

Assessment against Section 104 of the Resource Management Act 1991 (RMA)

In terms of Section 104D of the RMA, a consent authority can only grant a resource consent for a non-complying activity if it is satisfied that either:

- That adverse effects of the activity on the environment will be minor; or
- The proposal will not be contrary to the relevant objectives and policies.

From the assessments contained in the application, the effects will be more than minor (being moderate) for one aspect of the overall proposal, however, the proposal will not be contrary to the relevant objectives and policies. As such, the proposal can pass the Section 104D test of the RMA.

Effects Consideration

The assessment of effects has considered the following matters:

- Effects from visitor accommodation activities
- Transportation effects
- Infrastructure servicing effects
- Urban design considerations
- Height encroachment effects
- Landscape and visual amenity effects

The assessment undertaken is that the overall effect of the proposed hotel is that it will have less than minor effects for the most part, however, there will be moderate effects for the landowners located across Man Street from the site.

Objectives & Policies

The relevant Objectives and Policies from the PDP are addressed below.

Chapter 3 – Strategic Directions

Strategic Objective 3.2.1 seeks the development of a prosperous, resilient and equitable economy in the District, while Strategic Objectives 3.2.1.1 and 3.2.1.2 respectively seek that the significant socioeconomic benefits of well-designed and appropriately located visitor industry places, facilities and services are realised across the District and that Queenstown and Wānaka town centres are the hubs of New Zealand's premier alpine visitor resorts and the District's economy

Strategic Policy 3.3.1 seeks to make provision for the visitor industry to maintain and enhance attractions, facilities and services within the Queenstown and Wānaka town centres and elsewhere within the District's urban areas and settlements at locations where this is consistent with objectives and policies for the relevant zone.

The Strategic Objectives and Policy listed above seek to enable visitor accommodation development within central Queenstown, because such an outcome provides a range of benefits in providing a dynamic and vibrant centre, where guests have ease of access to a wide range of activities and attractions. The proposal involves constructing a large high quality in a zone that enables such a use, and guests using the hotel will contribute in various ways to economic activity and vibrancy. The proposal accords with the desired outcomes of the Strategic Directions Chapter of the PDP.

Chapter 12 – Queenstown Town Centre Zone

Objective 12.2.1 states:

A Town Centre that remains relevant to residents and visitors alike and continues to be the District's principal mixed use centre of retail, commercial, administrative, entertainment, cultural, and tourism activity.

The following policies implement Objective 12.2.1:

Policy 12.2.1.1 Enable intensification within the Town Centre through:

- a) enabling sites to be entirely covered with built form other than in the Town Centre Transition Sub-Zone and in relation to comprehensive developments provided identified pedestrian links are retained; and*
- b) enabling additional building height in some areas provided such intensification is undertaken in accordance with best practice urban design principles and the effects on key public amenity and character attributes are avoided or satisfactorily mitigated.*

Policy 12.2.1.4 Enable residential activities and visitor accommodation activities while acknowledging that there will be a lower level of residential amenity due to increased noise and activity resulting from the mix of activities and late night nature of the town centre.

The proposal accords with the Objective 12.2.1, as the use of the hotel will contribute to the Queenstown town centre remaining relevant and further, the principle mixed used area of Queenstown.

In terms of Policy 12.2.1.1, based on the Urban Design Report, it is considered that the high quality design proposed for the hotel will adhere to best practice urban design principles and the potential effects on key public amenity and character attributes will be avoided. The proposal accords with the desired outcomes from Policy 12.2.1.1.

In relation to Policy 12.2.1.4, it is a PDP requirement that a hotel needs to be constructed from an acoustic perspective so as to ensure noise from town centre activities do not adversely affect occupants of a hotel. As such, Policy 12.2.1.4 will not be contravened.

Objective 12.2.2 states:

Development that achieves high quality urban design outcomes and contributes to the town's character, heritage values and sense of place.

The following policies implement Objective 12.2.2:

Policy 12.2.2.2 Require development to:

- a) maintain the human scale of the Town Centre as experienced from street level through building articulation and detailing of the façade, which incorporates elements which break down building mass into smaller units which are recognisably connected to the viewer; and*

- b) *contribute to the quality of streets and other public spaces and people's enjoyment of those places; and*
- c) *positively respond to the Town Centre's character and contribute to the town's 'sense of place'.*

Policy 12.2.2.3 Control the height and mass of buildings in order to:

- a) *provide a reasonable degree of certainty in terms of the potential building height and mass;*
- b) *or retain and provide opportunities to frame important view shafts to the surrounding landscape;*
- c) *or maintain sunlight access to public places and to footpaths, with a particular emphasis on retaining solar access into the Special Character Area (as shown on the District Plan web mapping application);*
- d) *or minimise the wind tunnel effects of buildings in order to maintain pleasant pedestrian environments*

Policy 12.2.2.5 In respect of buildings that exceed the non-complying height standards:

- i. *Allow buildings other than those on jetties and wharves to exceed the maximum height standards in the following instances:*
 - a) *where the proposed design is an example of design excellence;*
 - b) *and where there is an adverse effect on the public environment from the increase in height, the proposed development provides an urban design outcome that has a net benefit to the public environment; and*
 - c) *where relevant, where building height and bulk have been reduced elsewhere on the site in order to reduce the impact of the proposed building on a listed heritage item.*

For the purpose of this policy, urban design outcomes that are beneficial to the public environment include, as appropriate:

- d) *provision of sunlight to any public space of prominence or space where people regularly congregate;*
- e) *provision of a new or retention of an existing uncovered pedestrian link or lane;*

- f) *where applicable, the restoration and opening up of Horne Creek as part of the public open space network;*
 - g) *provision of high quality, safe public open space;*
 - h) *retention of a view shaft to an identified landscape feature; minimising wind tunnel effects of buildings in order to maintain pleasant pedestrian environments. the creation of landmark buildings on key block corners and key view terminations.*
- ii. *Recognise that the efficient utilisation of land that would otherwise be underdeveloped or developed to a lesser design quality may enable excellent design outcomes*

Policy 12.2.2.9 Require high quality comprehensive developments within the Town Centre Transition Sub-Zone and on large sites elsewhere in the Town Centre, which provides primarily for pedestrian links and lanes, open spaces, outdoor dining, and well planned storage and loading/ servicing areas within the development.

Objective 12.2.2 and the associated relevant policies primarily deal with controlling built form in the QTCZ.

The proposed hotel will provide a building that has a high quality urban design outcome, and further, the building will contribute to the character and sense of place in central Queenstown. As such, the proposal aligns with the required outcomes of Objective 12.2.2.

In relation to Policy 12.2.2.2, the design approach for the hotel purposely incorporates a highly articulated building, which assists with breaking down the overall form and providing an attractive human scale (when viewed from Man Street), and further, contributes to the quality of Man Street and finally, will positively contribute to the sense of place in the Man Street/town centre built environment. As such, the proposal accords with Policy 12.2.2.2.

In terms of Policy 12.2.2.3(a), there is some tension with this provision due to the proposed height encroachments, however, there are other QTCZ policies that seek to enable increased building height in the QTCZ, provided a range of design related outcome are achieved. Whilst there is some tension, it is considered that the proposal is not contrary to Policy 12.2.2.3(a).

In relation to Policy 12.2.2.3(b), while the western viewshaft is proposed to be relocated, there will still be two viewshafts located on the site, noting that this policy refers to framing important view shafts. The proposal is not contrary to Policy 12.2.2.3(b).

Due to the location of the site, there will be little effect on sunlight access to public places and or footpaths, and as such, the proposal will be consistent with the desired outcomes of Policy 12.2.2.3(c).

Policy 12.2.2.5 provides the criteria as to when it might be acceptable for a building to breach the non-complying height standards. The Urban Design Report has heavily canvassed the high quality design approach proposed, together with the various public benefits that will result from the proposed development. The Urban Design Report considers that the additional building height is well treated and will not adversely affect the public environment and the proposed publicly accessible open space

is well integrated with the western viewshaft providing enhanced viewing opportunities with additional landscape amenity achieved. As the Urban Design Report considers the proposal will result in high quality urban design outcomes both within the site's context and the planned future environment, it is considered that the proposal accords with the outcomes required by Policy 12.2.2.5.

In relation to Policy 12.2.2.9, open space and outdoor dining areas are proposed, together with sufficient storage/loading spaces, and as such, the proposal accords with this policy.

Objective 12.2.3 states

An increasingly vibrant Town Centre that continues to prosper while maintaining a reasonable level of residential amenity within and beyond the Town Centre Zone.

The following policies implement Objective 12.2.3:

Policy 12.2.3.3 Enable residential and visitor accommodation activities within the Town Centre while:

- a) acknowledging that it will be noisier and more active than in residential zones due to the density, mixed use, and late night nature of the Town Centre and requiring that such sensitive uses are insulated for noise; and*
- b) discouraging residential uses at ground level in those areas where active frontages are particularly important to the vibrancy of the Town Centre;*
- c) and avoiding, or, where this is not possible, mitigating adverse traffic effects from visitor accommodation through encouraging operators to provide guests with alternatives to private car travel, discouraging the provision of onsite car parking, and through the careful location and design of any onsite parking and loading areas;*
- d) and only enabling new residential and visitor accommodation uses within the Town Centre Entertainment Precinct where adequate insulation and mechanical ventilation is installed.*

The addition of further visitor accommodation within the QTCZ, which is enabled and encouraged, will add to the vibrancy of the town centre, thereby according with Objective 12.2.3.

Policy 12.2.3.3 seeks to enable visitor accommodation activities within the QTCZ, noting that this urban environment is noisier and more active than a standard residential environment. As outlined above, the hotel will need to be designed (and acoustically insulated/ventilated) so as to minimise noise effects.

In relation to Policy 12.2.3.3(c), the hotel is located in close proximity to public transport links.

Objective 12.2.4 states:

A compact Town Centre that is safe and easily accessible for both visitors and residents

The following policies implement Objective 12.2.4.:

- Policy 12.2.4.1 Encourage a reduction in the dominance of vehicles within the Town Centre and a shift in priority toward providing for public transport, facilitating shared transport, and providing safe and pleasant pedestrian and cycle access to and through the Town Centre*
- Policy 12.2.4.3 Minimise opportunities for anti-social behaviour through incorporating Crime Prevention Through Environmental Design (CPTED) principles as appropriate in the design of streetscapes, carparking areas, public and semi-public spaces, accessways/ pedestrian links/ lanes, and landscaping.*
- Policy 12.2.4.4 Off-street parking is predominantly located at the periphery of the Town Centre in order to limit the impact of vehicles, particularly during periods of peak visitor numbers*
- Policy 12.2.4.6 Encourage visitor accommodation to be located and designed in a manner that minimises traffic issues that may otherwise affect the safety efficiency, and functionality of the roading network, and the safety and amenity of pedestrians and cyclists, particularly in peak periods.*

In terms of Policy 12.2.4.1, while the hotel will sit on top of a commercial car parking building, the site is located in close proximity to public transportation links. The proposal is consistent with the outcomes envisaged by this Policy 12.2.4.1.

In relation to Policy 12.2.4.3, the hotel complex has been carefully designed to front the street and provide a high level of natural surveillance on Man Street from guest rooms across multiple levels.

In relation to Policy 12.2.4.4, the car parking associated with the hotel is not located in the historic town centre of Queenstown, and vehicles accessing the site will do so via Man Street, which forms part of the Queenstown Arterials Project. The proposal accords with Policy 12.2.4.4. For these reasons, the proposal also accords with the outcomes of Policy 12.2.4.6.