader issues. The broad reasons provided by submitters are both that the zone extents are too far or not far enough. Some submissions<sup>43</sup> seek the removal of the HDRZ in its entirety with apartment development limited to centres or retention of the status quo in the PDP, while others seek the extension of more intensive residential zoning on the basis of the location of existing centres or bus routes.<sup>44</sup> Further, there are a number of site-specific submissions requesting application of a specific zone or height precinct to cover a particular site.<sup>45</sup>
- 15.3** Responsible Growth Wanaka (Submitter 797) seeks that the notified UIV provisions – in particular the provisions related to the MDRZ, HDRZ and WTC - not apply to Wānaka but if they do, that they should only apply to greenfield areas due to perceived impacts on character and amenity.
- 15.4** As an overarching position, I am of the opinion that residential areas around centres are often perceived as more desirable for residents who want easy access to nearby amenities, but equally do not want the increased levels of noise (especially during night hours) or perceptions of reduced privacy that can often be associated with apartment living within a centre. This is reflected in underlying land values where the square metre cost of land around centres is generally higher than more peripheral areas.
- 15.5** The MDRZ and HDRZ provisions, as notified and as recommended to be refined above, seek to address the potential effects of more intensive building forms by requiring more openness between buildings than is required within the various business zones. The residential zones also restrict competing demands with other

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43 For example, Submissions 358, 369, 413, 521, 536, 641, 650, 701, 737, and 1232.

44 For example, Submissions 200, 659, 800, and 1244.

45 For example, Submissions 97, 659, 662, 663, 775, 836, 984, 986, 991, 1004, 1024, 1028, 1039, 1040, 1077, 1085, and 1250.

land uses such as retail or commercial activities. In my opinion, only enabling higher density housing within Queenstown Town Centre or in peripheral greenfield locations (such as Te Pūtahi Ladies Mile or Three Parks) would lead to poor urban design outcomes (e.g. forcing more future housing development to occur in peripheral locations) and would not be consistent with the requirements of the NPSUD which seeks greater variety in typologies in terms of location, size and cost to suit a wider range of demographics.

**15.6** The NPS-UD also seeks to enable more development in highly accessible locations such as areas typically located around established centres. In my opinion, the approach sought by submitters seeking to limit more intensive development to centres themselves or peripheral locations would not be consistent with the objectives and policies of the NPS-UD or aligned with good urban design practice.

**15.7** I now respond to specific submissions.

#### **NZTA (Submitter 200)**

**15.8** NZTA Waka Kotahi (Submitter 200) seeks a number of broad amendments to the extent of the MDRZ and/ or HDRZ including around Sunshine Bay, areas within a (undefined) walking distance of QTC, areas around WTC, and Frankton.<sup>46</sup> In contrast, I also note that Stella Torvelainen (Submitter 531) seeks a reduction to “more feasible walking and biking distances” between QTC and Frankton. The primary rationale for the NZTA Waka Kotahi submission relates to the presence of frequent bus services or the general proximity to the main centres of the District.

**15.9** In response to these submissions:

- a. I am generally supportive of more intensive development being enabled in Frankton in line with the results of my Accessibility and Demand Analysis as attached to the s32. However, I understand that the impacts of airport noise are such that greater levels of intensification have not been proposed as part of the UIV. Land within the Airport’s Outer Control Boundary (**OCB**) (identified on PDP planning maps) is subject to specific planning provisions for Activities Sensitive to Airport Noise (**ASANs**), including residential activities. The airport is Regionally Significant Infrastructure, as defined in Chapter 2 of the PDP, and

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46 I note submissions 548 and 800 also seek increased intensification around Frankton and WTC.

is also within the definition of Nationally Significant Infrastructure in the NPS-UD. I understand that these matters, as well as the PDP strategic direction on Regionally Significant Infrastructure, have been considered in the s32 analysis. The matter of reverse sensitivity (including noise) and how it influences underlying zoning patterns sits outside my area of expertise and I make no further comment. This is addressed further in the Ms Bowbyes' s42A report;

- b. The HDRZ extent as proposed through the UIV already does extend to a reasonable “walking distance” around the QTC that has included consideration of the impacts of topography on the walkability of these areas. Notably, the HDRZ is proposed to generally extend to between 200m and 1.2km<sup>47</sup> from the QTC, with the majority located beyond 400m. The smallest extents are those areas immediately north of Hallenstein Street where significant topographical challenges and a circuitous street network exist that reduce the effective walkable distance. Similarly, the MDRZ has also been extended through the UIV out to 900m from WTC with the extent of increases being between 250-700m from the current PDP zone extents Based on this I do not consider a further extension as sought by NZTA Waka Kotahi or a contraction as sought by Stella Torvelainen (as it relates to areas around QTC only) is appropriate;
- c. In terms of extension of the MDRZ and / or HDRZ around Fernhill and Sunshine Bay due to the existence of a frequent bus route,<sup>48</sup> I note that the MDRZ already extends around the Fernhill LSCZ along Fernhill Road and Aspen Grove as per the notified UIV mapping. In addition, I do not consider the mere presence of a single bus route in isolation is an appropriate benchmark for upzoning in line with the requirements of the NPSUD.<sup>49</sup> The presence of frequent public transport is clearly an important factor, however there is a need to also consider what services/ amenities can be accessed and the total journey length involved. In the case of Sunshine Bay, Route 1 provides access to QTC, Frankton, Airport and Remarkables Park. Bus journey time to QTC is approximately 16 minutes, while Remarkables Park has an in-bus journey time

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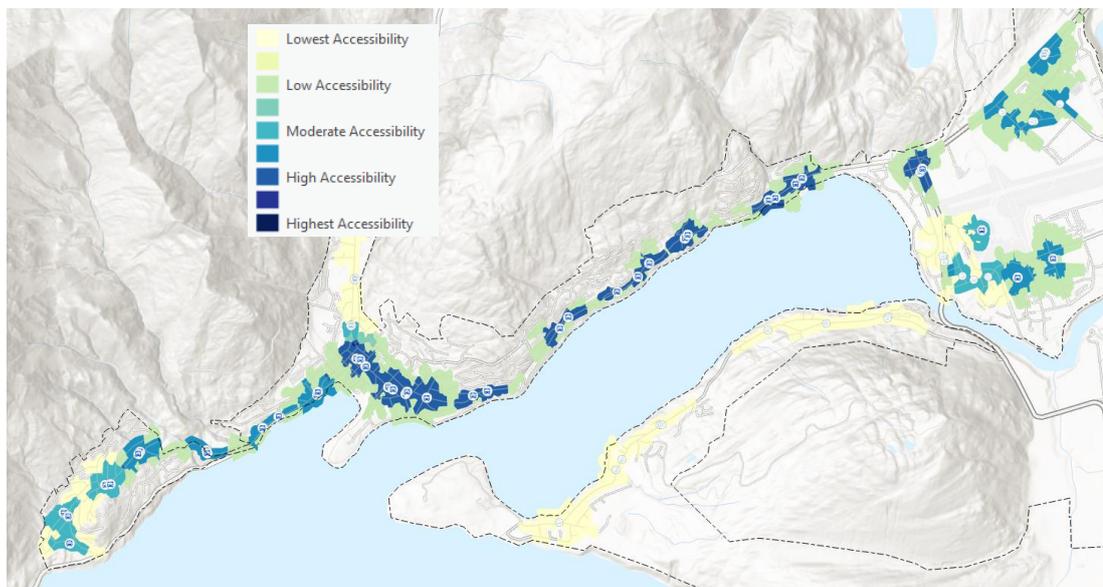
47 I also note that the HDRZ is proposed to extent further along the southside of Frankton Road towards Frankton, albeit subject to additional controls relating specifically to building heights.

48 Every 15 minutes

49 Section 5.4.3 of the “Understanding and Implementing the Intensification Provisions of the National Policy Statement on Urban Development” highlights three key factors to consider when assessing accessibility: 1 – People/Demands; 2 – Land-use Proximity; and 3 – Transport System Connectivity.

of 37 minutes. When combined with walking times from the origin and to the destinations of bus stops and an allowance for waiting times once at a bus stop, a journey to the QTC could take closer to 30 minutes whilst a journey closer to an hour to a destination around Remarkables Park is possible.

**15.10** To better understand point (c) above, I undertook a sensitivity test to my original Accessibility Analysis which provide more fine-grained walking catchments around bus stops (of 250m and 500m). In addition, consideration was given to the timetabled journey time from an individual bus stop to key nodal points (e.g. Queenstown Town Centre) as well as the different destinations that could be accessed via different routes serving any given bus stop. To reflect this, bus stops located within a 10-minute bus ride of a key nodal point and / or those which had access to multiple routes were assigned a greater weighting. This was designed to better reflect overall journey times and route frequency of public transport options across Queenstown. A summary output is shown in Figure 5 below.



**Figure 5 - Accessibility by Bus around Queenstown Town Centre and Frankton with darker blue colours highlighting the areas most accessible by buses.**

**15.11** Figure 5 identifies the area between QTC and the Frankton Bus Hub as having the highest level of accessibility by bus. This is intuitive based on Frankton Road's role in accommodating multiple bus routes at varying frequencies to a range of destinations around the Wakatipu Basin. This reconfirms the general appropriateness of seeking upzoning through the HDRZ and MDRZ along Frankton Road. Frankton Flats, Remarkables Park and Fernhill also perform reasonably well

under this analysis. These are all areas where more intensive development is already enabled, or is proposed to be enabled via the notified UIV. When this supplementary accessibility analysis is considered alongside the wider Accessibility and Demand Analysis<sup>50</sup> which has factored in access to destinations via walking and cycling, I consider that the general zoning approach as notified in the UIV remains appropriate and is consistent with the requirements of Policy 5 of the NPSUD.

- 15.12** In addition to the broader submissions seeking wholesale changes to various zones, or to the level of intensification enabled within them, there were a number of submissions seeking more discrete or specific changes to various zone boundaries. These included both extensions or retractions of various zones and are addressed further below and are spatially identified in the map provided in Appendix 1 for reference.

#### **Downzoning Submissions**

*Frankton Arm / Queenstown Hill: Submissions 28, 77, 82, 223, 281, 299, 308, 425, 433, 508, 515, 517, 531, 552, 581, 641, 651, 655, 730, 1013, 1070, 1258 and 1368*

- 15.13** Several submissions were received which opposed the notified rezoning of land along Frankton Arm from LDSRZ to MDRZ and / or opposed the amendments to the permitted height limits within the MDRZ. The main reasons given relate to potential impacts on views and sunlight and potential flow on impacts to land values. I also note a number of general submissions (e.g. Submission 838) were received supporting upzoning in this location or requests the MDRZ was extended further (e.g. Submission 836). The proposed extent of rezoning along the Frankton Arm has been carefully considered given its location between both QTC and the Frankton / Five Mile centres and the availability of frequent public transport along Frankton Road.

- 15.14** I note that the UIV includes several standards such as building coverage, yards, building length, recession planes which seek to provide appropriate levels of on-site amenity (including sunshine). Further, based on my observations of how development has occurred post the adoption of more enabling planning frameworks I consider it highly unlikely that all sites in this area would be

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50 As shown in Figures 16 and 17 within that analysis as attached to the s32 report.

redeveloped (or indeed redeveloped to their maximum theoretical extent). This will naturally preserve some views throughout this area as well as even greater level of sunlight than that anticipated by the UIV. Further, if unspecified views from individual properties was an important consideration in determining the overall extent and scale of intensification enabled it will prevent any meaningful intensification from ever occurring and, in my opinion, be inconsistent with the requirements of the NPS-UD.

- 15.15** In a strategic sense, intensification along this corridor aligns with its general location between significant employment and retail nodes. However, as discussed elsewhere the area features a number of challenges in terms of its topography (both steepness and circuitous routing). The extent of the MDRZ in this location has generally been concentrated to those areas with more convenient and direct access to Frankton Road. Exceptions to this are generally limited to a few areas (e.g. Marina Drive and Potters Hill Road) where the proposed MDRZ zoning reflects the nature of existing development that has already occurred. Overall, I continue to support the proposed extent of the MDRZ as it applies along Frankton Arm.

*MDRZ south-west of the Wānaka Town Centre: Submissions 15, 146, 149, 212, 224, 255, 392, 722, 828, 1029, 1153, 1185 and 1369*

- 15.16** These submissions to reduce the extent of the MDRZ on blocks of land in the vicinity of McDougall Street located south-west of Wānaka Town Centre (e.g. Redwood Lane, Sycamore Place, Brownston Street and Tenby Street). Some seek that the MDRZ boundary is aligned with an existing escarpment which is located just north of the golf course while others seek its removal entirely. The main reasons for the relief sought relate to impact on views and sunlight to/ from existing properties as well as the appearance of higher density development from surrounding reserves. This area was identified as having generally moderate to high levels of accessibility, with some areas of lower accessibility driven by the cadastral pattern (e.g. rear lots) and primary access of properties adjacent to the golf course.

- 15.17** The discussion in Paragraph 15.13 above remains relevant to these submissions.

- 15.18** I do however, note that the accessibility of properties along Aspiring Terrace is tempered by the lack of footpaths along this road (and the challenging topography which would make the creation of new footpaths difficult to deliver). These

submissions raise concerns around the interface with the Faulks Terrace Reserve, potential impacts on the Wānaka green belt as well as public views from the reserve. While I accept that the escarpment could be a natural transition point for the boundary between the MDRZ and LDSRZ, I consider that the golf course and Faulks Terrace Reserve provides a more appropriate transition point that acknowledges the overall intent of the NPS-UD which seeks to encourage greater levels of intensification in existing urban areas.

*East of the Wānaka Town Centre: Submissions 3, 6, 48, 55, 90, 110, 149, 154, 351, 356, 407, 422, 561, 677, 848, 875, and 1133*

**15.19** A number of submissions have been received opposing the proposed extent of the MDRZ eastwards of the WTC, with particular concern noted around the site at 1 Ballanytne Road which includes the Mt Aspiring National Park Visitor Centre. Many submissions note that other acts or requirements take precedence.

**15.20** I note that this land already features an urban (residential) zoning and the rezoning as proposed through the UIV does not force the department of Conservation to develop housing on the site (as evidenced by the existing state of development despite its LDSRZ). Further the site itself does not share the qualities of the Mt Aspiring National Park proper which relate to “remote wilderness, high mountains and beautiful river valleys”.<sup>51</sup> Should the site no longer be required for use as a visitor centre for Mt Aspiring National Park, or its reference be removed from other legislation, then its location and size mean it is well suited to support residential intensification in an area with good accessibility to a range of commercial and community services.

*HDRZ east of Queenstown Town Centre: Submissions 59, 93, 253, 413, 515, 517, 536, 556, 627, 657, 705, 758, 1094, 1097, 1167, 1232*

**15.21** A number of submissions have been received opposing the proposed extent of the HDRZ eastwards of the QTC, including around Park, Brisbane, Hobart and Suburb Streets or north-east up Queenstown Hill. These locations are all in close proximity (or immediately adjacent) to the QTC and generally surrounded by the HDRZ under

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<sup>51</sup> <https://www.doc.govt.nz/parks-and-recreation/places-to-go/otago/places/mount-aspiring-national-park/>

the current PDP provisions. This area was identified in the Accessibility and Demand Analysis as performing particularly well relative to all other urban areas in the District. The proximity to not only the QTC but open spaces, cycle routes and public transport services combined with the natural amenity afforded by their lake front positioning as well as the size of existing parcels mean it is, in my opinion, very well suited to supporting higher density residential uses. In my opinion, retaining either the MDRZ or LDSRZ in these locations would be inconsistent with the policy framework of the PDP and NPS-UD, and would forego the positive benefits of intensification close to QTC.

- 15.22** I note that Submission 758 provides some more detailed analysis around potential shading impacts to properties around Park Street as a result of extending the HDRZ in this location. There is insufficient detail provided in the shading diagrams (e.g. property boundaries are not identified) and it is not clear as to how other standards have been incorporated (e.g. maximum building length, recession planes, outlook spaces). Based on my review it would appear that the analysis is based off a hypothetical building envelope based primarily on building height that is not representative of what would actually be built. Nevertheless, within the context of this areas location I do not consider that additional shading generated by larger building forms (particularly during the winter solstice) should be determinative of whether to enable intensification. Such a scenario would, in my opinion, negate any meaningful attempts to enable intensification around QTC.

*MDRZ west of Remarkables Park: Submissions 204, 385 and 425*

- 15.23** These submissions opposes application of the MDRZ near Remarkable Crescent and Riverside Road, just west of Remarkables Park. This was an area that was identified as performing relatively well in the Accessibility and Demand Analysis owing to its proximity to retail destinations, supermarket, schools, employment opportunities and the hospital. It is also served by public transport providing access to a wider range of destinations and services beyond the immediate area. Consistent with the policy direction of the NPS-UD and in recognition of its high level of accessibility I support retention of the MDRZ in this location.

*Kelvin Heights: Submissions 618, 924, and 1236*

**15.24** Several submissions were received regarding changes to the provisions that apply across the Kelvin Heights area specifically<sup>52</sup> or more broadly to the LDSRZ. No substantial changes have been proposed to the levels of intensification that could be enabled in the Kelvin Heights area over and above what the current PDP allows for. This reflects the relatively low accessibility of the area, in part due to its constrained access arrangements. However, I do note that this area is characterised by north facing, lake view sites giving them exceptional levels of on-site amenity that would be suitable to accommodate some more modest levels of intensification, such as those proposed by the various amendments to the LDSRZ, MDRZ and LSCZ which applying in varying spatial extents to the Kelvin Heights area.

*Lake Hayes Estate: Submission 860*

**15.25** Submission 860 seeks to downzone the area of Bridesdale from MDRZ as per the current PDP to LDSRZ. The submission correctly identifies that this area performs relatively poorly in terms of its accessibility. In this regard I would support some reductions in the height and density of development in this location in response to the submission and to provide for consistency across the Queenstown urban area. I consider a similar approach as applied to areas like Arthurs Point (a permitted height limit of 8m) would be appropriate in my opinion.

*Wānaka North: Submissions 52, 456 and 549*

**15.26** These submissions seek a reduction in building height in the MDRZ areas located in Wānaka North around Clearview Street and The Heights. The MDRZ that applies around Clearview Street is in an area which performs relatively poorly in terms of the Accessibility and Demand Analysis. In contrast the area around The Heights performs moderately well in part due to its proximity to schools, open spaces and employment opportunities. Based on these factors I would support a specific reduction in the heights that apply to the MDRZ around Clearview Street in line with my recommendations in paragraph 15.19 above (permitted height of 8m).

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52 For example, see Submission 417, 489, 618, 924 and 1236.

*Wānaka North: Submissions 120, 123, 234, 268, 514, 571, 711, 745, 796, 816, and 956*

**15.27** These submissions oppose the application of the MDRZ to areas immediately north of Wānaka Town Centre through to Plantation Road and Kings Drive. I also note that there were also some submissions received in support of the proposed MDRZ in these locations.

**15.28** I acknowledge the submissions which note that a small pocket of this area is identified as having low or very low accessibility with adjacent properties falling within areas that performed moderately well to high in the Accessibility and Demand Analysis. In part due to its proximity to the WTC, schools, open spaces and employment opportunities. In my opinion, these areas (including those properties / areas identified in Submission 268 and 956) are particularly well located to support some increased levels of intensification consistent with the requirements of the NPS-UD.

**15.29** In this regard, it should be noted that the Accessibility and Demand analysis (and the mapping specifically) is designed to provide an indication of an areas potential to be more suitable for more intensive residential uses. A rational approach to zoning and zone boundaries must still be applied to avoid any overly complex zoning pattern of different densities pepper-potted throughout an urban area. Such an application would undermine the delivery of more intensive housing and also act as a disincentive to site amalgamation which can be important for enabling more comprehensive development opportunities.

*Lismore Street HDRZ: Submissions 927, 1131, 1132, 1134, and 1135*

**15.30** These submissions oppose changes to the height limits for the HDRZ that applies to the block of land between Lakeside Road and Lismore Street immediately to the north of the WTC. The main rationale provided within these submissions relates to the potential impact on amenity views (principally private views). Issued around unspecified views from public spaces are also identified. I note that the notified UIV only proposed an increase in height to 12m on these sites (the same as proposed for the MDRZ) as opposed to higher height limits for the HDRZ in areas around the QTC. This is reflective of the higher levels of accessibility and demand that were identified around the QTC relative to the WTC. I acknowledge that some amenity values on some sites could be impacted by greater building heights in this location.

**15.31** At the same time, increased building heights could also enhance some amenity values by increasing access to views and sunlight for individual developments, or providing for greater numbers of housing close to services. In terms of impacts on public views in this location, I note that existing single storey development along Lismore Street already impedes views of the lake and mountains (in places) whilst the topography as Lismore Park continues to rise towards t Road and sits at elevations 15m-30m above Lismore Street. Further, other bulk and location standards that apply in the HDRZ including building setbacks, recession planes, maximum building length and building coverage all promote outcomes which ensures a degree of separation between and around buildings which will help maintain some views through to the surrounding environment. As such, I consider the height limits proposed through the UIV within this location remain appropriate.

### **Upzoning Submissions**

*Land east of QTC: Submissions 97 and 1077*

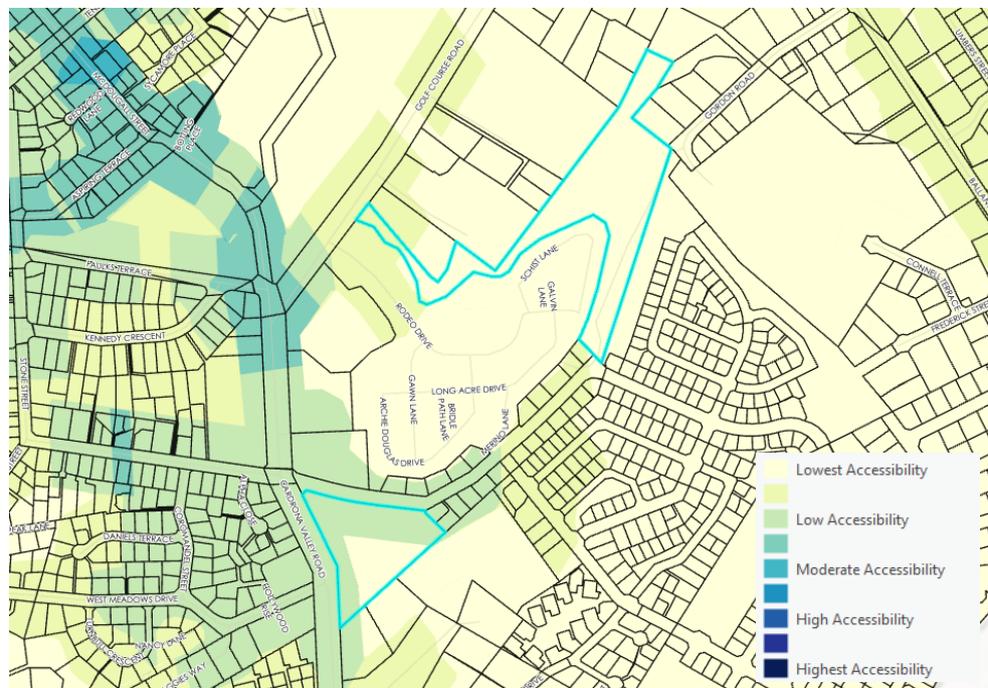
**15.32** Submissions 97 and 1077 seek to extend the HDRZ to cover properties located along the northern edge of Panorama Terrace (numbers 4-18 as well as 33 Suburb Street) north-east of the QTC. The primary rationale was having buildings of different heights on opposite sides of the road would result in poor character and amenity outcomes for residents. This area sits at the edge of the more accessible land identified around the QTC.

**15.33** Ultimately a line needs to be drawn somewhere and, in my opinion, it is preferable to utilise natural boundaries such as roads, parks, streams or steep topography as opposed to utilising property boundaries which tends to create issues around recession planes when adjoining lower intensity zones. Utilising natural boundaries helps to provide for a physical transition in building forms and scale, and is a common approach adopted across New Zealand planning documents. I note that the enabling framework as they relate to heights does not mandate conformity in building height, as such single storey buildings adjacent to two, three, four or five buildings is not an unanticipated outcome of the zone framework nor does it give rise to adverse character and amenity outcomes. Rather it is a common and mundane reality of intensifying urban environments. As such, based on the

accessibility and demand analysis I have undertaken and the discussion above I do not support the requested relief of Submissions 97 and 1077.

**Southwest Wānaka: Submission 659**

**15.34** Submission 659 seeks to rezone two areas of currently undeveloped LDSRZ to MDRZ adjoining the Cardrona Valley LSCZ and adjacent to the Aspiring Medical Centre and Stone Reserve in Wānaka (45 Cardrona Valley Road) and an 'L' shaped block of land north of Avalon Station Drive. This area adjoining the Cardrona Valley LSCZ was assessed as having a moderate to low level of accessibility while the land north of Avalon Station Drive was assessed as having low accessibility relative to other parts of the District.



**Figure 6 - Accessibility Analysis relative to Submission 659 sites**

**15.35** With regards to the request for the portion of land adjacent to the LSCZ, I note that the Cardrona Valley Road / McDougall Street corridor generally performs better in terms of accessibility than most other areas in the western portion of Wānaka due to more proximate access to a range of different open spaces, early childhood education, medical facilities and the future potential of the Cardrona Valley LSCZ. As the site (and adjoining the LSCZ) is currently undeveloped, there is an opportunity to deliver a more comprehensive housing development that is unconstrained by issues created by existing cadastral boundaries and positively

fronts the adjacent street network and potentially better support the viability of commercial development in the centre zone, further enhancing this sites accessibility to a range of different commercial and community services.

- 15.36** In my opinion, the rezoning of 45 Cardrona Valley Road to MDRZ does not raise any adverse urban design effects and also provides opportunities to help deliver more varied typologies in this location. However, I do not consider that the site north of Avalon Station Drive which lies between 400-700m further east shares comparable characteristics. Whilst closer to the emerging Three Parks area (and associated employment opportunities), this site is still some distance from key amenities including schools, supermarkets and key public open spaces which are all generally at least 1.2 – 2km away. This site is as it relates to its accessibility and locational characteristics more suitably retained within the LDSRZ. Accordingly, I would not support an amendments to the MDRZ.

***Submissions 410, 766 and 775 (Frankton-Ladies Mile / Hansen Road)***

- 15.37** Submission 410 seeks to rezone part of 145 Frankton-Ladies Mile Highway from HDRZ to BMUZ while Submissions 766 and 775 seeks to rezone the land at 1 and 3 Hansen Road near the Frankton LSCZ to from LDSRZ to BMUZ. The area around Frankton, including the sites at 1 and 3 Hansen Road performs well within the Demand and Accessibility Analysis, with a high level of accessibility overall. The site is partially vacant with the remainder being occupied with a church and childcare centre. The site at 145 Frankton-Ladies Mile Highway performs moderately well relative to other areas although this is in part influenced by the nature of emerging development around the Frankton Flats area. As development matures accessibility would be expected to improve further.
- 15.38** Given the zoning of adjacent parcels being either BMUZ, LSCZ, or HDRZ, the area's level of accessibility and aspirations for Frankton's future role as a metropolitan centre, I would support more intensive uses of both 145 Frankton-Ladies Mile Highway and 1-3 Hansen Road and do not consider that it would give rise to any problematic urban design issues (e.g. amenity). Rather it provides an opportunity to intensify (either residential or commercial) uses in an area close to employment, services and public transport. I also note that 145 Frankton-Ladies Mile Highway

already enables a relatively intensive form of development via the HDRZ provisions, not dissimilar to what is enabled via the BMUZ.

- 15.39** As such, I do not oppose the rezoning request as it relates to both 145 Frankton-Ladies Mile Highway and 1-3 Hansen Road from an urban design and accessibility perspective. I note this also responds, in part, to Submission 200 from NZTA Waka Kotahi.

*Frankton Arm: Submissions 26, 548, 836, 1025 and 1250*

- 15.40** These submissions seek a number of extension of the MDRZ to various sites bordering Panners Way, Golden Terrace, St Georges Avenue and St Lukes Lane from LDSRZ to MDRZ. These streets are all elevated above Frankton Road between the QTC and the Frankton LSCZ. The area was identified as having a low level of accessibility relative to other areas. This is driven by the lack of amenities along Frankton Road as well as the topography and resulting street network in this location.

- 15.41** The areas sought to be rezoned generally sit several hundred metres away (in addition to up to 50m of elevation change) away from the nearest bus stop. Areas to the south generally performed better in the Accessibility and Demand Analysis in part due to better proximity to bus services along Frankton Road. In the case of land around St Georges Avenue also note that an existing stream gully in this location at the rear of 70-74 Highview Terrace was utilised as a natural zone boundary. In my opinion, this is a more appropriate and logical termination point for the MDRZ in this location, especially given the results of the accessibility analysis.

- 15.42** Submission 1250 seeks to rezone parts of Hensman Road from LDSRZ to MDRZ. Hensman Road is located north-east of QTC and is elevated above Frankton Road. The area subject to the request was identified as having low accessibility relative to other areas and was impacted (like other areas along the Frankton Arm) by the topography and circuitous street network. I note that other areas nearby have been proposed to be upzoned to MDRZ. In these instances, they were included to provide a rational zone boundary capturing sites along Panorama Terrace but which acknowledged the significant inter-block topographical changes that are

evident in this area. As such, I do not support amendments to the notified zone boundaries (or, rezonings) in this location.

- 15.43** I therefore do not consider that there is an accessibility reason to support a zoning change from what was notified through the UIV in this location.

*Queenstown Hill: Submission 1024*

- 15.44** Submission 1024 seeks to rezone a small number of sites around Windsor Place, north-east of the QTC from LDSRZ to MDRZ. The submissions notes that adjacent and adjoining sites all fall within the MDRZ, although I note that sites higher up Queenstown Hill are subject to an additional height overlay control of 8m under Rule 8.5.1.2.

- 15.45** This area was identified as having relatively low accessibility. I sympathise with the points raised in the submission around consistency of urban form in this context (whilst noting that the framework only enables a consistent outcome, not that it requires it). Based on results of the Demand and Accessibility Analysis, the proposed approach with surrounding sites and the area's proximity to QTC, I consider that extending the MDRZ over this location in addition to the 8m height control which is proposed for those sites immediately to the north would be appropriate.

*Three Parks: Submissions 948, 1039 and 1040*

- 15.46** Submissions 1039 and 1040 seeks to rezone a large pocket of undeveloped MDRZ to HDRZ in the Three Parks area of Wānaka. In addition to these specific requests there were also a number of submissions which were generally supportive of increased levels of density in Three Parks (albeit instead of around WTC in some instances).<sup>53</sup> I note that while this specific area was identified as having a low level of accessibility, this was primarily driven by the fact that this large site is currently undeveloped and does not have an established transport network which formed

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53 For example, Submissions 317, 797, 948, 1091, 1113, 1120, 1191, 1370, and 1371.

the basis of my assessment. As such, regard needs to be had to how areas immediately adjacent to this undeveloped area performed.

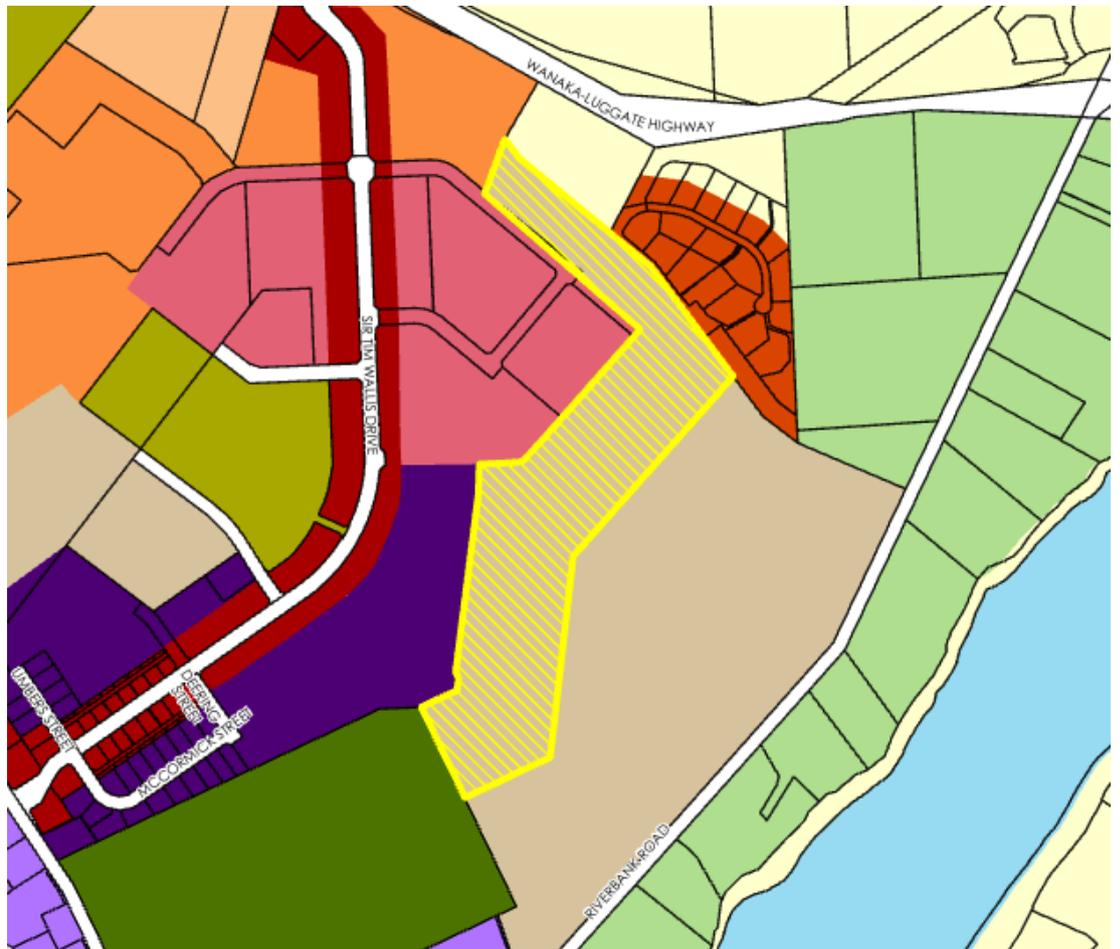
**15.47** Areas along the Wānaka-Luggate Highway and Three Parks were identified as having moderate to high levels of accessibility. I would anticipate that this would improve over time as development of the Three Parks commercial area continues (with increased employment and service opportunities becoming available). In addition, I note that the existing Three Parks Structure Plan identifies a number of future open spaces / reserves which would need to be delivered with development.

**15.48** I also note that the area fronting the Wānaka-Luggate Highway sits adjacent to already established supermarkets and large format retailers and is directly connected to WTC by off-road cycling facilities. Both areas are approximately 400m from the school and recreation centre. In my opinion, the rezoning of these currently vacant sites to HDRZ does not raise any adverse urban design effects and also provides opportunities to help deliver more intensive typologies in a comprehensive manner in these accessible locations. As such, from an urban design perspective I support the “upzoning” of all land west / north-west of Sir Tim Wallis Drive within the Three Parks area.

**15.49** Submission 948 seeks that all the existing LDSRZ in the Three Parks area (two separate areas northwest and east of Sir Tim Wallis Drive and bounded by Ballantyne Road and Riverbank Road) is amended to MDRZ. In terms of the area to the northwest of Sir Tim Wallis Drive, consistent with the discussion in paragraphs 15.25-15.27, I would from an urban design and accessibility perspective support an amendment to the MDRZ. For the LDSRZ area east of Sir Tim Wallis Drive, I continue to support the application of some LDSRZ towards Riverbank Road noting that this area remains on the periphery of Wānaka’s urban environment and does not benefit from a location in proximity to both the WTC and the Three Parks commercial area. I also note that the school, recreation centre and supermarket are all located northwest of Sir Tim Wallis Drive beyond an immediate 400m / 5-minute walking catchment from the majority of this land (where the greatest accessibility benefits lie).

**15.50** Nevertheless, some additional application of the MDRZ would be appropriate in recognition of the emerging character and amenities of the Three Parks area. This

would also better utilise existing greenfield land where there are less restrictions on future development due to the lack of cadastral boundaries and existing residents. I have identified approximately 14.45 Ha of land that could be reasonably rezoned to MDRZ. This is the area that is approximately within 400m of some (or all) of the main amenities within Three Parks (being schools, supermarket, open space and employment). The south eastern boundary of this area extends at least 150m from the Three Parks Business Zone and Three Parks Commercial Zone to ensure an efficient block pattern and road structure suitable for medium density housing can be provided for. In my experience 150m would be sufficient to provide for two blocks of 55m in depth and an additional 40m for streets assuming these are generally aligned along zone boundaries as per the existing pattern of development in Three Parks.



**Figure 7 - Additional MDRZ as proposed in response to Submission 948**

**15.51** Submissions 1039 and 1040 also sought the removal of the building restriction area (BRA) which applies along the site's boundary with the golf course and Wānaka-

Luggate Highway. The BRA captures areas identified as a future “landscape buffer” and walking / cycling route and two public reserves / open spaces. In my opinion, I would support the removal of the BRA along the golf club and highway boundaries. The golf course property already includes a mature hedge row along its boundary with the site which effectively fulfils a landscape buffer role already, whilst the Wānaka-Luggate Highway already includes a generous landscaped berm that would separate the site from the road itself. As a golfer, I would however note that a physical setback along the golf course boundary may have other benefits over and above what a landscape buffer was intended to deliver in terms of safety from errant golf balls for people and property in the event that the hedge row is removed or falls down. With regard to the BRA that applies to the future reserve areas, these are likely to be even more important to supporting the amenity of future residents with even greater levels of intensification across the Three Parks area proposed through the UIV and as recommended above. As such, I would not support its removal from these locations although note that there may be other methods by which these open spaces could be delivered.

*Arthurs Point: Submissions 500, 833 and 1260*

- 15.52** Submissions 500, 833 and 1260 seek various changes to the provisions and extent of the MDRZ as it applies in Arthurs Point. Some increase in density was provided for through the proposed changes to the existing MDRZ in this location and its role in the provision of visitor accommodation. However, the current height limit of 8m was retained in recognition of its poor performance in the Accessibility and Demand Analysis relative to other areas. As such I do not support any further changes to the MDRZ provisions or spatial extent of zoning in this location as it relates to 111 Atley Road (Submission 500).

*Fernhill: Submission 1263*

- 15.53** Submission 1263 seeks inclusion of all of their contiguous landholdings around Fernhill Road, Richards Park Lane and Aspen Grove within the MDRZ. With the exception of 18 Richards Park Road, their land currently sits within the notified MDRZ. I note that Fernhill performed relatively poorly in terms of accessibility. However, from a practical perspective, inclusion of the additional site at 18 Richards Park Road could support a more comprehensive design of the entirety of

Coherent Hotel's undeveloped landholdings in this area by removing consent triggers that apply in the LDSRZ. As such, I do not consider that this request would give rise to any problematic urban design effects.

*Fernhill: Submission 439*

**15.54** Submission 439 seeks inclusion of their site at 45 Wynyard Crescent, Fernhill within the MDRZ. As discussed above, Fernhill performed relatively poorly in the Accessibility and Demand Analysis. Some increase in height and density in the existing MDRZ across Fernhill have been enabled through the proposed changes to the bulk and location controls of the existing zone which is focused along the main bus corridor which serves the suburb. The existing MDRZ boundary in this location sits mid-block (between Fernhill Road and Wynyard Crescent) and responds to the significant elevation change between these roads. In my opinion, the existing zone boundary is logically located and no further expansion of the MDRZ in this location is necessary.

**General comments on proposed changes sought**

**15.55** Overall, based on the submissions received and additional sensitivity analysis undertaken with regards to public transport in Queenstown I consider that the general intent of the proposed spatial extent of the various zones remains sound. Where submissions have identified potential issues, I have considered these and suggested refinements that I consider to be acceptable in urban design terms (for submitters' benefit, my position only represents urban design and/or accessibility advice, a council recommendation on the submissions are included in the relevant s42A report).

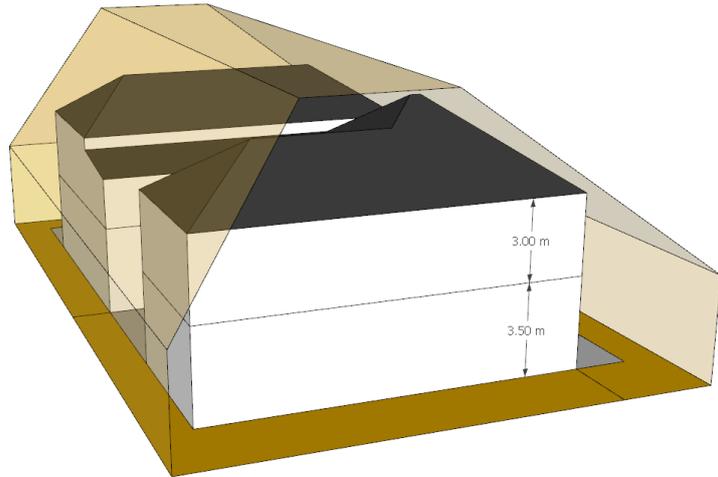
**15.56** In addition, a large number of submissions are seeking general "downzoning" or a reduction in height limits over broad areas (e.g. around Wānaka and Queenstown Town Centres). The primary basis given for this opposition appears to be related to impacts on on-site amenity of existing residents (e.g. potential loss of private views, potential increases in shading). There are a number of design standards proposed (e.g. recession planes and building setbacks) which seek to respond to concerns around more intensive building forms whilst not unduly limiting the potential for those more intensive building forms to occur.

**15.57** These broad requests are typically in areas which are considered to be the most accessible locations within the District with proximate access to a wide range of services and destinations that are important for day-to-day living, have higher land values (per m<sup>2</sup>) reflecting greater levels of demand, and may support greater levels of walking, cycling and public transport usage (supporting reductions in GHG emissions). In this regard, I consider intensification of these areas would provide for positive urban design outcomes and would be consistent with the policy direction established by the NPS-UD.

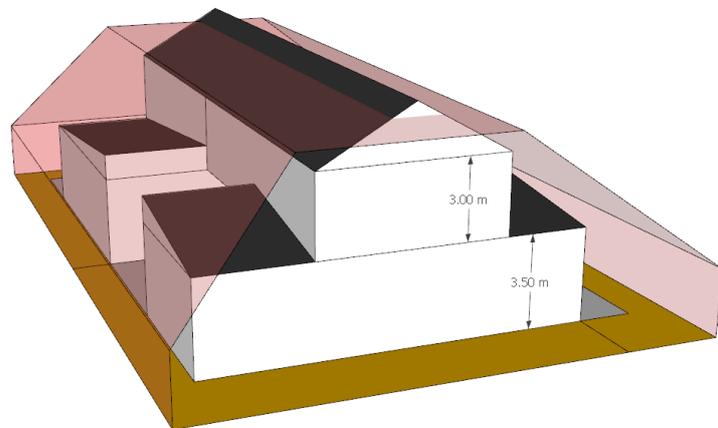
## **16. ARROWTOWN MODELLING**

**16.1** In addressing various submissions related to Arrowtown specifically, I was asked to undertake some basic 3D modelling exercises to help understand the potential impacts or changes that may arise from amendments to the height and recession plane standards. Firstly, an amendment to the permitted building height in the LDSRZ down to 6.5m with a restricted discretionary threshold between 6.5m and 8m, and secondly an amendment to the permitted building height within the MDRZ to 8m (down from 11m +1m) and the inclusion of recession planes consistent with the existing provisions in the PDP (2.5m + varying angles depending on boundary orientation). All other standards from the notified UIV remain unchanged, including the density controls within the Arrowtown Historic management Transition Overlay Area.

**16.2** The model I developed utilised a typical sized site in the Arrowtown MDRZ (19x30m / 570m<sup>2</sup>) with its southern boundary along a long-edge of the site to represent a worst-case scenario in terms of development potential. The model has deliberately sought to “max-out” the building envelope and does not consider qualitative design aspects of any building. A 3.5m ground floor and 3m upper floor has been adopted consistent with the modelling included within my Urban Design Report. A representative outcome of the potential changes to the MDRZ for Arrowtown in shown in Figures 7 and 8 below.



*Figure 8 – Indicative bulk / massing potential under the Notified UIV standards*



*Figure 9 – Indicative bulk / massing potential under standards as per the S42A report*

- 16.3** Based on the above, I note the proposed recession plane of 4m + 35° along the southern boundary is already a significant inhibitor of achieving 3-storey development on typically sized MDRZ sites, such that the proposed amendments to both the height and recession planes would primarily impact the overall bulk of development that could be realised, rather than the density.

**16.4** In terms of the potential impacts from an amendment in permitted building heights within the LDSRZ across Arrowtown, I note that 2-storey development is still able to be accommodated within 6.5m. However, it does impact on internal floor-to-ceiling heights and the extent of roof form and roof pitch that can be utilised.

## **17. CONCLUSION**

**17.1** In conclusion, I consider that the general thrust of the notified UIV remains appropriate in urban design terms. Having considered the submissions received on the UIV, I do consider that there would be some benefit in minor amendments to the spatial extent of the MDRZ, HDRZ and BMUZ as well as a number of amendments to the key bulk and location standards of the HDRZ, LSCZ, QTCZ, and WTCZ.

**17.2** I note that many potential amenity effects often associated with more intensive development sought to be enabled through the UIV (whether real or perceived) are unlikely to be uniformly felt or considered relevant by residents or visitors. There will be a high degree of variation based on individual circumstances related to one's socio-economic status, culture, age, and household composition. In this regard, someone may be more than happy to make a trade-off of a smaller, cheaper residential unit to free up capital for recreational pursuits. Alternatively, someone may prefer the convenience of a smaller dwelling with a short commute, to a larger dwelling with a long commute.

**17.3** In my opinion, when seeking to implement the NPS-UD, the planning framework as it applies to urban design matters should provide sufficient design flexibility to respond to individual site circumstances while minimising overly onerous development standards to better enable a range of housing choices to emerge. In this regard, development standards should not seek to entrench particular amenity preferences from some sections of the community. Rather, the urban design and amenity effects of more intensive development envisioned by the notified UIV is best managed by a combination of consistent development standards which establish a broad building envelope, with matters of detail to be assessed by way of design review. This process will help address actual or potential adverse urban

design effects associated with development whilst enabling the benefits of intensification to be better realised across the District.

A handwritten signature in black ink, appearing to read 'Cam Wallace', with a large, sweeping initial 'C'.

**Cam Wallace**

**6 June 2025**