

Rosalind Devlin for QLDC – Summary of Evidence, 21 July 2017

Queenstown Mapping – Hearing Stream 13

1. I am the author of the Group 1C Queenstown Urban – Central, West and Arthurs Point evidence and rebuttal. In this evidence summary I summarise my recommendations made generally, and I provide more detail on some submissions where there are areas of significant disagreement and understand I will present that part of my summary on a site by site basis, to the Panel.
2. 47 submissions and 27 further submissions on rezoning or mapping annotations were received in relation to the Group 1C area. These are considered in my s42A report and 15 are further considered in my rebuttal evidence.
3. I recommend the rezoning of 10 sites, either in part or in their entirety from Rural to an urban zone, or an urban upzoning. The total development capacity of the recommended rezonings, beyond that enabled by the PDP, would be approximately 305 lots.
4. In relation to Darryl Sampson & Louise Cooper's (495) submission at 182D Arthurs Point Road, Arthurs Point, I refer to legal submissions regarding whether the part of the submission relating to the Rural Visitor – Arthurs Point zone is 'on' Stage 1. Even if this submission point was within Stage 1, I do not consider that the submitter has provided the evidence necessary to justify the zone's inclusion within the PDP. Further, I understand that the ODP Rural Visitor Zone will be reviewed in a later stage, including this particular part of 182D Arthurs Point Road, and therefore this provides the submitter with some confidence that the most appropriate zone for that land, will be considered in the plan review. The Council should consider dealing with the entire site, at the same time. In the meantime, any consents would need to be pursued under the ODP framework.
5. I recommend retaining the notified PDP zonings over the remaining 36 sites where a rezoning was sought or the notified zoning was supported.

Submissions accepted or accepted in part

6. I recommend the following areas should be rezoned from Rural to an urban zoning:
- (a) Lot 102 DP411971 towards the eastern end of Queenstown Hill above the Frankton Marina, enabling an additional 24 Low Density Rezoning (**LDR**) lots (Remarkable Heights Limited (347));
 - (b) Lot 1 DP 496901 on Vancouver Drive, Queenstown Hill, enabling an additional 54 Medium Density Residential (**MDR**) lots (Queenstown Lakes District Council (790));
 - (c) Lot 602 DP 306902 between Kerry Drive and Malaghan Street on Queenstown Hill, enabling an additional 6 LDR lots (Queenstown Lakes District Council (790)); and
 - (d) Part of Pt Sec 1 SO 24074 Lots 1-2 DP 307630 and part of Lot 2 DP 393406 at 111, 113, 115 and 163 Atley Road, Arthurs Point, enabling an additional 20 LDR lots (Michael Swan / Gertrude Saddlery Limited (494) and Larchmont Developments Limited (527)).
7. I recommend the following urban areas should be 'upzoned':
- (a) 139 Fernhill Road and 10, 12, 14 and 16 Richards Park Lane in Fernhill, enabling an additional 3 MDR lots (Reddy Group Limited / Coherent Hotels Limited (699));
 - (b) Lots 1 and 2 DP 25442 at 31 Frankton Road, central Queenstown, enabling an additional 59 High Density Residential (**HDR**) lots (Millennium & Copthorne Hotels New Zealand Limited (679));
 - (c) the block bounded by Frankton Road, Adelaide and Suburb Streets, central Queenstown, enabling an additional 64 HDR lots (Dato Tan Chin Nam (61));
 - (d) Lot 1 DP 9121 at 634 Frankton Road, Frankton Arm, enabling an additional 15 MDR lots (Mount Crystal Limited (150));
 - (e) the northern part of Lot 13 DP 27397 on Windsor Place, Queenstown Hill, enabling an additional 50 MDR lots (P J & G H Hensman and Southern Lakes Holdings Limited (543)); and
 - (f) 11 Belfast Terrace, 2, 4 and 6 Manchester Place on Queenstown Hill, enabling an additional 10 MDR lots (Allium Trustees Limited (718)).

Middleton Family Trust (336)

8. The Queenstown Heights Overlay (**QHO**) over the submitter's site is based on risks associated with natural hazards, which I consider the submitter has not addressed. The main issue of contention is whether the QHO must be retained in order to address natural hazards, or whether it is appropriate for it to be removed to enable conventional LDR development of the site.
9. Council's geotechnical expert, Mr Charlie Watts's rebuttal evidence¹ is that the submitter has not provided a geotechnical investigation or evidence that addresses natural hazards within the site; that the reports provided by the submitter do not provide relevant information for the land in question; and that the submitter would need to provide the equivalent type of information for the site itself, in order to support the rezoning to LDR. Therefore, I recommend the rezoning request be refused, based on a lack of geotechnical expert support for removing the QHO.

Mount Crystal Limited (150)

10. The submitter has filed evidence in support of rezoning the site at 634 Frankton Road from LDR to HDR. My understanding of the primary submission is that it requested either half MDR and half HDR, or MDR with site-specific provisions for height and visitor accommodation. I recommend that the (entire) site should be rezoned MDR.
11. The main areas of disagreement are whether the site is appropriately located for HDR rezoning, and can be serviced by firefighting requirements. I consider that development enabled by a HDR zone would appear out of character in this location. I also rely on Mr Glasner's evidence that the submitter has not demonstrated there is adequate infrastructure planned in the LTP to service FW3 firefighting supply for a HDR zoning.
12. As mentioned I have concerns that the amended relief for the entire site to be zoned HDR is not within scope of the original submission.

1 At paragraphs 6.4-6.5.

Body Corporate 22362 (389)

13. Mr Sean McLeod has filed evidence in relation to rezoning the Body Corporate 22362 land and surrounding area known as "Goldfields", as well as areas along Frankton Road and much of Fernhill, from LDR to MDR.
14. I agree with Mr McLeod that the sites appear generally suitable for MDR development from a locational perspective, and I support Mr McLeod's purpose in requesting large scale upzoning within the Urban Growth Boundary (**UGB**) in order to avoid 'urban sprawl'. However, I rely on the evidence of Ms Banks and Mr Glasner, who both retain their opposition to the rezoning request from a transport and infrastructure perspective, respectively.
15. I consider that the main area of disagreement is whether transport and infrastructure capacity or planned upgrades 'should' or 'must' support upzonings within the UGB.

P J & G H Hensman And Southern Lakes Holdings Limited (543)

16. The submitter requests that a site on Windsor Place, Queenstown Hill, be rezoned from LDR to HDR. I recommend the northern part of the site should be rezoned MDR. I rely on Ms Banks' evidence that the site is not appropriately located to support HDR zoning, primarily because it is not walkable from the Queenstown Town Centre.
17. I consider that the main issues of disagreement are whether the site is suitable for HDR rezoning, and whether the requested HDR rezoning pursued through the submitter's evidence over the entire site is within scope of the primary submission, which only sought HDR rezoning over the northern part of the site.

Allium Trustees Limited (718)

18. The submitter requests that 11 Belfast Terrace, 2, 4 and 6 Manchester Place, on Queenstown Hill be rezoned from LDR to HDR. Ms Leith considers that a larger area on Queenstown Hill should also be rezoned HDR, but acknowledges there is no scope in submissions for this request. I consider that the request would create a small 'spot zone' of HDR adjoining MDR and LDR zoned land that would be

inappropriate. I rely on Ms Banks' evidence that the existing transport infrastructure and provisions do not support HDR zoning in the area.

19. In the alternative, the submitter seeks MDR rezoning over the site. Based on the site's location adjoining a larger MDR zone on Queenstown Hill, and given that the request can be serviced by transport and infrastructure, I recommend that the alternative MDR rezoning sought should be accepted.

Neville Mahon (628) and DJ & EJ Cassells and Others (503) and the Friends of the Wakatipu Gardens and Reserves (506)

20. These submitters seek either HDR, or a Special Character Overlay (or a 'downzoning' similar to the Arrowtown Residential Historic Management Zone) in response to heritage values, over the same site on Park Street, near the Queenstown Gardens.
21. I have recommended rejecting both rezoning requests and retaining the notified MDR zoning, largely due to my concerns about either a small HDR 'spot zone' (7,400m²) or inefficient use of land if it was downzoned. In making this recommendation I have relied on the evidence filed by Mr Richard Knott in Hearing Stream 3, where the appropriateness of Character Overlays was considered in detail. Mr Knott concluded that the area does not exhibit a cohesive character.²
22. The main area of disagreement between the submitters, and with Council, are the heritage values, or lack thereof, of the site. I consider that the Special Character Overlay request has been comprehensively addressed in the earlier hearing stream and does not need to be revisited.
23. In relation to the HDR request, I consider that the submitter has not provided evidence that the rezoning would not result in an inappropriate 'spot zone' in this location.

2 Statement of Evidence of Richard Knott for Queenstown Lakes District Council in Hearing Stream 3 dated 2 June 2016.

PR Queenstown Limited (102), Neki Patel (103) and Hamish Munro (104)

24. These submitters request that 30 – 46 Gorge Road be rezoned from HDR to Business Mixed Use Zone (**BMUZ**). I recommend that the site should retain the notified HDR zoning, primary due to the close proximity of the site to the Queenstown Town Centre Zone (**QTCZ**), and due to the lack of need for additional commercial zoned land. Mr Heath for QLDC estimates that 50% of commercial zoned land within the Wakatipu Ward is vacant or not utilised for commercial activities.
25. I do not consider the requested BMUZ rezoning and commercial activities that would be enabled, would be complementary to the QTCZ. The site is easily walkable from the edge of the QTCZ (at the Council building through the public car park) or along Gorge Road. The rezoning request may undermine the role of the QTCZ as the primary focus for economic activity, and may affect the walkability and compactness of the QTCZ.

Ngāi Tahu Tourism (716)

26. The submitter seeks that the Morning Star Beach Reserve in Arthurs Point be rezoned from Rural to ODP Rural Visitor Zone, or other visitor zoning.
27. I recommend that the request should be rejected, on the basis of development on the scale anticipated by the ODP RVZ being incompatible with the reserve's conservation, historic heritage and recreation values. I also do not consider that the submitter has provided evidence to justify that the ODP Rural Visitor Zone achieves the Strategic objectives of the PDP and 'fits' into the PDP structure including in relation to district wide chapters, nor a comprehensive section 32 assessment of the provisions within the ODP Rural Visitor Zone, itself.
28. I consider there could be some merit in rezoning the southern part of the site surrounding the Shotover Jet base and other activities, to an urban zone, if that would promote a more strategic approach to tourism and visitor activities compared with resource consents. The submitter has not provided any details of a possible zoning framework, however, for consideration.

Gertrude's Saddlery Limited (494) and Larchmont Developments Limited (527)

29. I recommend a small part of the site at Arthurs Point should be rezoned from Rural to LDR, with the boundaries based on Dr Read's evidence in regard to ONL and landscape effects. I rely on Dr Read's evidence in regard to the potentially significant adverse effects of the larger area of LDR rezoning sought on the ONL in this location.
30. The submitter seeks that a much larger area be rezoned and has provided transport evidence in regard to upgrading Atley Road; however, Ms Wendy Banks for QLDC retains her opposition to the rezoning request (with the exception of the small area identified by Dr Read). I rely on Ms Banks' evidence about the rezoning request increasing delays at the Edith Cavell Bridge, and that the proposed Atley Road upgrade will not be of sufficient width to safely service the site.
31. The main issues of disagreement between experts are the effects of the rezoning on the ONL (and the location of the ONL), and the capacity of transport infrastructure to support the rezoning request.