

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

<b>Under the</b>	Resource Management Act 1991
<b>In the matter</b>	of the Urban Intensification Variation to the proposed Queenstown Lakes District Plan

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**SECTION 42A REPORT OF CORINNE FRISCHKNECHT  
ON BEHALF OF QUEENSTOWN LAKES DISTRICT COUNCIL**

**REZONING: BUSINESS AND LAKE HÄWEA ZONES**

**6 June 2024**

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**1. QUALIFICATIONS AND EXPERIENCE**

- 1.1** My full name is Corinne Frischknecht. I hold the position of Senior Policy Planner at Queenstown Lakes District Council (**the Council or QLDC**). I have been in this position since February 2024.
- 1.2** I hold the qualifications of Bachelor of Environmental Management from Lincoln University and a Master of Urban Design from Auckland University. I am a Full member of the New Zealand Planning Institute.
- 1.3** My current role is Senior Policy Planner, prior to this I was employed at Tauranga City Council as Principal - Urban Planning and Design. As part of this role, I was Project Lead for setting up the Tauranga Urban Design Panel, as well as involved in drafting Urban Design provisions and expert conferencing for Urban Design for the Plan Change 33 – Enabling Housing Supply.
- 1.4** I have over 16 years’ experience working in resource management planning, urban design and spatial planning (both public and private sectors) in New Zealand and the United Kingdom. This includes having a lead role or support for a number of Council plan changes, of most relevance being Plan Change 26 – Housing Change for Tauranga City Council which was a plan change to enable intensification of existing urban areas. My involvement in the project included provision writing, s.32 evaluation report, summary of submissions and further submissions. The Plan Change was prepared to give effect to the NPS-UD 2020 and was then put on hold with the release of NPS-UD 2022 and eventually replaced by Plan Change 33 – Enabling Housing Supply, and consequently never eventuated to a Hearing.
- 1.5** Although this is a Council hearing, I confirm that I have read the Code of Conduct for Expert Witnesses 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. The Council, as my employer, has authorised me to give this evidence on its behalf.

## **2. INTRODUCTION**

**2.1** In this section 42A report, I provide recommendations to the Hearings Panel on the submissions and further submissions received on the variations to the Business Zones to the Proposed District Plan (**PDP**). I also provide recommendations to the Hearings Panel on the submissions relating to the Lake Hāwea Residential Zones.

**2.2** I became involved in this Variation during the summary of submissions process.

**2.3** A total of 27 submission points and 13 further submission points were received on mapping/zoning matters, that are not otherwise covered in Ms Morgan's s42A. This report covers mapping for Business Zones in Queenstown/Whakatipu and Wānaka and Residential Zones Lake Hāwea.

**2.1** I have grouped my analysis of these submission points into topics by area as follows:

- (a) Area 1: 1 Hansen Road, Frankton;
- (b) Area 2: 3 Hansen Road, Frankton;
- (c) Area 3: 145 Frankton-Ladies Mile Highway, Frankton; and
- (d) Area 4: Out of scope Submissions.

**2.2** For each topic, I summarise the key issue(s) and relief sought in the submission, consider whether the relief sought better achieves the relevant objectives of the applicable policy documents, and evaluate the appropriateness, including costs and benefits, of the requested changes in terms of s32AA of the Resource Management Act 1991 (**the RMA**).

**2.3** The section 32AA evaluations contain a level of detail that corresponds to the scale and significance of the anticipated effects of the changes that have been made. Therefore, recommendations on editorial, minor, and consequential changes that improve the effectiveness of provisions without changing the policy approach are not re-evaluated.

- 2.4** My recommendations in relation to further submissions reflect the recommendations on the relevant primary submission.
- 2.5** When assessing the submissions, I refer to and rely on the evidence of:
- (a) Cam Wallace, Barker and Associates (B&A) – Urban Design;
  - (b) Susan Fairgray, Market Economics (ME) – Economics;
  - (c) Richard Powell, Queenstown Lakes District Council – Three Waters Infrastructure;
  - (d) Amy Bowbyes, Queenstown Lakes District Council – Section 42A on Strategic Evidence.
- 2.6** The key documents I have used, or referred to, in forming my view are:
- (a) National Policy Statement on Urban Development (**NPS-UD**);
  - (b) Proposed Urban Intensification Variation – Section 32 Report (**s32 Report**);
  - (c) Queenstown Lakes Proposed District Plan (**PDP**);
  - (d) Queenstown Lakes Operative District Plan (**ODP**);
  - (e) Regional Policy Statement 2019 for Otago (**ORPS 19**);
  - (f) Proposed Otago Regional Policy Statement 2021 (**PORPS 21**) - decisions version;
  - (g) Queenstown Lakes Spatial Plan 2021 – 2050 (**Spatial Plan**);
  - (h) QLDC Ten Year Plan 2021-2031 (**LTP**);
  - (i) QLDC Annual Plan 2023-2024 (**AP**);
  - (j) QLD Housing & Business Capacity Assessments (**HBA**) (2017, 2021);
  - (k) Hearing of Submissions on Proposed District Plan (Report 17-6) (Report and Recommendations of Independent Commissioners Regarding Mapping of Frankton, Lake Johnson, Tucker Beach Road).
- 2.7** Changes I recommend to the notified provisions in response to submissions and further submissions are tracked in Appendix 1 to Ms Bowbyes S42A – Strategic Evidence (**Strategic Evidence Appendix 1** hereafter). My recommendations for accepting or declining submissions are included in Appendix 2 to Ms Bowbyes S42A – Strategic Evidence (**Strategic Evidence Appendix 2** hereafter) alongside a summary of the relief sought in the submissions.

- 2.8** Where a submission is in support of a notified provision and no other submissions have been received on that provision, I have not addressed the submission point. I recommend that these submission points are accepted, as shown in **Strategic Evidence Appendix 2**.
- 2.9** Where a submission opposes a provision and does not provide any reasons, I have not addressed the submission point. I recommend that these submission points are rejected, as shown in **Strategic Evidence Appendix 2**.
- 2.10** Throughout my evidence I refer to the following versions of the PDP text, as follows:
- (a) PDP [Provision] XX.X.X: to refer to the Proposed District Plan (i.e. PDP Objective XX.2.1)
  - (b) notified [Provision] XX.X.X: to refer to the notified version of a provision amended through the UIV (i.e. Objective XX.2.1); and
  - (c) S42A [Provision] XX.X.X: to refer to the recommended version of a provision as included in Strategic Evidence Appendix 1 (i.e. S42A Objective XX.2.1).

### **3. EXECUTIVE SUMMARY**

- 3.1** This s42A report makes recommendations on the submissions and further submissions received on the proposed Urban Intensification Variation to the PDP (UIV) mapping/zoning changes to the Business Zones and Lake Hāwea Residential Zones.
- 3.2** The main issues raised by the submitters relevant to this s42A report are:
- (a) to enable increased residential and commercial development to provide for an efficient use of land; and
  - (b) more appropriately reflect the existing activities being undertaken on the site.
- 3.3** This report addresses each of these key issues, as well as any other relevant issues raised in the submissions relating to the extent of Business Zoned land. Having

considered the notified material, the submissions and further submissions received, the findings of the Council's expert advisors I have evaluated the rezoning requests and provided recommendations and conclusions in this report and summarised below:

**3.1** In regard to 145 Frankton-Ladies Mile Highway, Frankton, that:

- (a) the portion of the HDRZ land located south of the “Primary Road connection between SH6 and Ferry Hill Drive” as identified on the Frankton North Structure Plan, be zoned BMUZ; and
- (b) That the Business Mixed Use Area A as identified on the PDP planning maps be amended to reflect the new zoning.

#### **4. SCOPE OF THE UIV AND REZONING REQUESTS**

**4.1** The scope of the notified UIV is set out in Section 9 of Ms Bowbyes strategic s42A. Relying on legal advice, and relevant to this statement of evidence, Ms Bowbyes states that the following requests contained in submissions are not within the scope of the UIV:

- (a) Land that is not within the Urban Growth Boundary (UGB);
- (b) Rezoning of land that is not close to the commercial areas in Queenstown, Frankton and Wanaka - which narrows the scope of any rezoning requests to areas that can be characterised as being close to those three commercial areas; and
- (c) Land that is within the UGB but is currently zoned as an Operative District Plan (ODP) zone.

**4.2** I do not address rezoning requests that fall within these categories.

**4.3** As it relates to rezoning, there are submissions that seek to rezone land that is within the UGB but is not within any of the affected notified UIV Zones. This includes sites within the Large Lot Residential A Zone for example. Whether these submissions are within the scope of the UIV is addressed on a case-by-case basis in my evidence below.

5. AREA 1: 1 HANSEN ROAD, FRANKTON

Issues raised in submissions

Submitter	No. 1 Hansen Road Limited (766.2- 766.6)
Further submitters	City Impact Church Queenstown (FS1330) <b>support</b> 766.2, 766.3, 766.4, 766.5 Latitude 45 Development (FS1332) <b>support</b> 766.4 Queenstown Airport Corporation ( <b>QAC</b> ) (FS1355) <b>oppose</b> 766.4, 766.5
Land area / request refer to	<p>It is not overly clear the area of land that the submitter is referring to.</p> <p>Section 4(c) on Page 2 of the submission seeks <i>“that the web mapping application used by the Council to display the district plan zones be amended to include the section of 1 Hansen Road <b>within the OCB</b>, from LSCZ, Lower Density Suburban Residential, and Rural to BMUZ (see Appendix A). The Urban Growth Boundary should also be adjusted to reflect this.”</i></p> <p>However, in Appendix A of the submission, the red boundary shown on Figure 1 includes land outside of the OCB (which is zoned Rural Zone and some of which is located within the ONL). Figure 2 of the submission includes the triangular area of Rural zoned land (which is outside the OCB and ONL) and marked with a blue star.</p>







Figure 1 of Appendix A- Aerial Photograph of Site- 12 September 2023



Figure 2 of Appendix A- PDP Zoning Map- 1 Hansen Road, February 2023

While the submission point description of the relief refers specifically to land “within the OCB”, it goes on to refer to rezoning of the LSCZ, LDSRZ, and Rural

	<p>zones. My understanding of the submission is it is seeking to rezone the section of 1 Hansen Road outside the ONL (which includes a triangular piece of Rural land located outside the OCB). Should this be an incorrect interpretation, then this can be clarified by the submitter through the hearings process.</p> <p>However, I understand that rural zoned land is outside the scope of the UIV and therefore the part of the submission seeking to rezone Rural Zoned land, is not 'on' the UIV. I refer to Ms Bowbye's strategic evidence on this point. I have only assessed the land located within the existing urban environment (LSCZ and LDSRZ).</p> <p>I note that the LDSRZ portion of the submission (the small triangle in the Aerial Photo below) has also been addressed as part of the zoning request for 3 Hansen Road by City Impact Church Queenstown Incorporated (775), in Section 6 of this report.</p>
Aerial Photo	

PDP zone	<p>PDP and notified UIV: LSCZ, LDSR (no change to the PDP made in the notified UIV)</p> 
Rezoning / relief sought	<ol style="list-style-type: none"> <li><b>766.5 (oppose)</b> That 1 Hansen Road within the OCB be rezoned from LSCZ, LDSRZ, and Rural Zone to BMUZ and that the Urban Growth Boundary (UGB) be adjusted to reflect this.</li> <li><b>766.4 (oppose)</b> That appropriate provisions be included in the BMUZ to enable activities sensitive to aircraft noise (ASAN) within the Outer Control Boundary (OCB), with appropriate restrictions to protect the Queenstown Airport such as reverse sensitivity considerations.</li> <li>If the relief above is not accepted, then <b>766.6 (oppose)</b> That provisions relating to the Frankton LSCZ should be changed to either a bespoke approach or a Town Centre zoning with BMUZ around the periphery.</li> </ol> <p>Removal of site-specific development controls for 1 Hansen Road have also been sought, whether the zoning remains LSCZ or if the land is rezoned to BMUZ. These are summarised below:</p> <ol style="list-style-type: none"> <li><b>766.8 (oppose)</b> That PDP Rule 15.4.3.2 requiring a Spatial Layout Plan to be submitted for any development at 1 Hansen Road is deleted;</li> <li><b>766.9 (oppose)</b> That PDP Rule 15.5.1.2 restricting building coverage to 50% is deleted;</li> </ol>

	<p>(c) <b>766.10 (oppose)</b> That the site-specific maximum development PDP Rule 15.5.5 be deleted, or if the LSCZ remains, amended to remove the standards outlined in sub clauses a-d;</p> <p>(d) <b>766.11 (oppose)</b> That PDP Rule 15.5.7 be amended to enable a maximum height of 24m for 1 Hansen Road.</p>
Accessibility Mapping and Urban Design (Mr Wallace evidence)	<p>The area around Frankton, including the sites at 1 and 3 Hansen Road performs well within the Demand and Accessibility Analysis attached to the s32 report, with a high level of accessibility overall.</p> <p>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, Mr Wallace's evidence is that he would support more intensive uses of 1-3 Hansen Road and does not consider that it would give rise to any problematic urban design issues (e.g. amenity). Rather he says it provides an opportunity to intensify (either residential or commercial) uses in an area close to employment, services and public transport.</p>
Relative demand and Economic (Ms Fairgray evidence)	<p>Ms Fairgray supports the rezoning relief sought by the submitter and states that intensification in this location would be economically efficient. Lower density development would be an inefficient use of the land where the market could sustain a more intensive housing mix (as well as generating lower returns for developers).</p> <p>In her view, application of a BMUZ would further support the adjacent commercial centre, enabling a logical pattern of commercial activity expansion.</p> <p>She also note that she supports provision for further intensification at a medium or higher scale in the Frankton area, only if it can be appropriately managed in relation to the Queenstown Airport.</p>
Three Waters (Mr Powell evidence)	<p>The wider Frankton area is addressed in Section 5 of Mr Powells evidence. Intensification can be serviced through future upgrades.</p>

## Planning assessment

**5.1** The submitter has provided background on the zoning for 1 Hansen Road. Other than providing planning background information on the site at 1 Hansen Road, the



submission is not supported by any evidential basis, or S32AA assessment that assesses the suite of amendments sought.

## The environment

**5.2** In June 2017 and as varied in October 2021, the Council approved a subdivision consent for 11 urban lots, 2 access lots and a rural lot (RM210491). The approved subdivision plan is copied below. Subdivision works for the wider site are now substantially complete, and s224c certificate has been issued. This subdivision consent is considered as implemented, or in other words forms part of the environment, for the purposes of my assessment of what is the most appropriate zone for the submission site.

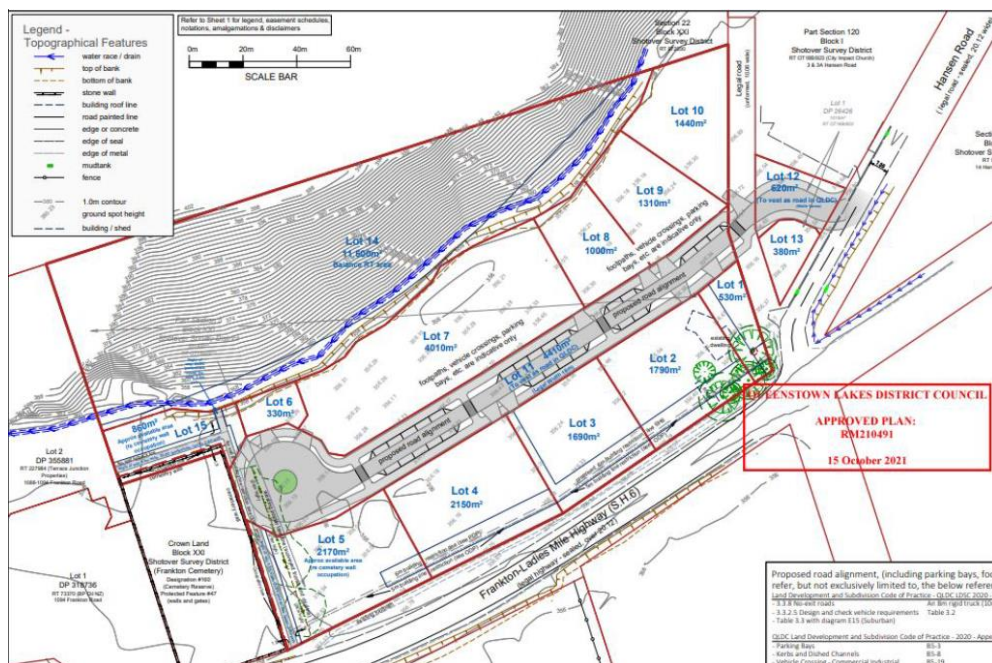


Figure 1: approved subdivision plan RM210491

**5.3** Lots 12 and 13 were zoned Rural General in the ODP and are now zoned LDSRZ in the PDP, and it was determined through the subdivision consent process that due to the size and topography of this land, it was not considered feasible, or as a result of the proposal, to farm this land. Lot 12 reflected the intersection upgrade designs by New Zealand Transport Agency Waka Kotahi (**NZTA**) at the time to provide vehicle access to Hansen Road and is to be vested as road in QLDC.

- 5.4** Since the granting of the original subdivision consent in 2017, a number of land use consents and change of conditions<sup>1</sup> have been approved for earthworks, construction of a car storage building and staff accommodation. Construction of the car storage building is now complete and forms part of the receiving environment.
- 5.5** On 25 June 2024 resource consent was approved for workers accommodation on the site following the fast-track consenting process under the COVID-19 Recovery (Fast-track Consenting) Act 2020 (**Fast-track consent**).<sup>2</sup>
- 5.6** The proposal originally sought through the Fast-track consenting process was eight separate buildings with varying heights between three and six storeys (between 11.4 m and 19.2 m respectively). A revised proposal was then submitted and granted, still with eight separate buildings with slightly reduced heights being between 11.8 m and 16.4m. The approved site plan is shown below.

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1 RM181338, RM190632, RM210491, RM221115, RM230405, RM240175, RM240683

2 FTC00102 - [Worker accommodation – Hansen Road | EPA](#)

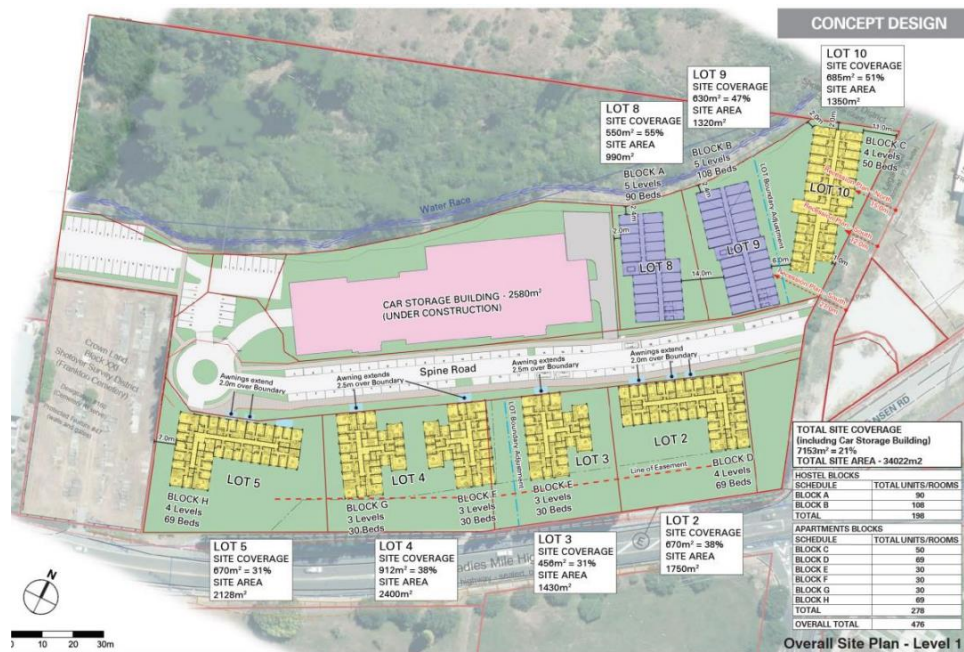


Figure 2: approved site plan for fast track consent

5.7 Paragraph 130 on Page 28 of the Decision of the expert consenting panel<sup>3</sup> found that although the revised proposal still represents a major change for this site, and there would be adverse effects on some views of the ONL and the distant Crown Range ONL (in particular, as people travel along the short part of SH 6 from the Frankton roundabout), the reduced heights along with the other proposed conditions bring the extent of adverse effects within a level of change the panel considers is appropriate in the framework of the PDP and no more than minor overall.

5.8 Paragraph 146 on Page 31 of the Decision Report, notes that in regard to traffic, NZTA provided comments on the application, and confirmed that the existing SH 6 intersection with Hansen Road and Joe O'Connell Road was not of an adequate standard to provide for the proposed development. Rule 15.5.5(c) of the PDP requires an intersection upgrade prior to retail and office tenancies operating. NZTA requested changes to the applicant's proposed conditions that would apply in the event the New Zealand Upgrade Programme (NZUP) did not proceed prior to the occupation of the site. It was acknowledged that the NZUP upgrades would have a notable impact on the functionality of the project and to ensure the two projects integrate with one another (i.e. location of crossings). The NZUP upgrade

3 [Worker-Accommodation-Hansen-Road-Decision-minor-corrections.pdf](#)

project at the time of the decision was in relatively early stages and it was acknowledged that there may be a consequential short-term timing issues with respect to the completion of both projects (i.e., the Proposal may be completed before the NZUP upgrades). The Fast-track panel found that the effects of the proposal on traffic, car parking, and the local road network could be appropriately managed through conditions of consent and would be minor or less than minor.

**5.9** Queenstown Airport Corporation (**QAC**) opposed the Fast-track application because the deliberate placement of an intensive residential activity, being an activity sensitive to aircraft noise within the OCB, was contrary to planning policy in the Frankton urban area under which residential densities have not been allowed to increase in order to protect the amenity of future residents and the ongoing operation of the Airport.

**5.10** With the conditions imposed, the Fast-track panel considered that the potential reverse sensitivity effects of the proposal on the Airport were less than minor and that the effects associated with residential activities in the OCB, operational noise generated by the proposal, and construction noise and vibration, could be appropriately mitigated and managed. One of the consent conditions included requiring the retention of acoustic attenuation in the buildings and a condition requiring the registration of a no complaints covenant in favour of QAC.

**5.11** While not yet implemented, there seems no reason why the Fast-track consent will not be implemented and therefore it is considered as part of the existing environment.

**5.1** There are two elements to this zoning request that need to be considered. The first one is the rezoning of the LSCZ to BMUZ (or alternatively to a refined LSCZ or to TCZ) and the other one being the rezoning of the LDSR to BMUZ zones.

#### Rezoning Relief A - LSCZ to BMUZ or TCZ

**5.2** As part of Stage 1 Hearing of Submissions on proposed District Plan, reverse sensitivity issues with the airport, cultural sensitivity of the site adjacent to the



cemetery, traffic generation and location of the National Grid that traverses the site were considered key issues.

- 5.3** In Part A Section 1.3, of the Report and Recommendations of Independent Commissioners Regarding Mapping of Frankton, Lake Johnson, Tucker Beach Road<sup>4</sup> it was acknowledged that *“this was a very complex strip of land to plan for, due to various constraints which affect it”*.<sup>5</sup> Subsequently it was determined that development on this site is best undertaken in an integrated manner which shows how effects on a range of matters such as amenity, traffic and historic heritage are to be managed. Subsequently, PDP Rule 15.4.3.2 requires a Spatial Layout Plan to ensure that the Council can understand the context of applications for individual buildings and be satisfied that such an integrated approach is being applied.
- 5.4** This also resulted in a number of other bespoke rules for the site contained within Rule 15.5.5, including limiting the amount of retail, office and residential development to manage traffic effects and ensuring that development does not compromise the efficiency and safety of the State Highway and local road network. In respect of the latter, by the end of the Stage 1 hearings, the Council and NZTA were generally in agreement on the wording of the provisions in Chapter 15 as they related to 1 Hansen Road.
- 5.5** I recognise and acknowledge that Frankton’s identified role in the Queenstown Lakes Spatial Plan 2021-50 as a metropolitan centre as well as its performance within the accessibility analysis report attached to the s32 identifies it fulfilling a more important centre role than other LSC Zones. However, this needs to be considered alongside its location within the Air Noise Boundary (**ANB**) and OCB of the Queenstown Airport, as well as the other constraints that were identified through the Stage 1 hearings process, particularly traffic effects and landscape effects on the ONL.

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4 [Report 17-06 Final](#)  
5 Paragraph 6, Page 3.

**5.6** The Further Submission by QAC opposes intensification within the ANB and OCB of the Queenstown Airport for the reasons outlined in its original submission, and to ensure that reverse sensitivity risks are not exacerbated.

**5.7** The table below shows the key differences between LSCZ, BMUZ and TCZ.

<b>Activities</b>	<b>BMUZ</b>	<b>LSCZ</b>	<b>TCZ<sup>6</sup></b>
<b>Residential</b>	Permitted	Permitted providing it is restricted to first floor level or above	Permitted
<b>Residential Visitor Accommodation</b>	Permitted	Permitted providing it is restricted to first floor level or above	Permitted
<b>Visitor Accommodation</b>	Controlled	Restricted Discretionary	Controlled
<b>Commercial</b>	Permitted	Permitted	Permitted
<b>Daycare Facilities</b>	Restricted Discretionary	Permitted	Permitted
<b>Warehousing, Storage and lock-up facilities</b>	Restricted Discretionary	Permitted	Permitted
<b>Office and retail</b>	Permitted <sup>7</sup>	Permitted <sup>8</sup>	Permitted
<b>Height</b>	12m <sup>9</sup>	7m	Varies <sup>10</sup>

**5.8** In regards to activities, one of the key differences between the zones is that Residential activity and Visitor Accommodation is more enabling in the BMUZ. Ms Bowbyes outlines the policy framework for Activities Sensitive to Aircraft Noise (**ASAN**) in the ANB and OCB in section 8 of her evidence where she states that development of ASANs within the ANB and OCB are subject to a specific policy framework and of particular relevance in this instance, is that subject to Rule 16.4.19, ASANs within the Queenstown Airport OCB are prohibited activities. ASANs include any residential activity, visitor accommodation activity or residential visitor accommodation.

6 Based on Queenstown Town Centre Zone.

7 Acknowledging that Rule 16.4.9 has specific requirements for Frankton North with Area retail and offices.

8 With restricted on GFA for individual retail and office activities.

9 And up to 20m as RD activity.

10 Subject to PDP Rule 12.5.8, the total height is determined by recession plane.

- 5.9** In regard to built form, one of the key differences between the zones is height. The LSCZ enables a height of 7m under the current PDP for Frankton, with notified height limit of 10m. The BMUZ enables a height of 12m for Frankton North under the current PDP, with notified height limit of 16.5m. The maximum heights for QTCZ as notified vary between 8m-20m.
- 5.10** The submitter also seeks an increase in the maximum building height for the rezoned BMUZ specific to 1 Hansen Road to 24m, to align with the proposed height in Queenstown Town Centre. The submitter considers 24m is the most appropriate height to provide for an efficient use of the land noting that the setting of the site is amenable to an increased height limit as the surrounding landscape has the capacity to absorb this scale of development, and that the location has high relative demand for housing and business land and is identified as being highly accessible. No landscape assessment has been provided by the submitter to support this position, nor a s32AA analysis to support the rezoning sought.
- 5.11** Nor has the submitter assessed PDP SO 3.3.7 which seeks to avoid additional commercial zoning that is likely to undermine the function and viability of the Frankton commercial areas as the key service centre for the Wakatipu Basin, or which will undermine increasing integration between those areas and the industrial and residential areas of Frankton.
- 5.12** Given that views of the ONL and the distant Crown Range ONL (in particular, as people travel along the short part of SH 6 from the Frankton roundabout), were considered key issues in processing the fast track consent, I am not convinced that a greater height in this location is appropriate.
- 5.13** Without further evidence, I am also not persuaded that rezoning the LSCZ portion of 1 Hansen Road to BMUZ would still align with PDP Objective 4.2.2A and Policy 3.2.2.1, that urban development occurs in a logical manner so as to appropriately manage effects on infrastructure (airport, SH6 and local road network) - as assessed in the s32 Report. These matters have not been addressed by the submitter, nor have the associated effects with rezoning from LSCZ and BMUZ and the change in activities that are enabled, been addressed by the submitter.

**5.14** In regards to rezoning to TCZ, I note that the purpose of the other town centre zones in the District is to provide a focus for community life, retail, entertainment, business and services. The town centres provide a vital function for serving the needs of residents, and as key destinations for visitors to our District, they provide a diverse range of visitor accommodation and visitor-related businesses. Given the site's location within the OCB, as well as the identified traffic issues through previously consented resource consent for the site (RM210491), I am also not convinced that rezoning the site to TCZ would still align with PDP Objective 4.2.2A and Policy 3.2.2.1, that urban development occurs in a logical manner so as to appropriately manage effects on infrastructure (airport, SH6 and local road network), or that the change of use would meet PDP Policy 3.2.1.3, in that the Frankton urban area functions primarily as a major commercial and industrial service centre, and provides community facilities, for the people of the Wakatipu Basin.

Rezoning Relief B: LDSRZ to BMUZ

**5.15** This part of the rezoning request also needs to be considered alongside my recommendation for 3 Hansen Road. The LDSRZ part of 1 Hansen Road, is currently vacant with a large proportion of it being located within the OCB. By way of background, the site at 3 Hansen Road was originally rezoned from ODP Rural General to LDSRZ in the PDP.

**5.16** I note that the small area of land identified below in blue, is Lot 12 as approved by RM161140 as discussed above, and reflects the intersection upgrade designs by

NZTA at the time to provide vehicle access to Hansen Road and is to be vested as road in QLDC.



Figure 3: location of Lot 12 as approved by RM161140

**5.17** While not yet vested in QLDC, there is no reason to suggest, from the information available in the submission, that it will not be. I therefore focus on the small triangle at the bottom which is 380m<sup>2</sup> in size and essentially bordered by three roads and located entirely within the OCB. The submitter has not addressed that the site is located within the OCB as part of their submission.


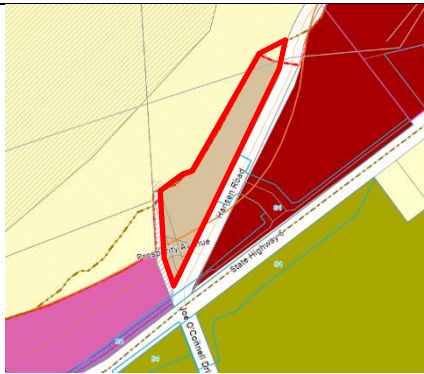
**5.18** The Further Submission by QAC opposes intensification within the ANB and OCB of the Queenstown Airport for the reasons outlined in its original submission, and to ensure that reverse sensitivity risks are not exacerbated.


**5.19** The submitter has not provided a s32AA analysis to support the rezoning sought, or an assessment of effects from changing this site from LDSRZ to BMUZ. For the reasons discussed above in regards to the LSCZ, I am not convinced that rezoning this part of the site to BMUZ would still align with PDP Objective 4.2.2A and Policy 3.2.2.1, that urban development occurs in a logical manner so as to appropriately manage effects on infrastructure (airport, SH6 and local road network).

**5.20** I therefore recommend that the various submission points be rejected.

## **6. AREA 2: 3 HANSEN ROAD, FRANKTON**

<b>Submitter</b>	<b>City Impact Church Queenstown Incorporated</b>
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Further submitters	<p>No. 1 Hansen Road Limited (FS1331) <b>support</b> 775.2, 775.3, 775.7, 775.8</p> <p>Queenstown Airport Corporation (<b>QAC</b>) (FS1355) <b>oppose</b> 775.2, Arrowtown Promotion and Business Association (FS1292) <b>oppose</b> 775.</p>
Land area / request refer to	<p>The section of 3 Hansen Road currently zoned LDSRZ and Rural Zone. In this section of my evidence I also consider Lot 1 DP26426, which is zoned LDSRZ and sought to be rezoned to BMUZ by No. 1 Hansen Road Limited (submission 766), and addressed in Section 5 above.</p>
Aerial Photo	
PDP zone	 <p>Note: the southern tip of the submission site, zoned LDSRZ, is within the OCB. The northern tip of the site is Rural Zone and outside the UGB and ONL.</p>
Rezoning / relief sought	<p>City Impact Church Queenstown Incorporated seeks that:</p> <ol style="list-style-type: none"> <li><b>775.2 (oppose)</b> That 3 Hansen Road is rezoned to BMUZ as shown in the map below.</li> <li><b>775.3 (oppose)</b> That the urban growth boundary should be adjusted to include the northern triangle of Rural Zone land that will be rezoned BMUZ.</li> </ol>

	<p>c. <b>775.7 (oppose)</b> That alternative relief to give effect to the submission could include amending the Frankton North Structure Plan to include BMUZ part of 3 Hansen Road within the Frankton North Structure Plan area.</p> <p>d. <b>775.8 (oppose)</b> Any rezoning of the land needs to be reflected on the Council planning maps.</p> 
<p>Accessibility Mapping and Urban Design (Mr Wallace's evidence)</p>	<p>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, Mr Wallace would support more intensive use of 3 Hansen Road and does 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.</p>
<p>Relative demand and Economic (Ms Fairgray's evidence)</p>	<p>Ms Fairgray supports the mapping relief sought by the submitter of the UIV to the sites at 1 to 3 Hansen Road and states that intensification in this location would be economically efficient. Lower density development would be an inefficient use of the land where the market could sustain a more intensive housing mix (as well as generating lower returns for developers).</p> <p>In her view, application of a BMUZ would further support the adjacent commercial centre, enabling a logical pattern of commercial activity expansion.</p>

	She also note that she supports provision for further intensification at a medium or higher scale in the Frankton area, only if it can be appropriately managed in relation to the Queenstown Airport.
Three Waters (Mr Powell's evidence)	Intensification can be facilitated through future upgrades

### Planning assessment

- 6.1** The site is partially vacant with the remainder being occupied with a church and childcare centre.
- 6.2** By way of background, the site at 3 Hansen Road was rezoned from Rural General to a combination of low density residential/partly rural in the ODP, in 2006.



Figure 4: Partially Operative DP Sep 2006 - Low density zone (yellow)

- 6.3** The submitter considers that intensification within Frankton, including by rezoning 3 Hansen Road to BMUZ to enable increased residential and commercial development, will help to implement the Queenstown Lakes Spatial Plan and give effect to Policy 5 of the NPS UD.
- 6.4** Even though I agree with the submitter that the location may have a high relative demand for housing and business land, as well as being accessible, and acknowledge Mr Wallace's evidence on that point, no assessment has been provided on the effects of the rezoning of this area from residential to business zone and the associated activities that this would enable.
- 6.5** The submitter considers that increased height is appropriate at 3 Hansen Road, to provide for an efficient use of the land, and that while the site is at the toe of the




Outstanding Natural Landscape, it is suitable for an increased height limit as the site and surrounding landscape (which is partly owned by City Impact) has the capacity to absorb this scale of development. No landscape assessment has been provided by the submitter to support this position.

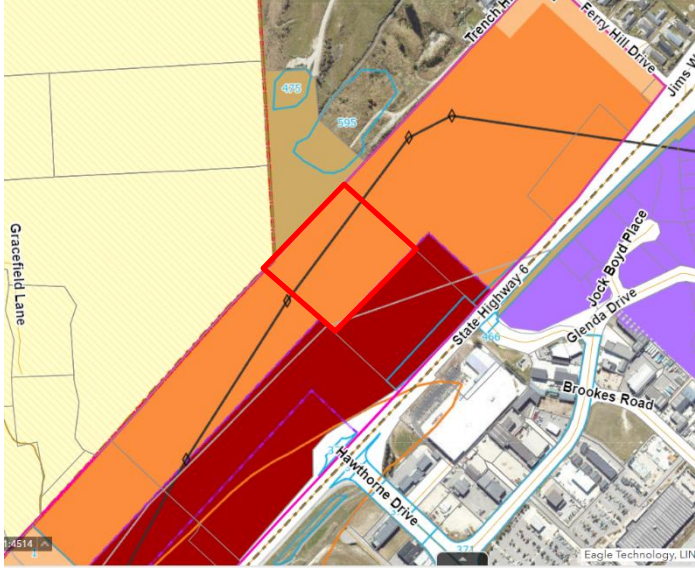
**6.6** Nor has the submitter assessed PDP SO 3.3.7 which seeks to avoid additional commercial zoning that is likely to undermine the function and viability of the Frankton commercial areas as the key service centre for the Wakatipu Basin, or which will undermine increasing integration between those areas and the industrial and residential areas of Frankton.

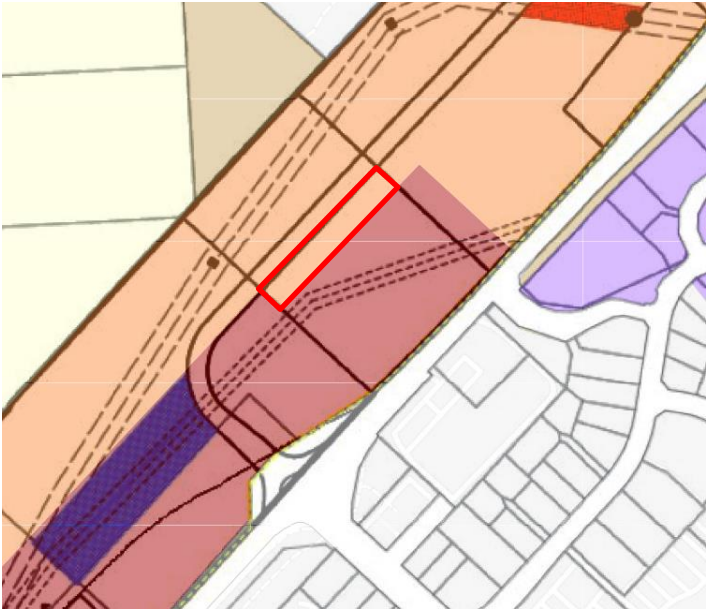
**6.7** For the reasons outlined in my assessment for 1 Hansen Road, and given the site's location adjoining an ONL, I am not convinced that a greater height in this location is appropriate.

**6.8** I therefore recommend that the various submission points be rejected.

## **7. AREA 3: 145 FRANKTON-LADIES MILE HIGHWAY, FRANKTON**

<b>Submitter</b>	<b>FII Holdings Limited</b>
Further submitters	N/a
Land area / request refer to	The section of 145 Frankton-Ladies Mile Highway, Frankton currently zoned HDRZ.
Aerial Photo	

PDP zone	 <p>The northern part of the Site is zoned HDRZ. The National Grid Transmission Line traverses through the HDRZ part of the Site.</p> <p>The southern part of the Site is zoned BMUZ and included within Frankton North - Business Mixed Use Area A.</p> <p>The entire Site is identified within the Frankton North Structure Plan area (Chapter 27).</p>
Rezoning / relief sought	<p>a. <b>410.1 (oppose)</b> the HDRZ part of the Site be rezoned to BMUZ.</p>

	<p>b. <b>410.2 (oppose)</b> In the alternative, apply BMUZ to the HDRZ land located south of the "Primary Road connection between SH6 and Ferry Hill Drive" denoted across the Site, within the Frankton North Structure Plan, as shown below:</p>  <p>c. <b>410.3 (oppose)</b> In addition to the above rezoning sought, the Submitter seeks amendments to the HDRZ Frankton North provisions applying to the Site to create greater flexibility in the development and intensification of mixed business use activities, and any other site-specific provisions necessary as a result of BMUZ zoning extension.</p>
<p>Accessibility Mapping and Urban Design (Mr Wallace's evidence)</p>	<p>Mr Wallace notes that the submission 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.</p> <p>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, Mr Wallace supports more intensive use of the site and does 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</p>

	public transport. He also acknowledges 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.
Relative demand and Economic (Ms Fairgray's evidence)	Ms Fairgray considers that either the BMUZ or the PDP/notified HDRZ on the site would encourage economically efficient development patterns at this location that would align with patterns of relative demand.
Three Waters (Mr Powell's evidence)	Intensification can be facilitated through future upgrades.

## Planning assessment

### *The environment*

- 7.1** The submitter provides information on a number of approved resource consents to undertake industrial activities on the submission site. However, I note that some of those consents, being RM120123,<sup>11</sup> RM150219<sup>12</sup> and RM161212<sup>13</sup> were granted for a fixed duration which have now all lapsed.
- 7.2** Of relevance, land use consent RM200627 was granted on 22 September 2021 to establish a contractor's depot, including associated buildings for offices and a workshop; a transfer facility for the sales of rock and aggregate; and storage of cleanfill material, contained within a semi enclosed building structure and a series of concrete bins. A copy of the approved site layout plan is copied below. The zone boundary between the HDRZ and BMUZ as shown on the approved site plan is highlighted as a dashed blue line.

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11 Land use consent to undertake earthworks, establish a shed upon the site within internal boundary setbacks and retain three shipping containers on the site within the road boundary setback for a period of 12 months.

12 Application under section 127 of the RMA to change Conditions 1 and 3 of RM120123 to replace the existing road boundary trees with another species.

13 Land-use consent for a three year terms of storage of roading and drainage aggregate, storage of vehicles and equipment and construction of a fence.



Figure 5: Site Plan as approved by RM200627

- 7.3** The submitter states that residential activity is enabled within the BMUZ, meaning the rezoning of the entire submission site to BMUZ will still enable its use to accommodate activity normally anticipated in the HDRZ. The submitter also states that notified UIV amendments to the rules and standards for buildings, including the maximum height for buildings, are similar in both the Frankton North BMUZ and the HDRZ, meaning the actual environmental effects of the rezoning will be negligible.
- 7.4** I agree with the submitter in that the notified UIV height limits for HDRZ in Frankton North is 16.5m (Rule 9.5.1.1) which is the same as what is notified for BMUZ in Frankton North (Rule 16.5.8.1) and that Residential activities are also permitted in the BMUZ (Rule 16.4.1). However, the BMUZ enables a much broader range of activities compared to the HDRZ, which has not been considered by the submitter, and therefore I do not agree that the actual environmental effects of the rezoning would be negligible.
- 7.5** The submitter considers that rezoning the HDRZ part of the submission site to BMUZ would better reflect the existing industrial and business activities being undertaken on the submission site and would ensure that future development is complementary to and consistent with the established receiving environment. However, I note that the majority of the activity approved by resource consent (RM200627) is located within the BMUZ land and only a small portion of the activity is within the HDRZ as shown below. Therefore, I do not consider it appropriate to

consider the existing activities on the HDRZ portion of the site as forming part of the receiving environment.

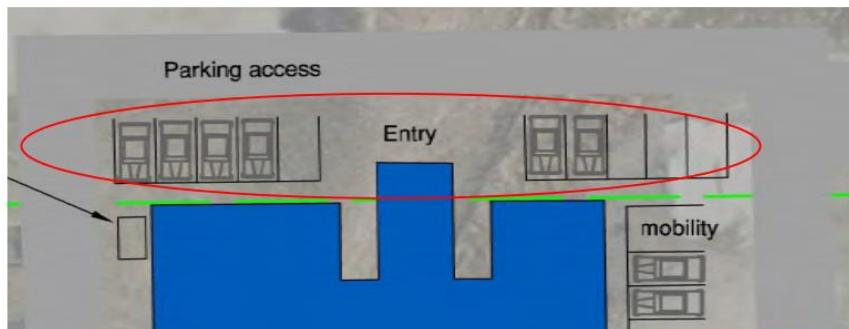


Figure 6: Identification of development in the HDRZ as approved by RM200627

- 7.6** The submitter also has not considered the impacts of the National Grid on the part of the site sought to be rezoned, other than that it is no longer likely or anticipated that the undergrounding of transmission lines will occur in the foreseeable future. No evidence has been provided by the submitter or an assessment against the implications of the rezoning on the National Grid.
- 7.7** Nor has the submitter assessed PDP SO 3.3.7 which seeks to avoid additional commercial zoning that is likely to undermine the function and viability of the Frankton commercial areas as the key service centre for the Wakatipu Basin, or which will undermine increasing integration between those areas and the industrial and residential areas of Frankton.
- 7.8** The submitter has not provided a s32AA analysis to support the rezoning sought. Therefore, I am not convinced that rezoning the HDRZ portion of the submission site to BMUZ would assist with achieving PDP Objective 16.2.5, which seeks that the commercial function and viability of other commercial areas are not undermined by any new office and retail activities within Area A at Frankton North.



- 7.9** As for the alternative relief sought to apply BMUZ to the HDRZ land located south of the "Primary Road connection between SH6 and Ferry Hill Drive", I agree with the submitter that extending the BMUZ over this portion of the site will better reflect the existing consented and developed business nature of the site.



*Figure 7: HDRZ south of the Primary Road connection between SH6 and Ferry Hill Drive*



*Figure 8: HDRZ with aerial and Frankton North Structure Plan overlay*

- 7.10** In my view, rezoning the small strip of HDRZ land identified above, would more appropriately reflect the receiving and consented environment, and also mean that the primary road connection between SH6 and Ferry Hill Drive (as identified on the Frankton North Structure Plan) would become the new boundary between HDRZ

and BMUZ. In my opinion, this is a more appropriate and logical zone boundary, given the different mix of activities enabled in each zone. Extending the BMUZ up to the road is also consistent with the zone boundary on the directly adjoining site to the south-west of the submission site (Section 2 SO 502556).

**7.11** In addition to the rezoning sought, the Submitter also seeks amendments to the HDRZ Frankton North provisions applying to the Site to create greater flexibility in the development and intensification of mixed business use activities, and any other site-specific provisions necessary as a result of BMUZ zoning extension. No further detail has been provided by the submitter on the specific amendments sought to the HDRZ provisions. In the absence of any further information, I am not convinced that any changes to the provisions would still give effect to PDP Objective 9.2.9 and high quality residential development of the land on the northern side of State Highway 6 at Frankton, is integrated with a primary road that connects State Highway 6 at Hawthorne Drive to Quail Rise, pedestrian and cycle access, and appropriate servicing.

**7.12** The submitter has not indicated whether they are seeking that the existing PDP BMUZ policy framework that applies to Area A at Frankton North (and has not been changed through the notified UIV) would apply via the rezoning sought, although given they have not sought that those rules be removed from the BMUZ part of the site, that would seem the logical intention behind the submission. I note that PDP Rule 16.4.9 is very restrictive on office and retail activities provided with Area A, in that it needs to be ancillary to the principal use of the site, or associated with trade suppliers.

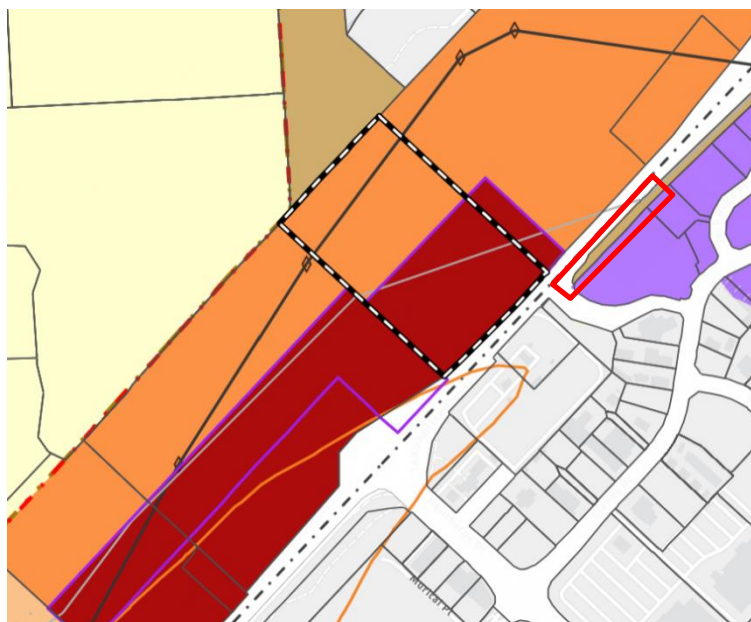
### **Summary of Recommendations**

**7.13** For the reasons discussed in the assessment, I recommend the following:

- (a) The portion of the HDRZ land located south of the “Primary Road connection between SH6 and Ferry Hill Drive” as identified on the Frankton North Structure Plan, be zoned BMUZ; and



- (b) That the Business Mixed Use Area A as identified on the PDP planning maps be amended to reflect the new zoning, as follows:



### Section 32AA Analysis

**7.14** In my opinion, the rezoning of the small strip of HDRZ to BMUZ is more appropriate in achieving the objectives of the RMA and NPS- than the notified HDRZ. In addition to the evaluation set out above, I consider that:

- (a) It better recognises the consented and receiving environment and sustainable use of land. Consequently, it is more efficient and effective than the notified objective in achieving the purpose of the RMA; and
- (b) It would give effect to SO 3.2.1, in developing of a prosperous, resilient and equitable economy in the District and also SP 3.3.12 in that it would provide for a wide variety of activities and sufficient capacity within commercially zoned land to accommodate business growth and diversification.

## 8. AREA 4: OUT OF SCOPE SUBMISSIONS

**8.1** In this section I record that there are rezoning submissions that have been allocated to me, that I understand are out of scope. They are set out in this evidence to make it clear that is Council's view.

### Large Lot Residential A Zone

- 8.2** Kelly Wright (754.2) owns an acre section in Large Lot Residential A Zone (**LLRAZ**) in Lake Hāwea South and considers it makes more sense to intensify there, and other places within the town boundary.
- 8.3** M Ambrose (1186.1) seeks that all of the Lake Hāwea LLRAZ is rezoned as other existing residential areas north of Cemetery Road, or alternatively those parts of the Lake Hāwea LLRAZ that directly adjoin (on the opposite side of Cemetery Road) the existing Longview SHA are rezoned to the same new zoning as other existing residential areas north of Cemetery Road.
- 8.4** Richard and Sarah Burdon (483) lodged submissions points regarding the site at 181 Cemetery Road, including:
- (a) **483.13 (oppose)** rezoning in full, or in part of the LLR area, inclusive of Site 1, in Hawea, to LDSR. Specifically, outlined in Appendix 1 of the submission;
  - (b) **483.14 (oppose)** Alternatively, any consequential relief to enable additional density in the zone in line with Policy 5 of the National Policy Statement on Urban Development 2020 (NPS-UD); and
  - (c) **483.9 (oppose)** that intensification of existing land that is zoned for residential purposes is a preferred first step before rezoning additional greenfield land.
- 8.5** Alongside the rezoning request, Richard and Sarah Burdon (483) also seek a number of amendments to provisions to the LLRZ. A summary of the relief sought is summarised below:
- (a) **483.1 (oppose)** Decrease the minimum lot size in the LLRZ at Hawea by approximately 34%;
  - (b) **483.10 (oppose)** Each Large Lot Area should be reviewed and assessed for intensification. It may be appropriate to decrease the lot size for the zone by 40% to 1,200m; and
  - (c) **483.11 and 483.12 (oppose)** enable Comprehensive Development with increased density in the LLRZ, including new definition for 'Comprehensive Development'.

Hāwea Campground - 1208 Lake Hāwea - Makarora Road - Richard and Sarah Burdon (483)

- 8.6** A number of requests were sought from the submitter regarding the site at 1208 Lake Hāwea - Makarora Road:
- (a) **483.7 (oppose)** the inclusion of the Hāwea Campground within the UGB to recognize the integral role that accommodation within a campground can play in providing for temporary workforce housing; and
  - (b) **483.8 (oppose)** any further consequential or related relief which might be required to achieve the inclusion of its Site in the proposed intensification plan change (such as any particular bespoke Site-specific provisions).
- 8.7** Current zoning of the site is Open Space & Recreation Zone - Community Purpose Campground Sub-Zone and Rural Visitor.).
- 8.8** The submitter acknowledges that the site is zoned Community Purposes Zone (Camping Ground) as well as Rural Visitor Zone. The Community Purpose Zone portion is owned by the Council, but leased to private interests.
- 8.9** The site is also located within an ONL and Wāhi Tūpuna.
- 8.10** The site is not located within the UGB, it is indeed some way from the Hawea UGB. As outlined in Ms Bowbyes' report in her discussion regarding scope, this variation focuses on intensifying the existing urban environment and does not seek to extend the UGB.
- 8.11** The campground has also very recently been subject to an Environment Court consent order<sup>14</sup> (issued in 2024) on the most appropriate zone that is to apply to it – and resulted in part Community Purposes Zone (Camping Ground) as well as Rural Visitor Zone, outside of the UGB. The submitters were the appellants to that consent order and signed the consent documentation which recorded they considered the zoned Community Purposes Zone (Camping Ground) / Rural Visitor Zone combination to be the most appropriate for the submission site. They also

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14 Decision No. [2024] NZEnvC 116.

agreed through that consent order that the site should not form part of the Urban Growth Boundary.

A handwritten signature in black ink, appearing to be 'CF' followed by a stylized 'A' and a horizontal line.

**Corinne Frischknecht**

**6 June 2025**