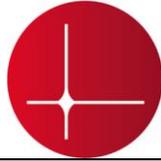




FTC000040 Response to Request for information from QT Lakeview Developments Limited in relation to the Lakeview Taumata resource consent application under the COVID-19 Recovery (Fast-track Consenting) Act 2020

18 July 2022

	Request	Response / Comment
1	Section 5 of the AEE mentions “co-living” room space in the proposed buildings. Please supply draft conditions of consent to secure that outcome.	<p>The below condition of consent is offered as part of the application proposals and addresses the length of stay and ownership restrictions on the co-living units.</p> <p><i>X. The consent holder must enter into a covenant in accordance with section 108 of the Resource Management Act 1991 in favour of Queenstown Lakes District Council. The consent holder shall contact Council to initiate the preparation of the covenant. A copy of the updated Computer Register and /or Certificate of Title showing that the covenant has been registered shall be provided to the council’s Compliance Monitoring prior to commencement of the activity. The covenant shall</i></p> <p>a. <i>Include the following Co-Living Requirements:</i></p> <p><i>i. Minimum Stay Requirement - in relation to each Co-Living Accommodation unit within a Stage, guests are required to stay for a minimum of 7 consecutive nights save that in respect of any 12 month period following Practical Completion of the Co-living Accommodation, 180 nights will be exempt from the 7 night minimum. The owner/operator of the Co-Living Accommodation may aggregate and manage the exempt nights across all of the relevant Co-Living Accommodation units.</i></p>



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		<p>ii. Single Ownership Requirement - in relation to any Co-Living Accommodation units, legal title in all such Co-Living Accommodation units must be held by a single entity.</p> <p>b. be drafted by the Council's nominated Solicitor at the Consent Holder's cost; and</p> <p>c. be registered against the Computer Register and /or Certificate of Title applying to the affected land by the Consent Holder at their cost; and</p> <p>d. require the Consent Holder to:</p> <p>i. be responsible for all legal fees, disbursements and other expenses incurred by the council in connection with the covenant, and procure its solicitor to give an undertaking to the Council for payment of the same; and</p> <p>ii. indemnify the Council for costs, fees, disbursements and other expenses incurred by the Council as a direct or indirect result of the Council being a party to this covenant.</p>
2	We are unable to find Appendix A to Brad Coombes' Landscape and Visual Assessment (provided as Appendix 10 to the Application). Please submit this attachment.	Appendix A to the Landscape and Visual Assessment (noted in the application documents as <i>Appendix 10 Landscape Urban Amenity and Visual Effects Assessment Views from Ben Lomond</i> and <i>Appendix 10 Landscape Urban Amenity and Visual Effects Assessment Visual Simulations</i> were provided to Panel on 4 th July 2022. They are also available via the link below: FTC40 4th July RFI Response
3	Section 5 of the AEE and Section 3.2 of the Design Statement refer to "public space" in the buildings. Please:	The application architects confirm that:



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<p>a. Explain what public space means in legal terms (for example does it simply refer to paying customers of commercial premises; or a right of access and use for the general public?).</p> <p>b. It is not clear whether the space is envisaged to be regularly and widely used by the public as a de-facto public space / viewing platform, or whether it is a more passive space open to those that might know of it and occasionally use it such as if an event was being held.</p> <p>c. If the general public is to have access to the buildings, what is the legal mechanism intended to secure that outcome in favor of the public (for example, who will own those spaces, will there be some form of easement in gross or right of way?).</p> <p>d. What constraints on public access and use of the public spaces are proposed (if any). For example: time of day, public holidays, special events etc. The Panel seeks to understand how the space will be managed from a compatibility perspective, such as if a group wished to use it at night-time, but apartment residents above expect quiet so sleep is not disturbed.</p> <p>e. What is the physical means of securing the intended outcome (access routes, public access signage, security arrangements, etc).</p> <p>f. Supply draft conditions of consent to secure the intended outcome.</p>	<p>a) The public space in the building at Level 5 refers to commercial space in the building accessible by public. These functions include restaurant, bar, co-working, gymnasium and spa areas. These spaces comprise internal space directly occupied with the different functions, but also external space associated with these uses. It is not intended that the space will be accessible by the general public.</p> <p>b) As above the spaces will be available for customers rather than being free to access by the general public.</p> <p>c) No public access easement in gross is proposed.</p> <p>d) It is anticipated that the food and beverage activity on Level 5 would operate from 7am to midnight.</p> <p>e) All access to Level 5 from a public perspective is secured both at ground floor where entry is through a dedicated lobby space (access control TBC) and again at L5 itself through secure entrances that can be controlled.</p> <p>f) As above, no formal legal public access is proposed so conditions are not necessary.</p> <p>g) The Attachment 1 architectural plans show the access routes for public accessing the Level 5 activities as well as the access routes to the apartments.</p>



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	<p>g. Supply a set of architectural plans showing the public access areas marked on the plans (e.g. on Architectural plan set GA Plan level 5 sheet A-105; and GA Plan Level 1 sheet A-101).</p>	
4	<p>At 7.6 of the AEE, the applicant supports and agrees with the recommendations set out in Section 5 of the Cultural Impact Statement. These include 4 recommendations. Please advise how the consent holder will give effect to these and supply draft conditions to secure that outcome.</p>	<p>The applicant accepts conditions to secure the outcomes set out in the CIS and the following conditions are proposed as part of the application (to meet recommendations 1, 2 and 3 respectively).</p> <p><i>Kāi Tahu Engagement – Design Features</i></p> <p><i>X. The applicant shall engage with Kāi Tahu during the design phase to provide an opportunity to acknowledge cultural values such as mana and whakapapa and ensure that there is authentic interpretation of mana whenua cultural values in design elements of the development.</i></p> <p><i>Such design elements could include, orientation, viewshafts, building structure, signage and interpretation panels, Kāi Tahu visual arts installations and hard landscaping features which reference Kāi Tahu whakapapa of the area.</i></p> <p>Proposed Condition 15 is replaced by the proposed condition below.</p> <p><i>Accidental Discovery Protocol</i></p> <p><i>X. The Heritage New Zealand Pouhere Taonga Archaeological Discovery Protocol, or an accidental discovery protocol modified to reflect the specific project detail, shall be implemented in the event of any accidental archaeological discoveries that occur during construction works.</i></p>



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	<p><i>If the Heritage New Zealand Pouhere Taonga Archaeological Discovery Protocol is not implemented, then:</i></p> <ul style="list-style-type: none"><i>i. the Accidental Discovery Protocol shall be prepared in consultation with Aukaha, Te Ao Marama Inc., and HNZPT; and</i><i>ii. the Council shall ensure Aukaha, Te Ao Marama Inc., and HNZPT have a minimum of 20 working days to provide comment on the final Accidental Discovery Protocol.</i> <p><i>Kāi Tahu Engagement – Stormwater Runoff</i></p> <p><i>x. The applicant shall engage with Kāi Tahu regarding the design of the stormwater system to incorporate soft solutions to manage stormwater where practicable.</i></p> <p>In regard to Recommendation 4 which seeks that the applicant ‘adopt a landscape design that enhances biodiversity, including a planting palette that encourages bird and insect life. The species of plants used for the development should be selected on the basis of their whakapapa and contribution to ecosystems of the area’ it is noted that the plant selection proposed in the Landscape Design Statement is consistent with the site’s historic ecosystem and as such Recommendation 4 is already captured by Condition 5 relating to landscape design details.</p> <p>It is also noted that the applicant is already working with Kāi Tahu (and others) on a precinct wide unified landscape strategy which will give effect to the recommendations in the Cultural Impact Statement.</p>



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5	<p>Please provide equivalent simulations of the proposed development from the viewpoints contained in the Landscape & Urban Design Assessment prepared by Helen Mellsoy and Nick Karlovsky for Queenstown Lakes District Council, dated November 2009, which supported Plan Change 50 to the Queenstown lakes District Council Operative District Plan.</p> <p>Landscape & Urban Design Assessment: https://www.qldc.govt.nz/media/gemn0pmq/pc50_4-appendix-b-ae-appendices-a-c.pdf AEE: https://www.qldc.govt.nz/media/jsbor15k/pc50_3-appendix-b-ae.pdf</p> <p>Please see the figure below for the location of each viewpoint. This figure can be found on page 21 of the Landscape and Urban Design Assessment.</p> <p>We request the Applicant to assess the PC50 and proposal's comparative viewpoints and provide expert comment on the proposal's consistency with the outcomes visualised at the time of PC50, as part of its case that the proposal is in line with PC50's provisions.</p>	<p>Please see attached memoranda from Brad Coombs of Isthmus (Attachment 2) and Rebecca Skidmore of RA Skidmore Urban Design (Attachment 3) which respond to these questions.</p>



Request	Response / Comment
<p data-bbox="257 256 367 284">Request</p> <div data-bbox="405 304 965 1050"><p>VIEWPOINT KEY</p><p>Significant viewpoints</p><ol style="list-style-type: none">1 Entry on Stanley Street2 Entry on Gorge Road3 Entry from Glenorchy4 Shotover/Brecon roundabout5 Queenstown Gardens6 Queenstown beach/Marine Parade7 Queenstown Recreation Ground8 Queenstown Hill walking track<p>Other viewpoints</p><ol style="list-style-type: none">9 Gondola10 Queenstown primary school11 Queenstown Hill residential areas12 Camp Street/Bailarat Street13 Steamer wharf/Earnslaw Park14 St Omer Park15 Lake Wakatipu (Earnslaw)</div>  <p data-bbox="398 1086 539 1102">Figure 3: Viewpoint map</p> <p data-bbox="257 1134 1155 1219"><i>Figure 1: Landscape & Urban Design Assessment prepared by Helen Mellso and Nick Karlovsky for Queenstown Lakes District Council, dated November 2009 (relates to Question 5 of the RFI)</i></p> <p data-bbox="257 1273 510 1300">Additional questions</p>	



	Request	Response / Comment
	<p>i. Please confirm if there are any additional appendices aside from the two pdf docs to Appendix 10.</p> <p>ii. Please confirm if the visual simulations as provided in Appendix A used the same focal length for those photo sims that are based on the PC50 ones?</p> <p>iii. Please confirm this sentence from para 3.17: "In conjunction with the rating of effects, the nature of effects is also assessed and described. Effects can be adverse, neutral or positive".</p> <p>Can you confirm whether "the nature of effects is also assessed and described" relates to something within an appendix or within the body of the report?</p> <p>In response to: if additional viewpoints are requested or if a response to the last paragraph is sufficient?</p> <p>We have not asked for viewpoints additional to those of PC50 but seek an assessment of the PC50 and the Proposal's visual sims.</p>	
6	<p>At 4.36 of the Urban Design Assessment, Appendix 9, Ms. Skidmore states:</p> <p><i>The proposed differing elements of the material and colour palette are important to both integrate the Proposal with its natural setting and backdrop of Ben Lomond and provide the quality and contrast between different forms as proposed. Ensuring that the design intent proposed is carried through to the detailed design phase will be critical</i></p>	<p>Please see attached memorandum from Rebecca Skidmore of RA Skidmore Urban Design which respond to this question and confirms that Ms Skidmore has reviewed the proposed conditions contained in Appendix 3 of the application.</p> <p>Ms Skidmore confirm that Condition 4 suitably addresses the recommendation made in relation to the proposed buildings.</p>



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	<p><i>to ensure an appropriate built outcome is achieved. In my opinion, this should be addressed by conditions of consent.</i></p> <p>Have the proposed conditions of consent that have been provided in the AEE been reviewed and by Ms. Skidmore? The Panel does not know if the proposed conditions are regarded by Ms Skidmore as ensuring that an appropriate built outcome is achieved. Are there any recommended additional or different conditions that she considers necessary?</p>	<p>Ms Skidmore also confirms that Condition 5 addresses requirements for detailed landscape drawings and supporting documentation to be submitted to the Council for certification, including 'an annotated pavement plan and related specifications, detailing proposed site levels strategy and the materiality and colour of all proposed hard surfacing.</p>
7	<p>Please advise what the proposal is in relation to the upgrade of Isle Street to serve this proposal i.e., formation, footpaths, street lighting etc. If the upgrade of Isle Street is not part of this proposal, how is it to be handled?</p>	<p>Please refer to attached BECA drawings (Attachment 4) of proposed works being undertaken on Isle St and due for completion in mid-2023.</p> <p>The upgrade of Isle St is not part of the application proposals – it is being handled directly by QLDC in coordination with their subdivision scope of work.</p> <p>The works that are being undertaken on Isle St generally include:</p> <ul style="list-style-type: none">- Installation of a new footpath connection through to Brecon St as required within the subdivision consent- Realignment and adjustment of Isle St to provide traffic calming and removal of on-street parking- Installation of pedestrian crossing- The new intersection being installed on Hay and Isle St at the new subdivision entrance prioritises access from Hay St over Isle St.



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8	<p>The design process has been thoroughly explained but the Panel requires a specific explanation of the proposed buildings and how and why they have the shape, form, roof profile, and height proposed.</p> <p>Specific matters to be addressed:</p> <p>a. The rationale for the rhythm and dimensions of the gaps between the taller buildings and why the gap between the western two buildings is so much narrower than the others, noting that one of those buildings (the westernmost) is appreciably wider than the others.</p> <p>b. How was the height of each building arrived at and was any consideration given to whether more expressive upper terminations / caps / roof profiles were tested as part of the design process to help contribute to PC50's intent for a high quality built form outcome?</p> <p>c. Assessment of the suitability of the roof platforms and forms proposed when viewed from above.</p>	<p>The application architect's note:</p> <p>a) The massing logic or rationale for the project was determined at an early stage in the projects inception and was primarily a decision to ensure a visual connection from the mountain to the lake running through the project. We wanted to create a visual porosity with the massing and to create the ability for views through the project – both from Ben Lomond but also from Queenstown gardens.</p> <p>The precinct adopts a slender and vertically grained massing blocks that float above a stone podium and are oriented perpendicular to the lake to enable space between them and therefore views through. The buildings step up in height as they move south and although they are in the shadow of Ben Lomond and are visually dominated the massing resonates and parallels with the form of the mountain.</p> <p>The southernmost building is oriented parallel to the lake and forms a bookend to the stepped geometry of the four floating blocks but also to the precinct. It is horizontal in grain rather than vertical, and differs in height and materiality to create the bookend effect. As it presents a narrower and opaque face to its neighbour the distance between blocks could be reduced – which again to put a visual full stop on the linear progression and rhythm of the other blocks.</p>



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		<p>b) The rhythm of buildings was set up to create visual porosity through the development and to avoid a sense of visual barrier between mountain and lake. We wanted to create a sense of elegance and slenderness with the floating blocks and a sense of proportionality and resonance with Ben Lomond behind. The heights of each building are deliberately varied as they step to the south and have a direct relationship and resonance in their heights to Ben Lomond and create a rhythmic relationship with their form.</p> <p>We discussed expressing the upper floors with a more articulated crown but decided against this as we felt it that it detracted from the sense of visual recessiveness that simpler forms would provide.</p> <p>c) We were conscious of the roof elevation as viewed from above and apart from a minimal mechanical outlet zone the roof finish is ballast with ground cover so as to reduce their visibility from above.</p>
9	<p>On what basis can the Panel have regard to the Master Plan? It appears to include a number of deviations from the operative PC50 structure plan and provisions. If the Master Plan is a relevant consideration, can the 'final' master plan be confirmed? In Appendix 1 of the AEE, a summary of the Master Plan on page 9 indicated a total of 7,553m² of retail and hospitality space was envisaged. In Appendix 7 of the AEE (page 14), a total of 6,043m² for retail and hospitality is identified.</p>	<p>The Masterplan is considered a relevant matter for consideration of the application in so far as it forms the basis of the Development Agreement for the site between the applicant and QLDC. In that regard it provides a more detailed framework for the expected massing of the built form and the scale and nature of the activities within the Lakeview sub-precinct area than the District Plan provisions.</p> <p>As noted in the AEE (at 3.9) whilst the masterplan document does not form part of any relevant permitted baseline it is considered appropriate to contextualise the development as a whole and for an overview of the future</p>



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		<p>of the area. The masterplan will undoubtedly be the basis of the future development of the area and as such it is relevant that the assessment looks to the anticipated environment created by the masterplan, especially in terms of the building bulk and location (as enabled by the zoning framework). There is considered little chance that the area will not be developed in general consistency with the zoning framework and the masterplan (albeit with some flexibility as to the overall mix and quantum of activities). Many of the elements introduced and designed for Lakeview have occurred on a wider precinct basis and are relevant to consider for this application.</p> <p>In terms of the numbers stated in the various documents, the 7,553m² noted in the summary of the Masterplan in Appendix 1 to the AEE represents a 25% uplift on the agreed Masterplan. This is the maximum possible within the agreed Masterplan and Development Agreement before further agreement with QLDC is required. The agreed Masterplan provides for 6,043m² but there is some flexibility built into the Development Agreement and Masterplan to allow response to market conditions as the precinct is delivered.</p>
10	Please provide an addendum to the Insight Economics assessment (Appendix 24 to the AEE) assessing the potential short- and medium-term effects of the proposal on the existing town centre and whether there is a likelihood of any displacement (and if so of what kind and to what extent). Please also provide a differentiation between the quantity of retail and hospitality proposed that would serve the needs of the users of the proposal, and what is intended to serve the wider Queenstown area. Lastly, provide a breakdown of retail proposed in	<p>Please see letter from Insight Economics (Attachment 5) which addresses this question.</p> <p>The Architectural drawings provide a breakdown of the proposed retail spaces / use with these comprising:</p> <ul style="list-style-type: none">a. 504m² of street level retail (four premises, 107m², 120m², 124m² and 153m²)



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	terms of spaces smaller than 400m ² and spaces greater than 400m ² as this relates to the PC50 provisions for retail.	b. 504m ² of food and beverage on Level 5 (225m ² restaurant premise and 279m ² bar premise). There are no retail spaces exceeding 400m ² proposed.
11	11. Please provide a specific breakdown of the retail and hospitality floor area proposed as this is not clear from the documentation, including whether consent is sought for retail across the entirety of the level 5 podium roof area. Related to this, please explain what kind of retailing is envisaged for this space, which has no direct street frontage or access other than via elevators / stairs.	As above please see Attachment 1 which details the specific breakdown of the areas. The four street level retail units are 107 m ² , 124m ² , 153 m ² and 120m ² as shown There are two separate hospitality areas on Level 5 that are publicly accessible. These are: <ul style="list-style-type: none">○ A 225m² restaurant located at the southern end of the site below Building 8B (with an associated kitchen in Building 8C)○ A 279m² bar located between Buildings 8B and 8C in a pavilion space. These spaces are used casually by the public as a customer.
12	Please provide an assessment of the night-time effects of the buildings when the glazed sections might allow light spill from the rooms, particularly those parts of the buildings above the PC50 height limit. The issue for assessment is the public's appreciation of the night sky and the outstanding natural landscape as a dark silhouette.	Please see attached memorandum from Brad Coombs of Isthmus which responds to this question.
13	Please advise whether any external signage is sought as part of the consent application. If it is envisaged that signage might be addressed	Please see Attachment 1 which details the proposed low key signage interventions proposed for the site. It is intended that either future consent/s



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<p>later as a separate process, what controls should be assumed or imposed through this application to ensure that an integrated decision might be made.</p>	<p>would be sought for the proposed signage (at detailed design stage) or that the consent condition below be imposed on any consent approval.</p> <p><i>x. Prior to erection of any signage on the site the consent holder must provide detailed information to illustrate the design details of the proposed Signage, including the proposed locations, dimensions, colours, materials, surface finishes, font type and lighting, if applicable. The finalised design must ensure that the signage proposed visually integrates/complements the associated façade/building. This information must be submitted to Council for approval in liaison with urban design staff. The signage must be installed/ constructed in accordance with the approved details.</i></p> <p>The applicant anticipates the signage design will also be assisted by discussions with Kāi Tahu as noted above re the landscape design strategy.</p>