

# Application for a project to be referred to an expert consenting panel

**(Pursuant to Section 20 of the COVID-19 Recovery (Fast-track Consenting) Act 2020)**

*For office use only:*

Project name: Man Street Hotel - Queenstown  
Application number: PJ-0000845  
Date received: 16/12/2022

This form must be used by applicants making a request to the responsible Minister(s) for a project to be referred to an expert consenting panel under the COVID-19 Recovery (Fast-track Consenting) Act 2020.

All legislative references relate to the COVID-19 Recovery (Fast-track Consenting) Act 2020 (the Act), unless stated otherwise.

The information requirements for making an application are described in Section 20(3) of the Act. Your application must be made in this approved form and contain all of the required information. If these requirements are not met, the Minister(s) may decline your application due to insufficient information.

Section 20(2)(b) of the Act specifies that the application needs only to provide a general level of detail, sufficient to inform the Minister's decision on the application, as opposed to the level of detail provided to an expert consenting panel deciding applications for resource consents or notices of requirement for designations.

We recommend you discuss your application and the information requirements with the Ministry for the Environment (the Ministry) before the request is lodged. Please contact the Ministry via email: [fasttrackconsenting@mfe.govt.nz](mailto:fasttrackconsenting@mfe.govt.nz)

The Ministry has also prepared [Fast-track guidance](#) to help applicants prepare applications for projects to be referred.

## Part I: Applicant

### Applicant details

Person or entity making the request: The Queenstown Hotel NZ Limited Partnership (The Applicant)

Contact person: Sir John Davies

Job title: General Partner

Phone: s 9(2)(a)

Email: s 9(2)(a)

Postal address:

The Station Building, 44 Camp Street, Queenstown (9300)

### Address for service (if different from above)

Organisation: Southern Planning Group

Contact person: Scott Freeman

Job title: Director - Resource Management Planner

Phone: s 9(2)(a)

Email: s 9(2)(a)

Email address for service: s 9(2)(a)

Postal address:

P O Box 1081, Queenstown (9348)

## Part II: Project location

The application: does not relate to the coastal marine area

If the application relates to the coastal marine area wholly or in part, references to the Minister in this form should be read as the Minister for the Environment and Minister of Conservation.

Site address / location:

A cadastral map and/or aerial imagery to clearly show the project location will help.

12, 14, 16, 18, 20, 22, 24 & 26 Man Street., Central Queenstown, Queenstown, Otago, New Zealand

Only one site is proposed and it is not geographically diverse.

Legal description(s):

A current copy of the relevant Record(s) of Title will help.

The site predominately consists of the podium level of the Man Street commercial car parking building, located on Man Street. The legal description of the site is Lot 1 DP 399240 (Lot 1). Lot 1 is a fee simple strata allotment (such that is defined in three dimensions) that has a maximum area of 3961m<sup>2</sup>. Lot 1 also consists of two lift cores that run down through the car parking building that is located below the podium level.

Lot 1 has airspace development rights over Lot 2 DP 399240 (Lot 2). Lot 2 (the car park levels levels under the podium) is further subdivided by Unit Title plan DP 424696. Lot 2 also includes the vehicle entry ramp and airspace above the ramp surface to a maximum level of 329.7m (subsequently common property on DP 424696).

The Record of Title for Lot 1 (and registered legal documents) are contained in **Appendix [A]**.

Registered legal land owner(s):

Man Street Properties Limited (MSPL).

Detail the nature of the applicant's legal interest (if any) in the land on which the project will occur, including a statement of how that affects the applicant's ability to undertake the work that is required for the project:

As stated above, the site is owned by MSPL. The applicant has entered into an agreement with MSPL in terms of enabling the development of the proposed hotel on the site.

A letter from MSPL confirming its approval for the applicant to apply for approval under the COVID-19 Recovery (Fast-Track Consenting) Act 2020 is contained within **Appendix [B]**.

## Part III: Project details

### Description

Project name: Man Street Hotel - Queenstown

Project summary:

Please provide a brief summary (no more than 2-3 lines) of the proposed project.

The applicant is seeking to construct and operate a visitor accommodation development in the form of a high quality architecturally designed 5 star plus hotel that will be located within central Queenstown. The site adjoins Man Street. The completed development will provide between 175 and 185 guest rooms for paying guests, together with ancillary uses that will support the overall visitor accommodation operation.

Project details:

Please provide details of the proposed project, its purpose, objectives and the activities it involves, noting that Section 20(2)(b) of the Act specifies that the application needs only to provide a general level of detail.

### Introduction

The applicant is seeking to construct and operate a visitor accommodation development in the form of a high quality architecturally designed 5 star plus hotel that will be located within central Queenstown. The hotel will provide between 175 to 185 guest rooms with ancillary/associated facilities, over 4 to 6 levels (above the podium). The hotel will be primarily developed on the podium level of the existing commercial car parking building, with some ancillary uses being located within the car parking building. The hotel will provide a total gross floor area of 12,355m<sup>2</sup> above the podium level, and an additional 3930m<sup>2</sup> area will be used within the car parking building. The final number of guest rooms will be determined in due course.

The hotel has been designed by the architectural practice Woods Bagot, based in Sydney, Australia. The Architectural Package compiled by Woods Bagot that illustrates the hotel is contained in **Appendix [C]**. Reset Urban Design have compiled a Landscape Package for the proposed development, with this document being contained within **Appendix [D]**.

The owner of the site has previously gained a resource consent (RM180981) to develop a 205 room hotel on the site. A copy of RM180981 is contained within **Appendix [E]**. As outlined below, the previously consented hotel will not be proceeded with.

The details of the proposal are addressed below.

### Biography of the Queenstown Hotel (NZ) Limited Partnership

Contained within **Appendix [F]** is correspondence that outlines the persons/entities who are behind the Partnership, and the rationale for developing a high-quality hotel in central Queenstown in the aftermath of the Covid-19 pandemic. There are two developers behind the Partnership, being Trojan Holdings Limited (THL) and David Baffsky AO.

THL was founded by Sir John Davies, who has extensive experience in a range of business interests, which notable business ventures including NZSKI (the ski fields at Coronet Peak, The Remarkables and Mt Hutt), the guided walking

company Ultimate Hikes (the Milford, Routeburn and Greenstone Tracks), the Coast to Coast endurance race and the Hermitage Hotel at Aoraki Mt Cook. David Baffsky AO has a highly varied business career, with extensive experience in developing and operating hotels in the Asia Pacific area.

While no contract has been confirmed, the Partnership's preferred hotel operator is TFE Hotels. TFE operate approximately 80 hotels in New Zealand, Australia and Europe. A letter of intent to become the hotels operate from TFE Hotels is contained within **Appendix [G]**.

Despite the devastating effects of Covid-19 on international tourism to New Zealand, the Partnership is taking a long term view that international tourism will return to New Zealand, due to the significant appeal of New Zealand and in particular Queenstown. While the Partnership accepts that it will take a number of years for international tourist numbers to reach the pre-Covid-19 levels, the Partnership also notes it will take a number of years to gain planning permission, build the hotel and for it to become fully operational.

The Partnership have reviewed the existing resource consent for the site, which allows a 3 to 3.5 star 205 guest room hotel to be developed. The Partnership considers that the consented hotel is a lower quality outcome, while the proposed hotel will be a higher quality outcome with more spacious rooms and generally a better experience for guests, who are envisaged to be longer stay tourists.

### **Design Approach**

In terms of the overall architectural philosophy for the hotel, Woods Bagot state the following in the Architectural Package:

*"Providing an unseen level of luxury amidst its renowned natural landscape, the Queenstown Hotel will form a contemporary offering that is quintessentially Queenstown. Design to connect with the historic scale of Queenstown's urban fabric, the project has been conceived as a 'Township of Rooms', each orientated to capture framed views to the surrounding landscape. Offering a series of room types varying in scale and orientation, the hotel has been articulated as five pavilions, each articulated as a unique faceted form to reference the historic silhouette of Queenstown's iconic skyline. The pavilions are connected and anchored by a series of courtyards, laid with indigenous New Zealand plants to provide an experience that is seamless from inside to out. Employing this key design principle, the hotel integrates landscape, culture, materiality and detail into a unique and truly luxurious Queenstown experience".*

*"Navigating the planning constraints, the hotel has been broken down and articulated to form an architectural response that is both contextual and iconic. The pavilions are carefully placed to follow the natural lay of the land surrounding the site to maximize the planning envelope whilst ensuring that the design speaks to its unique natural surrounds. Faceting of the building forms provides borrowed views over the hotel for neighboring properties and creates unique 'Sky Villas' to capture grand views of the mountain peaks. Incorporating natural minerals and crafts, the architecture and interiors have been designed to, capture the spirit of this unique place with an intent to work with local experts to uncover the stories and traditions that can be integrated into the fabric of building for locals, guests and future generations".*

In order to provide the luxury styled hotel as proposed, Woods Bagot have noted a number of key design outcomes included within the overall design (i.e. generously configured guest rooms, increased room heights and views), which have led to the hotel being higher than the consented hotel and the applicable height limits.

### **Access**

The existing vehicle access to the car parking building will be maintained, as will pedestrian access to and from the car parking building. Guests who stay at the hotel will be able to park their vehicles in the car parking building. The main guest entry lobby for the hotel will front onto Man Street. The site is ideally located to allow guests to walk into and around central Queenstown, plus, the site is located in close proximity to public transport routes.

It is proposed to develop a public loading zone within Man Street that will enable the hotel to be serviced and for coaches to deliver and drop off hotel guests. The proposed loading zone takes into account the existing formation of Man Street and the upgrading of Man Street via the Queenstown Arterials Project. It is noted that permission will be required from the Queenstown Lakes District Council (Council) for the establishment of the loading zone (and discussions are currently occurring between the parties in relation to these physical works).

### **Infrastructure Servicing & Natural Hazards**

From an infrastructure servicing perspective, the Council was satisfied that the hotel approved via RM180981 could be properly serviced in terms of access, water supply, wastewater disposal, stormwater disposal, fire-fighting and telecommunications/power supply, and further, that there were no natural hazards that would prevent the construction of this hotel. Based on the previous reporting and assessments, the hotel contained in this application will be able to be serviced to the Council's requirements.

### **The Queenstown Lakes Proposed District Plan**

The Queenstown Lakes Proposed District Plan (PDP) is the planning document that governs the development and use of the site. The specific zone that controls activities within the PDP is the Queenstown Town Centre Zone (QTCZ).

Visitor accommodation (as an activity) requires a controlled activity resource consent in the QTCZ.

The development controls for buildings in the QTCZ are limited to building coverage and varying building heights limits.

The maximum permitted building coverage is 75%.

Height Precinct 7 within the QTCZ outlines the height limits for the site. Four different height limits apply, consisting of the following:

1. The maximum height limit in Area A is 11m above RL 327.1 masl
2. The maximum height limit in Area B is 14m above RL 327.1 masl
3. The maximum height limit in Area C shall be RL 327.1 masl (no building can occur above this RL)
4. The maximum height limit in Area D is 3m above RL 327.6 masl

It is noted that RL 327.1 masl represents the top of the podium level of the car parking building. The degree of height breaches for the hotel are addressed below. The PDP through the height limits in effect provides for two view shafts through the site (running in a roughly north-south direction). The first view shaft is represented by Area C, which is located at the eastern end of the site (over the vehicle entry to the car parking building). Area C has a width of 11.6m. The second view shaft is represented by Area D. Area D has a width of 12.5m. The viewshafts were imposed during the formulation of the QTCZ via the PDP, on the basis that the viewshafts would break up future built form on a large site, and to allow public views through the site.

Where applicable, describe the staging of the project, including the nature and timing of the staging:

Envision Eighty20 have been engaged by the Partnership in a project management role for the construction of the hotel. Envision Eighty20 have provided a preliminary programme for the design, consultation, procurement, approval and construction of the hotel. The Preliminary Programme Information is contained in **Appendix [H]**

The Preliminary Programme Information indicates the stages of the overall development of the hotel, which consist of the following:

1. Design Development (18 months)
2. Council Approvals (6 months)
3. Construction (24 months)

The proposed hotel will not be staged, in that the building will be completed in one construction period, and it noted that the first one to two levels of the hotel will be completed within 24 months of the full approval being given for the hotel.

### **Consents / approvals required**

Relevant local authorities: Queenstown-Lakes District Council

Resource consent(s) / designation required:

Land-use consent

Relevant zoning, overlays and other features:

Please provide details of the zoning, overlays and other features identified in the relevant plan(s) that relate to the project location.

Legal description(s)	Relevant plan	Zone	Overlays	Other features
Lot 1 DP 399240	Queenstown Lakes Proposed District Plan (PDP)	Queenstown Town Centre Zone (QTCZ)	Wahi Tupuna (15a - Central Queenstown)  Designation 587 - Queenstown Town Centre Arterial	N/A

Rule(s) consent is required under and activity status:

Please provide details of all rules consent is required under. Please note that Section 18(3)(a) of the Act details that the project **must not include** an activity that is described as a prohibited activity in the Resource Management Act 1991, regulations made under that Act (including a national environmental standard), or a plan or proposed plan.

Relevant plan / standard	Relevant rule / regulation	Reason for consent	Activity status	Location of proposed activity
Queenstown Lakes Proposed District Plan (Queenstown Town Centre Zone - QTCZ)	Rule 12.4.3 (Visitor Accommodation)  Rule 12.4.7 (Buildings)  Rule 12.5.1 (Building Coverage)  12.5.9 (Maximum Building and Facade Height)	Pursuant to Rule 12.4.3: visitor accommodation in the form of a hotel requires a controlled activity resource in the QTCZ.  Pursuant to Rule 12.4.7: buildings require a restricted discretionary resource consent in the QTCZ.  Pursuant to Rule 12.5.1.1: a restricted discretionary activity resource consent is required as the maximum building coverage limit of 75% is exceeded (the building coverage is 76%).  Pursuant to Rule 12.5.9: the proposed hotel breaches the various building height limits for Height Precinct 7 in the QTCZ (Height Precinct 7 only applies to the site). Breaching Rule 12.5.9 requires a non-	The overall activity status under the Proposed District Plan is that of a non-complying activity.	Man Street, Queenstown

		<p>complying activity resource consent. It is noted that Height Precinct 7 has four separate height limits. The height limits in Height Precinct 7 and the level of breaches are as follows:</p> <p>1: The maximum height limit in Area A is 11m above RL 327.1 masl (this will be breached by 12.3m)</p> <p>2: The maximum height limit in Area B is 14m above RL 327.1 masl (This will be breached by 9.8m)</p> <p>3: The maximum height limit in Area C shall be RL 327.1 masl (i.e. no building is permitted above the existing structure)(this will be breached by 13.2m)</p> <p>4: The maximum height limit in Area D is 3m above RL 327.6 masl (this will be breached by 20.6m)</p> <p>It is noted that RL 327.1 masl represents the top of the podium level of the car parking building.</p>		
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Resource consent applications already made, or notices of requirement already lodged, on the same or a similar project:

Please provide details of the applications and notices, and any decisions made on them. Schedule 6 clause 28(3) of the COVID-19 Recovery (Fast-track Consenting) Act 2020 details that a person who has lodged an application for a resource consent or a notice of requirement under the Resource Management Act 1991, in relation to a listed project or a referred project, must withdraw that application or notice of requirement before lodging a consent application or notice of requirement with an expert consenting panel under this Act for the same, or substantially the same, activity.

The applicant has not applied previously lodged an application for a resource consent or a notice of requirement under the Resource Management Act 1991 in relation to a listed project or a referred project for the same, or substantially the same activity.

There is an existing resource consent (RM180981) that enables the construction of a hotel on the site. RM180981 lapses on 20 September 2024. As outlined above, the consented hotel will not be proceeded with.

Resource consent(s) / Designation required for the project by someone other than the applicant, including details on whether these have been obtained:

It is noted that as a result of the Council's Designation 587 (Queenstown Town Centre Arterial), a small portion of the site is contained within the land affected by this designation. As such, the applicant will need permission from the Council (as the requiring authority) pursuant to Section 176 of the Resource Management Act 1991, for the works on the site that are contained in Designation 587. Discussions have been held with the Council in relation to gaining approval from the Council in its requiring authority capacity.

It is noted that the roading designation was marginally placed on the site following the approval of the Queenstown Arterials Project (approved under the Covid-19 Recovery (Fast-Track Consenting) Act 2020), on the basis of protecting the loading zones that were approved by the Council via RM180981. This application promotes the same loading zone arrangement on Man Street for the revised hotel design.

Other legal authorisations (other than contractual) required to begin the project (eg, authorities under the Heritage New Zealand Pouhere Taonga Act 2014 or concessions under the Conservation Act 1987), including details on whether these have been obtained:

The applicant will need permission from the Council (as the owner of Man Street) in order to establish the loading zone on Man Street, together with any landscaping/physical works proposed within the Man Street road reserve. Discussions are on-going with the Council in terms of these works/approvals.

### **Construction readiness**

If the resource consent(s) are granted, and/or notice of requirement is confirmed, detail when you anticipate construction activities will begin, and be completed:

Please provide a high-level timeline outlining key milestones, e.g. detailed design, procurement, funding, site works commencement and completion.

The Preliminary Programme Information has indicated the three key phases of the design development, Council approvals and the construction period.

On the basis of the final approval being given to the hotel, under normal circumstances, the Preliminary Programme Information notes that it is feasible for the hotel to be designed, constructed and operational within 42 months, and with at least the first to second level of the hotel being developed within 24 months of the full approval being given for the hotel.

The Partnership anticipates seeking funding for the project from Trojan Holdings Limited (THL) bankers for over 50 years (the BNZ) and David Baffsky. Given the strength of THL's relationship with the BNZ (and the strength of its balance sheet, operational performance and experience) and the financial backing of David Baffsky, the Partnership considers there are no impediments to receiving funding for the project.

## **Part IV: Consultation**

### **Government ministries and departments**

Detail all consultation undertaken with relevant government ministries and departments:

Initial consultation has been undertaken with staff from the Ministry for the Environment (MOE), namely Rachel Ducker, Helen Willis and Samantha Maxwell (Samantha is the current point of contact at MOE). This consultation dealt with the timeframes of the Covid-19 Recovery (Fast-Track Consenting) Act 2020 and the information to be included in the application. It is noted that a draft application was lodged with MOE in July 2022, and helpful feedback was subsequently provided on this information shortly thereafter by MOE.



## Local authorities

Detail all consultation undertaken with relevant local authorities:

Consultation is on-going with the Council in relation to the level of support for the application in terms of using the COVID-19 Recovery (Fast-Track Consenting) Act 2020 for the proposed hotel, and for the physical works located off the site that will accompany the hotel (proposed loading zone and the landscaping within the Man Street road reserve).

## Other persons/parties

Detail all other persons or parties you consider are likely to be affected by the project:

It is considered that the following parties are likely to be affected by the proposed hotel:

1. The owners of the properties located at 5, 7, 11, 16, 17, 19, 21, 23, 31, 33, 35, 37, 41 Man Street (properties located on the northern side of Man Street).
2. The owners of the properties located at 4, 6, 8, 10, 14 Brecon Street (properties located on the western side of Brecon Street).
3. The owners of the properties located at 10, 28 and 30 Man Street (the properties located on the southern side of Man Street)
4. The owners of the properties located at 3, 5, 9 and 15 Hay Street (located on the eastern side of Hay Street)
5. The owners of the properties located at 47, 49, 51, 53, 57, 59, 61, 63, 65 and 67 Shotover Street (located on the northern side of Shotover Street).

Detail all consultation undertaken with the above persons or parties:

The applicant has undertaken consultation with Well Smart Investment Holding (THOM) Pty Limited (Well Smart). Well Smart is adjoining landowner to the subject site, and owns the properties located at 28, 30 Man Street, 3, 5, 9 and 15 Hay Street, and 65 and 67 Shotover Street. Well Smart presently has a resource consent application lodged with the Council in terms of constructing a hotel on its site. The discussions between the applicant and Well Smart have resolved around the proposed building height, separation distances, common boundary issues between the respective landowners, and finally the provision of a joint loading space on Man Street.

## Part V: Iwi authorities and Treaty settlements

For help with identifying relevant iwi authorities, you may wish to refer to [Te Kāhui Māngai – Directory of Iwi and Māori Organisations](#).

### Iwi authorities and Treaty settlement entities

Detail all consultation undertaken with Iwi authorities whose area of interest includes the area in which the project will occur:

Iwi authority	Consultation undertaken
Te Runanga o Ngai Tahu	No consultation has been undertaken to date with Te Runanga o Ngai Tahu. If the project is referred, the Partnership will undertake consultation with Te Runanga o Ngai Tahu in accordance with the requirements of the Covid-19 Recovery (Fast-Track Consenting) Act 2020.

Detail all consultation undertaken with Treaty settlement entities whose area of interest includes the area in which the project will occur:

Treaty settlement entity	Consultation undertaken
Te Runanga o Ngai Tahu	No consultation has been undertaken to date.

## Treaty settlements

Treaty settlements that apply to the geographical location of the project, and a summary of the relevant principles and provisions in those settlements, including any statutory acknowledgement areas:

Section 18(3)(b) of the Act details that the project **must not include** an activity that will occur on land returned under a Treaty settlement where that activity has not been agreed to in writing by the relevant land owner.

It is noted that Lake Wakatipu is a statutory acknowledgement area for Te Runanga o Ngai Tahu. The site is physically separated from Lake Wakatipu.

## Part VI: Marine and Coastal Area (Takutai Moana) Act 2011

### Customary marine title areas

Customary marine title areas under the Marine and Coastal Area (Takutai Moana) Act 2011 that apply to the location of the project:

Section 18(3)(c) of the Act details that the project **must not include** an activity that will occur in a customary marine title area where that activity has not been agreed to in writing by the holder of the relevant customary marine title order.

N/A

### Protected customary rights areas

Protected customary rights areas under the Marine and Coastal Area (Takutai Moana) Act 2011 that apply to the location of the project:

Section 18(3)(d) of the Act details that the project **must not include** an activity that will occur in a protected customary rights area and have a more than minor adverse effect on the exercise of the protected customary right, where that activity has not been agreed to in writing by the holder of the relevant protected customary rights recognition order.

N/A

## Part VII: Adverse effects

Description of the anticipated and known adverse effects of the project on the environment, including greenhouse gas emissions:

In considering whether a project will help to achieve the purpose of the Act, the Minister may have regard to, under Section 19(e) of the Act, whether there is potential for the project to have significant adverse environmental effects. Please provide details on both the nature and scale of the anticipated and known adverse effects, noting that Section 20(2)(b) of the Act specifies that the application need only provide a general level of detail.

The proposed hotel is located on commercial land that provides for visitor accommodation (as an activity) as a controlled activity via the QTCZ under the PDP. Buildings require a restricted discretionary consent pursuant to Rule 12.4.7, and subject to compliance with all PDP rules, Rule 12.6.2.1 enables a resource consent for a hotel type building to be processed on a non-notified basis, without the written approval of other persons.

The discussion below addresses the potential effects of the proposed hotel, noting that Section 20(2)(b) of the Act specifies that the application need only provide a general level of detail.

### Effects from Visitor Accommodation Activities

Via the QTCZ in the PDP, the Council is seeking to ensure that central Queenstown is an intensely developed location which provides for a range of activities, attractions and pursuits for both locals and visitor alike. A key component from a land use perspective that is recognised in the QTCZ is the provision of a wide range of visitor accommodation establishments of varying sizes and styles of operations, within and in close proximity to central Queenstown. Locating

visitor accommodation establishments within and close to central Queenstown provides a range of benefits in terms of accessibility to entertainment, shopping facilities and transport routes (including public transport). Visitors staying in visitor accommodation establishments also assist with the vibrancy aspirations of the PDP.

The size of the site provides an excellent opportunity to develop a large-scale hotel that is located centrally within Queenstown. Visitors staying at the hotel will have ease of access to a range of entertainment/hospitality venues, shopping and transport routes (including public transport).

It is considered that the visitor accommodation use of the site (the activity itself) will not lead to significant adverse environmental effects in terms of the scale of the activity, transportation effects, noise effects and hours of operation. Further to this, the site has a valid resource consent for a hotel that accommodates more guests than what is proposed in this application.

#### Urban Design Considerations

Reset Urban Design have compiled an Urban Design Report that addresses the proposal from an urban design perspective. A copy of the Urban Design Report is contained within **Appendix [I]**.

The purpose of the Urban Design Report is to provide a comprehensive assessment of the proposal, including an analysis of the site within its local and statutory context and the urban design performance of the proposal with reference to the relevant provisions and assessment matters in the PDP as well as a range of general topics regarding best urban design practice.

There is a multi-faceted design rationale for the proposed hotel.

There has been a conscious effort to design a large high quality building that has a varied and broken built form that is articulated through differing building heights, viewshafts, setbacks and materiality. Overall, the concept is a strong design that will provide a positive contribution to the evolving character of the Man Street urban environment, in particular the public realm of this area.

The design approach has also considered the intensive development that can occur on the surrounding land, in particular the land located to the north and north-west of Man Street (also contained within the QTCZ). The land to the north has the ability to be developed in a more significant manner than is presently the case, with commercial activities and visitor accommodation enabled on such land. In time, the developed site will sit amongst a more intensive urban built environment. The site is also located in close proximity to the significantly sized Lakeview Project (which is subject to approval).

Consideration has also been given to the fact that in the future, Man Street will be physically transformed from a 'local' road to that of a heavily used arterial road, with significantly higher traffic volumes (both pedestrian and vehicular).

The Urban Design Report concludes with the following statements:

*The proposed hotel development appropriately responds to the surrounding context of the town centre particularly the planned future environment as expected in the ODP and PDP. The massing strategy and architectural approach effectively breaks up the overall building form with a high level of building articulated and facade variation.*

*The additional height of the proposed building has been well considered and will not generate any adverse impacts on the public environment and the adjoining neighbours.*

*The proposal will largely improve the street amenity and visual quality of Man Street. The treatment of the required viewshafts will result in a positive urban design outcome which essentially addresses their functionality as envisaged by the PDP with improved quality of the public environment and the overall amenity.*

Overall, the proposed hotel has been designed to be responsive to the evolving urban context of the site through the promotion of a strong and high quality design concept. The proposed hotel will be a successful addition to the existing built environment in central Queenstown, and further, the development will act as a positive catalyst in terms of regenerating an area that contains older building stock and largely under-utilised land. As such, it is considered that there will be no significant adverse environmental effects from an urban design perspective.

#### Height Encroachments

The main issue from an environmental effects perspective relates to the building height of the proposed hotel, and the movement of the existing western viewshaft. The proposed hotel is laid out across six interlinked wings that vary in height from 4 to 6 storey's in height above the podium level.

As detailed above, the following height encroachments will occur from the proposed hotel in relation to Height Precinct 7:

1: The maximum height limit in Area A is 11m above RL 327.1 masl (this will be breached by 12.3m)

2: The maximum height limit in Area B is 14m above RL 327.1 masl (This will be breached by 10.09m)

3: The maximum height limit in Area C shall be RL 327.1 masl (i.e. no building is permitted above the existing structure)(this will be breached by 16.75m)

4: The maximum height limit in Area D is 3m above RL 327.6 masl (this will be breached by 20.6m)

In a simplistic sense, the hotel will be 3 storey's over the 11m height limit, and 2 levels over the 14m height limit.

Reset Urban Design have compiled a Landscape and Visual Effects Assessment that addresses how the proposed hotel might affect the landscape, its character and visual amenity. A copy of the Landscape and Visual Effects Assessment is contained within **Appendix [J]**. The Landscape and Visual Effects Assessment has considered the proposed hotel in the context of the landscape and visual amenity setting of central Queenstown. The Landscape and Visual Effects Assessment considers as the level of sensitivity of the site to visual change is generally very low to moderate, the mitigation measures of the design applied to the development are effective at reducing impacts and the overall adverse effects of the proposal on the landscape and visual amenity are considered an acceptable change within the surrounding environment.

The most significant height encroachment will occur within Area D, on the basis that the hotel will occupy the viewshaft that is presently required within Area D. However, the western viewshaft will be relocated to the extreme western edge of the site, where views through the site will be maintained, albeit in a different position. It is noted that the viewshafts were imposed on the site via the PDP planning process for two reasons. The first reason was to break up the built form on a site that has a large frontage to Man Street, and secondly, to allow public views from Man Street through the site (the viewshafts were not imposed to maintain private views). The proposed hotel design will still provide two viewshafts through the site, while the design concept for the site provides for a highly varied form that will assist with providing an attractive and non-dominant frontage to Man Street.

The predominant effects of the proposed height encroachments will occur on the land located opposite the site, on the northern side of Man Street (being the properties located at 17, 19, 21, 23, 31, 33, 35, 37 and 41 Man Street). These properties located on the northern side of Man Street are largely older residential styled buildings, with the exception of the properties located at 17 and 19 Man Street, where a modern large scaled hotel is presently being constructed. While this existing building stock is generally smaller scale, the QTCZ that applies to this land enables commercial and visitor accommodation buildings to be developed to 12m, with the potential to add another 2m as a roof top bonus (maximum height being 14m). Some of these properties are also located at a marginally higher ground elevation when compared to the site.

Irrespective of the proposed hotel, a complying development on the subject site will affect the present southerly direction views from the properties located to the north of the site. This conclusion is based on the generally low building height of the properties located to the north of Man Street, plus the undeveloped nature of the site (noting that the existing 'Hamilton Building' located at 51-53 Shotover Street presently blocks some southerly views).

When considering the properties located across Man Street, the proposed hotel will result in additional loss of views, over and above a complying development on the site. The additional loss of views resulting from the non-complying building height means that some distance mountain and Lake Wakatipu views will be lost, when considering the existing built environment on the land located to the north of Man Street. However, in time when the properties to the north of Man Street are redeveloped with larger (and taller) buildings as enabled by the QTCZ, views from the higher floors of future buildings will largely be enabled again in a southerly direction (the ground and first floor views will be compromised by complying development on the site).

Overall, the proposed hotel will result in a loss of views from the land located to the north of Man Street, with moderate effects (based on the Landscape and Visual Effects Assessment) occurring in a localised position in central Queenstown. It is considered that significant effects will not occur for these properties, on the basis that views and access to sunlight will still remain. And based on Man Street providing a large physical separation between the site and the land to the north of Man Street, it is considered that the proposed hotel will not dominate existing and future uses on the northerly land.

The land that adjoins the site (which fronts Brecon Street, Shotover Street and Hay Street) presently contains a highly varied mixture of commercial and visitor accommodation buildings. Aside from the land located on the western boundary of the site, the remainder of the adjoining land is generally located at a lower elevation when compared to the site. Further, due to the commercial nature of this adjoining land, buildings are generally orientated away from the site (with solid fire walls). As such, the proposed hotel will generally have a moderate to low impact on the adjoining land.

### Effects from Infrastructure Servicing & Natural Hazards

As outlined above, the Council was satisfied that the hotel approved via RM180981 could be properly serviced in terms of access, water supply, wastewater disposal, stormwater disposal, fire-fighting and telecommunications/power supply, and further, that there were no natural hazards that would prevent the construction of this hotel. Based on the previous reporting and assessments, the hotel contained in this application will be able to be serviced to the Council's requirement, and no adverse effects will occur.

### Transportation Effects

Transportation effects were properly considered as part of the processing and decision for RM180981 (a hotel that had marginally more hotel rooms).

Guests staying at the site will be able to park in the Man Street commercial car parking building, which is located beneath the proposed hotel. Guests will also have ease of access from a pedestrian perspective in terms of walking into central Queenstown. There is also ease of access to public transport routes and hubs.

As outlined above, the applicant will be seeking permission to develop a loading zone on Man Street, adjacent to Man Street. The loading zone proposition takes into account the existing and proposed formation of Man Street. It is noted that permission will be required from the Council for the establishment of the loading zone, with this permission largely replicating a previous permission from the Council in terms of a loading zone on Man Street. Discussions are on-going with the Council in relation to the authorisation of loading zone.

There will be no adverse transportation effects as a result of the proposed hotel.

### Section 104D Assessment

Contained within **Appendix [K]** is a Section 104D assessment under the Resource Management Act 1991. This assessment concludes that the proposal can pass the gateway tests of this section of the RMA.

### Conclusion

It is considered that the proposal will generate moderate effects in relation the level of building height encroachments for a small number of adjoining/nearby landowners, however such effects will not be significant. All other aspects of the proposal can occur without adverse effects occurring on the surrounding environment.

## Part VIII: National policy statements and national environmental standards

General assessment of the project in relation to any relevant national policy statement (including the New Zealand Coastal Policy Statement) and national environmental standard:

The National Policy Statement on Urban Development 2020 is applicable to the proposed hotel as the Council is a Tier 2 urban environment.

The NPS-UB sets out the objectives and policies for planning for well-functioning urban environments under the Resource Management Act 1991. Of relevance to the proposal are the following provisions in the NPS-UD:

#### **Objective 1:**

*New Zealand has well-functioning urban environments that enable all people and communities to provide for their social, economic, and cultural wellbeing, and for their health and safety, now and into the future.*

#### **Objective 3:**

*Regional policy statements and district plans enable more people to live in, and more businesses and community services to be located in, areas of an urban environment in which one or more of the following apply:*

- 1. the area is in or near a centre zone or other area with many employment opportunities*
- 2. the area is well-served by existing or planned public transport*
- 3. there is high demand for housing or for business land in the area, relative to other areas within the urban environment*

#### **Objective 4:**

*New Zealand's urban environments, including their amenity values, develop and change over time in response to the diverse and changing needs of people, communities and future generations*

#### **Policy 1:**

*Planning decisions contribute to well-functioning urban environments, which are urban environments that, as a minimum:*

1. *have or enable a variety of homes that:*
  1. *meet the needs, in terms of type, price, and location, of different households; and*
  2. *enable Maori to express their cultural traditions and norms, and*
- b. have or enable a variety of sites that are suitable for different business sectors in terms of location and site size; and*
- c. have good accessibility for all people between housing, jobs, community services, natural spaces, and open spaces, including by way of public or active transport; and*
- d. support, and limit as much as possible adverse impacts on, competitive operation of land and development markets; and*
- e. support reductions in greenhouse gas emissions; and*
- f. are resilient to the likely current and future effects of climate change.*

***Policy 6:***

*When making planning decisions that affect urban environments, decision-makers have particular regard to the following matters:*

- a. the planned urban built form anticipated by those RMA planning documents that have given effect to this National Policy Statement.*
- b. that the planned urban built form in those RMA planning documents may involve significant changes to an area, and those changes:*
  - (i) may detract from amenity values appreciated by some people but improve amenity values appreciated by other people, communities, and future generation, including by providing increased and varied housing densities and types; and*
  - (ii) are not, of themselves, an adverse effect*
- c. the benefits of urban development that are consistent with well-functioning urban environments*
- d. any relevant contribution that will be made to meeting the requirements of this National Policy Statement to provide or realise development capacity.*
- e. the likely current and future effects of climate change.*

In relation to Objective 1, the proposed hotel will contribute to a well-functioning urban environment, which will enable people and the local community to provide for its social, economic and cultural wellbeing, now and in the future.

In terms of Objective 3, the site to be developed is located in the town centre of central Queenstown. In this central location, guests and people working at the hotel will have ease of access to public transport, and further, there are employment opportunities in this location.

In terms of Objective 4, the PDP recognises that over time, the QTCZ will develop and change in response to increased development. The expected change also includes the expectation that existing amenity values will not remain as per the status quo.

In relation to the relevant aspects of Policy 1, the proposal will contribute to a well-functioning urban environment, and the hotel will have good accessibility between living and working arrangements.

Policy 6 requires that that decision makers in an urban environment consider a range of factors when making decisions. In relation to the Policy 6(a), decision makers need to consider the urban built form anticipated by the relevant RMA planning documents, while Policy 6(b) provides acknowledgement that amenity values may be detracted from, which in itself, is not an adverse effect.

As a whole, it is considered that the proposal accords with the relevant objectives and policies of the NPS-UD.

## **Part IX: Purpose of the Act**

Your application must be supported by an explanation how the project will help achieve the purpose of the Act, that is to “urgently promote employment to support New Zealand’s recovery from the economic and social impacts of

COVID-19 and to support the certainty of ongoing investment across New Zealand, while continuing to promote the sustainable management of natural and physical resources”.

In considering whether the project will help to achieve the purpose of the Act, the Minister may have regard to the specific matters referred to below, and any other matter that the Minister considers relevant.

Project’s economic benefits and costs for people or industries affected by COVID-19:

Insight Economics has compiled an Economic Assessment that addresses the economic benefits associated with the construction and operation of the hotel, particularly the positive impacts on regional and national GDP, incomes and employment. A copy of the Economic Assessment is contained within **Appendix [L]**.

The Economic Assessment notes that there will be a range of direct and indirect economic benefits during the construction and eventual operation of the hotel.

During the construction phase, the Economic Assessment notes the following economic benefits:

1. A one-time boost in national GDP of \$20 million
2. Employment of 198 people years
3. Household incomes of \$12.3 million

In addition to boosting the district's stock of quality, centrally located visitor accommodation, spending by future guests of the hotel will support the district's economy to the tune of regional GDP of \$28 million, employment for 410 people, and household incomes of \$12 million. The Economic Assessment also notes that there will be a range of wider positive economic effects.

Possible economic costs associated with the proposed hotel include:

1. A minor reduction of car parking within the Man Street car parking building
2. Costs associated with the funding of the infrastructure to service the hotel (noting that the applicant will be paying a Council development contribution)
3. Increased competition with other existing/planning hotels in Queenstown

Project’s effects on the social and cultural wellbeing of current and future generations:

Chapter 3 of the PDP deals with the Strategic Direction of the District. Strategic Objective 3.2.1 seeks the development of a prosperous, resilient and equitable economy in the District, while Strategic Objective 3.2.1.1 recognises the significant socioeconomic benefits of well designed and appropriately located visitor accommodation places, facilities are realised across the District. Further to this, Strategic Objective 3.2.1.2 seeks that the Queenstown and Wanaka town centres are the hubs of New Zealand's premier alpine visitor resorts and the District's economy.

Chapter 12 of the PDP deals with the QTCZ. Objective 12.2.1 seeks that the QTCZ remains relevant to residents and visitors alike and continues to be the District's principal mixed use centre of retail, commercial, administration, entertainment, cultural and tourism activity.

The proposed hotel meets the policy goals listed above, in that a well-located high quality hotel in central Queenstown will provide a range of social and cultural benefits to this location, wider Queenstown and the District as a whole. The hotel will assist with the regeneration of the land located to the north of Man Street, which in time, will further augment the attractiveness of central Queenstown.

Overall, it is considered that the proposal will enable positive social and cultural wellbeing effects, for current and future generations.

Whether the project would be likely to progress faster by using the processes provided by the Act than would otherwise be the case:

The project will progress faster using the Act when compared to a standard resource consent process under the Resource Management Act 1991.

If a standard resource consent process was used, it is highly likely that the application will be publicly notified due to the level of height encroachments proposed. It is also highly likely that there will be organised opposition from the landowners located to the immediate north of the site, on the basis of a loss of views. This outcome would mean a

contested resource consent hearing at the Council level, and it is more than likely that persons opposing the application will appeal to the Environment Court, should the resource consent be granted.

Based on the current processing times for a publicly notified resource consent application in Queenstown, it is likely to take between 9 to 12 months for a decision to be made on a notified application (by independent commissioners at a formal hearing), following the lodgement of the resource consent application.

On the basis that the Council decision is appealed to the Environment Court, it could be another 12 to 18 months before the Court makes a decision on the proposal (it is noted that it is difficult to accurately predict the processing times by the Environment Court). Following an Environment Court decision, there is also the possibility of an appeal to the High Court.

Based on the above, it could be between 9 to 12 months to obtain a Council decision, and if appealed, another 12 to 18 months before an Environment Court decision. This means a worst case scenario of approximately two and half years before planning permission is obtained which allow the development to proceed.

The applicant has considered the requirements and potential timeframes/advantages of using the Act, and considers that this Act will enable considerably faster processing times, especially when compared to a standard resource consent application.

Whether the project may result in a 'public benefit':

Examples of a public benefit as included in Section 19(d) of the Act are included below as prompts only.

Employment/job creation:

In considering Section 19(d) of the Act, it is considered that the following 'public benefits' will occur as a result of the proposal:

1. The proposal will generate a range of employment through the construction and eventual operation of the hotel.
2. The high-quality architectural design for the hotel will contribute significantly to a well-functioning urban environment.

While not expressively addressed in Section 19(d) of the Act, increased accommodation spending (due to the quality of the hotel) means higher spending by such guests on other tourism goods and services within Queenstown and potential through New Zealand. Such spending will benefit a range of direct and indirect tourism businesses.

Housing supply:

N/A

Contributing to well-functioning urban environments:

Policy 1 within the National Policy Statement on Urban Development defines what a 'well-functioning urban environment' is. As detailed above, the proposal will contribute to a well-functioning urban environment, and the hotel will have good accessibility between living and working arrangements.

Providing infrastructure to improve economic, employment, and environmental outcomes, and increase productivity:

N/A

Improving environmental outcomes for coastal or freshwater quality, air quality, or indigenous biodiversity:



N/A

Minimising waste:

Waste minimisation measures will be employed for the day to day operations of the hotel.

Contributing to New Zealand's efforts to mitigate climate change and transition more quickly to a low-emissions economy (in terms of reducing New Zealand's net emissions of greenhouse gases):

The following measures will be utilised during the construction of the hotel:

1. Significant use of primary steel framing in lieu of concrete to lower the embodied carbon impact of the building.
2. Massing of the building being broken down into a series of pavilions to aid in natural light penetration and allow for flexibility of solar orientation.
3. Use of metal panelling in facade work to minimise construction wastage and provide the opportunity for future recycling.
4. Curated and considered use of glazing to adhere to local environmental conditions.
5. Retention of the existing carpark structure below the hotel.
6. Use of integrated landscaping and courtyards to provide reinstate natural features and create micro-climates.

Once the hotel is operational, the site is ideally located near public transport routes to as to reduce the need to use private vehicles.

Promoting the protection of historic heritage:

N/A

Strengthening environmental, economic, and social resilience, in terms of managing the risks from natural hazards and the effects of climate change:

Aside from a potential seismic risk, there are no known naturals that could affect the site.

In terms of contributing to minimising the risks of climate change, the following list (still in development), details some of the measures that are being considered for the project:

1. Using low carbon mixes in concrete (i.e. fly ash).
2. Environmental performance through high quality glazing.
3. fully insulated enclosure to reduce energy consumption over time (cost of power prices, less carbon footprint over lifecycle of the building).
4. Specifying low VOC products.
5. Red list free products.
6. Architectural elements to provide shading in glazing over the summer months (where appropriate) to reduce heat transfer and the use of air conditioning.
- 7.

Other public benefit:

The maintenance of two viewshafts (albeit the western viewshaft will be relocated) and the promotion of a viewing platform on the new western viewshaft.

Whether there is potential for the project to have significant adverse environmental effects:

As outlined above, the proposal will not generate significant adverse environment effects.

## Part X: Climate change and natural hazards

Description of whether and how the project would be affected by climate change and natural hazards:

The project should not be directly affected by climate change (i.e. sea level rise), and as outlined above, apart from seismic risk, there are no known natural hazards that could affect the project or site.

## Part XI: Track record

A summary of all compliance and/or enforcement actions taken against the applicant by a local authority under the Resource Management Act 1991, and the outcome of those actions:

Local authority	Compliance/Enforcement Action and Outcome
No details	

## Part XII: Declaration

I acknowledge that a summary of this application will be made publicly available on the Ministry for the Environment website and that the full application will be released if requested.

By typing your name in the field below you are electronically signing this application form and certifying the information given in this application is true and correct.

Scott Freeman

12/12/2022

**Signature of person or entity making the request**

**Date**

## Important notes:

- Please note that this application form, including your name and contact details and all supporting documents, submitted to the Minister for the Environment and/or Minister of Conservation and the Ministry for the Environment, will be publicly released. Please clearly highlight any content on this application form and in supporting documents that is commercially or otherwise sensitive in nature, and to which you specifically object to the release.
- Please ensure all sections, where relevant, of the application form are completed as failure to provide the required details may result in your application being declined.
- Further information may be requested at any time before a decision is made on the application.
- Please note that if the Minister for the Environment and/or Minister of Conservation accepts your application for referral to an expert consenting panel, you will then need to lodge a consent application and/or notice of requirement for a designation (or to alter a designation) in the approved form with the Environmental Protection Authority. The application will need to contain the information set out in Schedule 6, clauses 9-13 of the Act.
- Information presented to the Minister for the Environment and/or Minister of Conservation and shared with other Ministers, local authorities and the Environmental Protection Authority under the Act (including officials at government departments and agencies) is subject to disclosure under the Official Information Act 1982 (OIA) or the Local Government Official Information and Meetings Act 1987 (LGOIMA). Certain information may be withheld in accordance with the grounds for withholding information under the OIA and LGOIMA although the grounds for withholding must always be

balanced against considerations of public interest that may justify release. Although the Ministry for the Environment does not give any guarantees as to whether information can be withheld under the OIA, it may be helpful to discuss OIA issues with the Ministry for the Environment in advance if information provided with an application is commercially sensitive or release would, for instance, disclose a trade secret or other confidential information. Further information on the OIA and LGOIMA is available at [www.ombudsman.parliament.nz](http://www.ombudsman.parliament.nz).

## Checklist

Where relevant to your application, please provide a copy of the following information.

Yes	Correspondence from the registered legal land owner(s)
No	Correspondence from persons or parties you consider are likely to be affected by the project
No	Written agreement from the relevant landowner where the project includes an activity that will occur on land returned under a Treaty settlement.
No	Written agreement from the holder of the relevant customary marine title order where the project includes an activity that will occur in a customary marine title area.
No	Written agreement from the holder of the relevant protected customary marine rights recognition order where the project includes an activity that will occur in a protected customary rights area.