

BEFORE THE QUEENSTOWN LAKES DISTRICT COUNCIL

IN THE MATTER

of the Resource Management Act 1991

AND

IN THE MATTER OF

Queenstown Lakes Proposed District Plan –  
Queenstown Mapping Hearings Stream T13

**SUMMARY STATEMENT OF EVIDENCE BY REBECCA HOLDEN  
ON BEHALF SUBMITTER 790  
(Queenstown Lakes District Council)**

**13 Boyes Crescent, Frankton  
The Commonage, Vancouver Drive  
Kerry Drive**

23 August 2017

## Introduction

1. My name is Rebecca Holden. I am a resource management consultant for Southern Planning Group Limited. I prepared three statements of evidence on behalf of Queenstown Lakes District Council ("QLDC") for Hearing Stream 13 (Queenstown Mapping) in respect of the following sites:
  - a) 13 Boyes Crescent
  - b) The Commonage - Vancouver Drive
  - c) Kerry Drive
2. I have read and reviewed the statement of evidence, rebuttal evidence and the relevant section 42A reports insofar as they relate to the three sites cited above.
3. Given there is general consensus between the recommendations within the s42A reports and the outcomes sought within my statement of evidence, this summary will only address outstanding matters raised through the hearing process in respect to each of the three sites.

## 13 Boyes Crescent

4. QLDC seek relief in the form of extending the Low Density Residential Zone ("LDRZ") over an 855m<sup>2</sup> portion of Section 36 BLK XXXI TN of Frankton ("subject site"). The subject site is currently zoned Rural General within the Operative District Plan ("ODP"), which the Proposed District Plan ("PDP") proposes to continue.
5. In addition, this site is classified as a Recreation Reserve pursuant to section 16 of the Reserves Act 1977 and is also designated as a Recreation Reserve under Designation 156 in the ODP (Frankton Beach Recreation Reserve) which was rolled over into the PDP. The requested rezoning of the subject site does not pre-empt the revocation of any reserve status, which would be subject to a further process under the Reserves Act.
6. The subject site is also located within Queenstown Airport's Outer Control Boundary ("OCB"). It is my understanding that the location of the OCB was updated as part of Plan Change 35 ("PC35"), the purpose of which was to put in place an appropriate management regime for managing land use around Queenstown Airport while providing for the predicted ongoing growth of aircraft operations to 2037. The OCB indicates a geographic threshold whereby aircraft noise from airport operations should not exceed 55dB Ldn at or beyond this noise contour.
7. I am of the understanding that the New Zealand Standard on Airport Noise Management and Land Use Planning (NZS6805:1992) recommends that any new residential dwellings, schools, hospitals or other activities sensitive to aircraft noise ("ASANs") should be prohibited within the OCB, unless the District Plan permits such uses. As the subject site has an underlying zoning of Rural within the

- ODP and Notified PDP, no development rights in so far as establishing a residential unit exist. It is prohibited to construct a residential unit inside the OCB within the Rural Zone<sup>1</sup>.
8. However, the PDP as notified permits residential units to be located within the OCB of the LDRZ so long as buildings or building alterations containing an ASAN are designed to achieve an Indoor Design Sound Level of 40 dB Ldn within any Critical Listening Environment, based on the 2037 Noise Contours. These requirements are outlined in Notified Rule 7.5.4 - *Airport Noise – Queenstown Airport (excluding any non-critical listening environments) between the Outer Control Boundary (OCB) and the Air Noise Boundary (ANB)*, and are consistent with NZS6805:1992
  9. I note that at Paragraph 4.8 of Ms Kimberley Bank's rebuttal evidence, Ms Banks considers the subject site's requested rezoning to LDRZ is consistent with the intent of PC35 in that rezoning the subject site could only enable one additional residential unit, if appropriately insulated, as provided by Rule 7.4.9 and Standard 7.5.4 within the Council's reply version of Chapter 7<sup>2</sup>. Further intensification is also limited by Rule 7.4.9. I concur with Ms Bank's assessment.
  10. Additionally, it is my view that given the context of the subject site, the adjoining sites to the east, west and south of which are residential in nature, rezoning this portion of the subject site to LDRZ is more compatible with the surrounding zoning than its notified Rural zoning. This is supported by the Council's reporting officer as outlined within the relevant s42A report<sup>3</sup> and rebuttal evidence<sup>4</sup>.
  11. In my opinion, the relief sought in this rezoning request gives effect to the purpose and principles contained within Part 2 of the RMA in that it promotes the sustainable management of natural and physical resources in a way that enables people and communities to provide for their social, economic and cultural well-being and for their health and safety. The effects of any future residential unit being located within the OCB can be adequately mitigated by meeting the required acoustic insulation standards outlined within the PDP and NZS6805:1992.
  12. As such, rezoning this piece of land will contribute to meeting the foreseeable needs of present and future generations, particularly given the housing pressures the District is currently facing. No precedent would be made outside of the District Plan review given the prohibited activity status within the PDP to develop Rural zoned land for residential purposes within the OCB.
  13. Further, the acoustic insulation requirements of NZS6805:1992, which have been reflected within the provisions of the PDP, will ensure that the Queenstown Airport is protected from reverse sensitivity

---

<sup>1</sup> Notified Rule 21.4.29

<sup>2</sup> Reply of Amanda Jane Leith on behalf of Queenstown Lakes District Council, 7 Low Density Residential Zone Chapter, 11 November 2016

<sup>3</sup> Section 42A Report/Statement of Evidence of Kimberley Banks on behalf of Queenstown Lakes District Council, Group 1B, Queenstown Urban – Frankton and south, 25 May 2017

<sup>4</sup> Rebuttal Evidence of Kimberley Banks on behalf of Queenstown Lakes District Council, Queenstown Mapping, Strategic Overview and Common Themes, Group 1B Queenstown Urban – Frankton and South, 7 July 2017

effects, while maintaining residential amenity. As such, it is my view that rezoning part of the subject site to LDRZ balances the interests of the Airport with those of the community's.

14. In summary, the extension of the LDRZ over the subject site better reflects anticipated residential use of the surrounding area, if the reserve classification of the subject site is ever to be revoked. Rezoning this portion of the subject site is logical and consistent with the zoning of adjoining residential properties.

### **The Commonage - Vancouver Drive**

15. The subject site (Lot 1 DP 496901) is zoned part Medium Density Residential Zone ("MDRZ") and part Rural within the PDP. The relief sought by submitter 790 is to align the MDRZ with the cadastral boundaries of the site to encompass the eastern and western extents of the site, and a small slither along the northern boundary which are shown as having a Rural zoning within the PDP as notified
16. Alongside the rezoning request, submitter 790 also seeks that the Urban Growth Boundary ("UGB") be extended to encompass the entire subject site, and the Outstanding Natural Landscape ("ONL") line is moved to exclude the subject site. This request is supported by Council's reporting officer, as outlined in the relevant section 42A report.<sup>5</sup>
17. The extended zoning will enable the site to be developed to maximise its potential development yield, consequently boosting funding for future infrastructure projects. As detailed in the supplementary evidence prepared by Mr Dan Cruickshank of APL Properties (Appendix F to my evidence in chief), this outcome will achieve the original objectives of the Queenstown Reserves Vesting & Empowering Act 1971, which released this land for future development as a mechanism to finance infrastructure necessary to support tourism in the region<sup>6</sup>.
18. In her rebuttal evidence, Ms Rosalind Devlin notes that there is general alignment between evidence pre-lodged on behalf of submitter 790 and expert evidence of Council with respect to the rezoning request for this site<sup>7</sup>. I agree with this observation.

### **Kerry Drive**

19. The subject site (Lot 602 DP 306902) is zoned part LDRZ and part Rural within the PDP. The relief sought by submitter 790 is to expand the LDRZ to align with the cadastral boundaries of the site.

<sup>5</sup> Section 42A Report/Statement of Evidence of Rosalind Devlin on behalf of Queenstown Lakes District Council, Group 1C, Queenstown Urban – Central, West and Arthur's Point, 24 May 2017

<sup>6</sup> Appendix [F] – Supporting Letter from Dan Cruickshank – APL, within the Statement of Evidence of Rebecca Holden, The Commonage, Vancouver Drive, 9 June 2017

<sup>7</sup> Paragraph 8.3 of the Rebuttal Evidence of Rosalind Devlin on behalf of Queenstown Lakes District Council, Group 1C, Queenstown Urban – Central, West and Arthur's Point, 7 July 2017

20. This site is classified as a Local Purpose Reserve (Beautification) pursuant to section 16 of the Reserves Act 1977. Within the PDP, the subject site is also identified as Proposed Designation 519, with its stated purpose also being Local Purpose Reserve (Beautification).
21. As it stands, Lot 602 DP 306902 is subject to the provisions of the Reserves Act 1977. Should the subject site's reserve status change at any point in the future, I consider it to be more efficient for the underlying zoning of the site to reflect the nature of adjoining residential sections. This submission is not pre-empting the revocation of any reserve status relating to the subject site as this would be subject to a separate assessment including public consultation under the Reserves Act 1977 ("Reserves Act").
22. A pedestrian trail passes through the site linking Malagan Street and Kerry Drive. I note that this trail is largely within the LDRZ portion of the site. At Paragraph 8.2 of Council's rebuttal evidence, Ms Rosalind Devlin<sup>8</sup> states that she considers this trail should be retained. I note that no mechanism for ensuring public access through the site is offered.
23. In my view, given the existing trail is largely located within the LDRZ portion of the site, both under the ODP and Notified PDP; the rezoning request would have little effect on this existing issue of maintaining access.
24. In my opinion, maintaining public access through the site would be more appropriately addressed should the Council seek to revoke the reserve status of this piece of land under the Reserves Act. At this time, a process of public consultation will be carried out providing an opportunity for nearby residents, visitors and commuters to put their opinions forward. If approved, there is then an opportunity to maintain pedestrian access through the site, such as through the creation of an easement.



Rebecca Holden

23 August 2017

---

<sup>8</sup> Rebuttal Evidence of Rosalind Devlin on behalf of Queenstown Lakes District Council, Group 1C Queenstown Urban – Central, West and Arthurs Point, 7 July 2017

