## BEFORE THE INDEPENDENT HEARING PANEL APPOINTED BY THE QUEENSTOWN LAKES DISTRICT COUNCIL

- UNDER the Resource Management Act 1991 (RMA)
- **IN THE MATTER** of the Te Pūtahi Ladies Mile Plan Variation in accordance with section 80B and 80C, and Part 5 of Schedule 1 of the Resource Management Act 1991.

#### STATEMENT OF EVIDENCE OF MICHAEL [XX] LOWE 29 September 2023

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Introduction	

- 1 My name is Michael Lowe.
- 2 I am an Urbanist at Studio Pacific Architecture (**Studio Pacific**). I have been in this position since 2017. I hold the position of Principal.
- 3 I am responsible for several roles within the company including:
  - (a) Advising on urban design matters ranging from design strategy, urban design policy, to upholding best practice design across the company's interdisciplinary work streams in Architecture, Landscape Architecture, and Urban Design.
  - (b) Consulting as an Urban Design specialist to private developers and public entities (such as Councils and Kāinga Ora).
  - (c) Member of Studio Pacific's Sustainability Working Group.
  - (d) Interim Lead of Studio Pacific's Auckland Office.
- 4 I have been asked to provide evidence by Queenstown Lakes District Council (**QLDC** or **Council**).
- 5 I have been involved in the design of the Te Pūtahi Ladies Mile Masterplan (**TPLM Masterplan**) and have provided input into the Te Pūtahi Ladies Mile Plan Variation (**TPLM Variation**) objectives and policies and provisions and standards.

#### **Qualifications and experience**

- 6 My qualifications and affiliations include a Bachelor of Architectural Studies (BAS) and Master of Architecture (Professional) MArch(Prof) from Victoria University Wellington. I am also a member of the New Zealand Urban Design Forum, and the New Zealand Institute of Architects
- I have worked in New Zealand for 11 years across architecture and urban design. In particular, my experience and specialisations include preparing plan change documents, masterplanning proposals, development feasibility studies, architecture and landscape resource consent documentation, transport network design and street design, large-scale neighbourhood design guidance, and independent design review. I have worked in collaboration with international architecture and urban design companies in London and Australia.

- 8 Of relevant to the TPLM Variation, I have been involved in structure planning, masterplanning, and design guidance for complex medium density largescale greenfield and greyfield developments for private sector and central and local authorities/ entities. Some examples are below:
  - Public sector: Eastern Porirua Spatial Plan (Kāinga Ora); Tāmaki Precinct Masterplan and Design Guides (Tāmaki Regeneration Company & Kāinga Ora); Tauriko West Structure Plan (Tauranga City Council),
  - (b) Private sector: Sunfields Masterplanned Community (WINTON) which is a series of interconnected 15-minute neighbourhoods covering 5000 new homes, schools, parks, transport linkages, and commercial employment; Ormiston Town Centre Masterplan (TODD Property Ltd) a 19 Hectare greenfield town centre incorporating residential, commercial, mixed-use, and civic amenity. The town centre is anticipated to serve upwards of 80,000 people.
- 9 I have also been involved in award-winning projects recognised by the NZ Institute of Architects for both categories of *Planning and Urban Design* and *Architecture*. As well as by the NZ Institute of Landscape Architects for *Urban Spaces*.
- 10 My most relevant experience related to this evidence in terms of showcasing my involvement in urban design projects of similar complexity and scale of the TPLM Variation are:
  - (a) The Tāmaki Precinct Masterplan, and subsequent Neighbourhood Framework Planes and Design Guides, which outline a long-term intensification plan and multi-neighbourhood regeneration strategy for three existing Auckland suburbs to house excess of 7,500 homes. Supplementary to this work I wrote Tāmaki Regeneration Company's (TRC) Quality Neighbourhood Framework which is an assessment framework that is used by TRC's governance and project delivery teams to assess design proposals for neighbourhoods and superlots to determine whether or not they meet a high-standard of urban design outcomes.

(b) The Wesley Design Guides (Kāinga Ora) covering medium and high density design guidance for ~6000 new dwellings in Kāinga Ora's Mount Roskill Development area.

#### Code of conduct

11 I confirm that I have read the Code of Conduct for expert witnesses contained in the Environment Court Practice Note 2023. I have complied with the Code in the preparation of this evidence, and will follow it when presenting evidence at the hearing. Unless I state otherwise, this assessment is within my area of expertise, and I have not omitted to consider material facts known to me that might alter or detract from the opinions I express.

#### Scope of Evidence

- 12 My evidence addresses the following urban design aspects of the TPLM Variation:
  - (a) The built form and design of the TPLM Variation precincts, including the Medium Density Residential Precinct (MDRP), High Density Residential Precinct (HDRP) and Commercial Precinct.
  - (b) The TPLM Variation standards that control built form such as recession planes, building setbacks, building coverage and outlook space and how these will provide for high quality urban design outcomes;
  - (c) Urban design impacts on heritage items; and
  - (d) Responding to submissions that relate to built form and urban design.
- 13 In preparing my evidence, I have reviewed the following documents:
  - (a) The TPLM Variation (and associated documents including the TPLM Masterplan);
  - (b) The submissions that are relevant to my area of expertise;
  - (c) The QLDC Grow Well Spatial Plan;
  - (d) The relevant provisions of the QLDC District Plan and Proposed District Plan;

- The evidence of Mr Stuart Dun, Mr Steve Skelton, Mr Roland Bruce Harland, and Mr Colin Shields;
- (f) District Plan Urban Design Review NPS-UD Implementation
  Queenstown Lakes District 2023 (Barkers @ Associates Limited)

#### **Executive Summary**

- 14 My evidence sets out the design team's process we undertook in developing the TPLM Variation provisions. I describe how the proposed suite of provisions were crafted to achieve good urban design outcomes that sheet back to the aspirations of the Masterplan (which aligns with the QLDC Grow Well Spatial Plan).
- 15 Integral to the TPLM Variation provisions is to deliver a well-functioning urban environment. An urban environment that:
  - encourages comprehensive development which increases the use of shared site amenity;
  - (b) that delivers a diverse range of building typologies which support housing variety and affordability;
  - (c) that supports attractive streets that promotes walking and cycling;
  - (d) that ensures people living at higher densities have good outlooks and a connection to nature;
  - (e) and that provides for sufficient and attractive landscaping.
- 16 I have read and considered the submissions relevant to my evidence.From an urban design perspective, the key themes were:
  - (a) A concern for how the new development will impact the existing surrounding landscape and rural character, in particular the visibility of new taller buildings; and
  - (b) Landowners that have development aspirations were generally seeking more flexible development controls, in particular around the proposed minimum density requirement, and maximum car parking rates.
- 17 My evidence proposes multiple amendments in response to these submissions, which I consider, on balance, will lead to an improved

outcome for TPLM than what was notified in the TPLM Variation provisions.

### TPLM Provisions and their relationship to other key documents

- 18 The background to the TPLM Masterplan and the development of the TPLM Variation is set out in the evidence of Mr Harland and Mr Brown. As their evidence sets out, all subsequent document outputs (Masterplan, Zoning Plan, Structure Plan, Building Heights Plan, and Zoning Provisions), are guided by several overarching Design Principles and Key Moves that are derived from the QLDC Grow Well Spatial Plan.
- 19 My evidence focuses on the following key documents that I was involved in authoring:
  - (a) TPLM Variation Structure Plan and Building Heights Plan: which set up the more granular built environment ordering devices that, when used alongside the Zone Provisions, will guide future development to respond to the differing spatial characteristics and design intent that has been established through the TPLM masterplan process.
  - (b) TPLM Variation provisions and standards: which include a suite of built-form design controls relating to development of roads, development lots, buildings, and landscape.

## **Development of the TPLM Variation Structure Plan**

- 20 From the commencement, the design team that consisted of myself (Urbanist), Roland Bruce Harland (Project Director), Jeff Brown (Planner), Colin Shields (Traffic Engineer), and Stuart Dun (Landscape Architect) determined that delivering the aspirations of the TPLM Masterplan through the TPLM Variation would require a suite of wellconsidered and well-designed site-specific zone provisions that could give effect to a Structure Plan. This was essential to help ensure good design outcomes in terms of:
  - Achieving responsive built form outcomes at a micro-scale in terms of how buildings and landscape come together to form welldesigned interfaces with public streets, parks, and between private developments; and

- (b) Ensuring the collective effects of overall development, subdivision, super lot massing configuration, and finer grain architectural and landscape elements eventuate in a way that fulfils the high-level overarching spatial moves and organisational devices set out in the Structure Plan and Zone Objectives and Policies.
- 21 I consider the TPLM Variation Provisions represent the minimum requirements that will determine the baseline level of design quality in Ladies Mile. Therefore, the provisions need to strike an appropriate balance between design flexibility (to enable developers to design a range of possible scenarios) and control (with regards to reducing the likelihood of poor urban design outcomes and achieving the TPLM Masterplan outcomes).

#### Limitations – Council led concepts for key infrastructure

- 22 The TPLM Variation has robust design provisions to ensure good outcomes for the design of buildings and on-lot features. However, there is less design control over public infrastructure components that are more complex to deliver as they require design co-ordination between multiple landowners, who will likely have differing expectations regarding the quality of design, layout, and specification.
- 23 While an overarching strategy and concepts for public infrastructure were included in the TPLM Masterplan, these were not included in the TPLM Variation. Note, this has now been partly addressed through my recommendations in paragraph 110 which outline newly proposed provisions (for example around specification of materials) which would be determined in accordance with the Council's current Land Development and Subdivision Code of Practice (**COP**) and through the consenting process.
- Further note, there are some limitations to achieving good urban design outcomes when relying on Codes of Practice across any Council. In my opinion parts of the current COP are not fit for purpose in providing the level of detail necessary to achieve the desired urban design outcomes sort for Ladies Mile. Codes of Practice documents are generally limited to a set of contextless specification standards. '<u>How'</u> they are applied to a site's public realm infrastructure is important. They are best used alongside a contextually responsive overarching design concept to

achieve good urban design outcomes. Given this, I'm of the view that better quality outcomes could be achieved if Council were to provide further design direction and concepts for key structure plan public infrastructure that are strategically aligned with the project vision for Ladies Mile (such as streets and parks). These new concepts could be developed with input from key Council departments/ future asset owners, and ultimately demonstrate Council's expectations for the design intent, layout, look and feel, and quality of specifications. This work could be in the form of a Ladies Mile specific concept design package.

#### Consideration of other density controls

- In my experience working on similar plan changes, existing District Plan zoning provisions are sometimes adopted for a new zone area if they are considered to be fit for purpose in the project context. This was not appropriate in the context of the TPLM Variation. The brief for the TPLM Variation was to develop a unique contextual response to the site. In order to deliver this, a new set of site-specific rules and standards were required to integrate into the Council's Proposed District Plan (PDP) that could be crafted to purposefully reinforce the TPLM design objectives.
- 26 Initially we examined the QLDC District Plan to see which provisions could apply to the new TPLM Zone. However, given the deeply contextual nature of the TPLM Structure Plan and the responsive nature of the outcomes sought in this project we could not apply the existing QLDC District Plan provisions as many were not fit for purpose in this context. For example, QLDC's existing building massing rules would not enable the desired minimum densities for Ladies Mile.
- 27 To avoid reinventing the wheel, where appropriate the proposed TPLM Variation Provisions take learnings from existing zoning rules such as:
  - (a) The QLDC District Plan, operative and proposed;
  - Auckland Unitary Plan Terrace Housing and Apartment Building rules – as examples of well-tested and industry analysed medium density and higher-density rules;
  - (c) Consideration of the MDRS rules. However, noting, these have received criticism in the urban design discourse for being highly

generalised using a blanket set of rules regardless of a cities' climatic and geographical context conditions. The Urban Design Forum Inc. sites concerns for *"poor quality outcomes due to the broad nature of the rules...They will not provide for adequate privacy in dwellings or outdoor areas, or encourage communal spaces and other best practice features of urban housing".*<sup>1</sup>

#### Process for designing the TPLM Variation rules and standards

- 28 A systematic process was used for designing the TPLM Variation rules and standards that involved:
  - (a) Establishing a methodology to facilitate repeated drafting, testing, reviewing, and revision of the zone provisions.
  - (b) Drafting the initial provisions in support of the higher order TPLM Masterplan objectives. As above, a starting point was to consider other reference documents such as the QLDC PDP zone rules, the QLDC Residential Design Guide, Auckland Unitary Plan and MDRS.
  - (c) Testing the provisions (and iterations of these) by 3D modelling and assessing the potential outcomes and impacts on a range of development density scenarios (as set out in the next section below).
  - (d) Working closely with the planners to review outcomes under various iterative scenarios. For example, questioning if additional rules were needed or not, and if so what level of control is required to achieve the outcomes of the TPLM Masterplan. Note, the

Submission made on behalf of the **Urban Design Forum (UDF) Aotearoa of NZ** To the Parliamentary Select Committee on the Resource Management (Enabling Housing Supply and Other Matters) Amendment Bill.

https://urbandesignforum.org.nz/docs/submissions/2022/UDFs-Aotearoa-Submission-on-the-Resource-Management-Enabling-Housing-Supply-and-Other-Matters-Amendment-Bill.pdf

The UDF has a multi-disciplinary membership comprising built environment professionals including city and transport planners, architects, designers, landscape architects, engineers, surveyors, politicians, academics, developers, architectural historians, design and planning students among others.

planners were concurrently testing supporting zone objectives and policies and the status of activities.

(e) Continuously assessing if the zone standards would achieve the objectives of the TPLM Key Moves and Design Principles which are derived from outcomes sort by the QLDC's Grow Well Spatial Plan. Key considerations included: comparisons to design guidance and provisions used on other complex grey fields and green fields large-scale projects, along with observations, critique, and 'lessons learnt' from the wider consortium design team regarding the outcomes eventuating in the scenario testing.

#### Testing of possible bulk and location feasibility scenarios

- 29 We used several theoretical masterplan superlot studies as spatial test models throughout the process of establishing the zone provisions. The scenarios stepped through densities ranging from 30-70 household units per hectare to test whether the rules would enable the desired density and urban design outcomes in terms of built form and landscape, relationships between building masses, residential on-site amenity, and edge conditions to public streets and opens spaces, and neighbours.
- 30 The spatial testing models used a variety of commonly used building typologies, desired block configurations, and development approaches. Building typologies tested were chosen as examples of common buildings sizes and forms used in the development market based on our learnings and experience designing masterplans and feasibility studies with private sector and public entities.
- 31 The development approaches tested were:
  - Individual development: with single ownership and traditionally back to back subdivided housing;
  - (b) Consolidated development: with some common ownership utilising rear-loaded lanes / JOALS;
  - (c) Comprehensive development: with mostly shared amenity parking and common areas.
- 32 The typical building typologies used were:
  - (a) Houses:

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- (i) Detached (Low density zone only). ~200m2 GFA
- Semi-detached (a mix of 2, 3 and 4 bedrooms) ~90-200m2
  GFA
- (iii) Terraces (2 and 3 bedrooms) ~90-140m2
- (b) Apartments:
  - (i) 3 level walk up apartment (with a mix of 1 and 2 bedroom units)
  - (ii) 4–6 level lifted apartment (with a mix of 1,2, and 3 bedroom units)
- 33 The test scenarios were modelled in technical CAD software in plan and three dimensions. An example is shown below.



#### Yield Testing - 60 units/ha

Figure 1: Megalot yield test – Plan (60 Units per Hectare)



Figure 2: Megalot yield test – 3D (60 Units per Hectare)

- 34 The conclusion of the above development testing process demonstrated that the proposed TPLM provisions could enable:
  - (a) Sufficient development massing capacity to meet the TPLM target density range of 2,013-2,438 units could be achieved using a wide range of building typologies. The density range could also be achieved in a way that delivers a contextually responsive density outcome for TPLM in terms of a desirable built form building massing arrangement (i.e. More generous building setbacks, building heights, dwelling outlook depths, building separations, and yard depths).
  - (b) developers' flexibility to use the full range of development approaches (individual, consolidated, and comprehensive) whilst avoiding problematic low-density stand-alone typologies in the Medium and High-Density Residential Precincts.

#### **TPLM** Variation provisions and standards

35 I was involved in drafting a number of provisions and standards when preparing the TPLM Variation provisions. I note that the majority of the rule topics are common practice in Council district plans. Hence, my evidence focuses on the rules that have been crafted to ensure good

urban design outcomes in the unique Ladies Mile context. These specific rules are expanded on below:

- (a) Bulk and location rules
  - (a) Zone density maximum and minimums

Minimum density requirements are needed to ensure that TPLM is developed to a viable density threshold (of approximately 2,013 dwellings minimum) that:

- can support key neighbourhood amenity in mostly a walkable catchment. This includes servicing viable High Frequency public transport that is critical to achieving mode shift outcomes as outlined in Colin Shields evidence. I understand that the proposed minimum densities are within a good density range to support a 10min high frequency public transport service.
- minimises the lost opportunity cost of constraining long-term growth within TPLM. TPLM is a valuable piece of flat and sunny land, close to Queenstown, that is under pressure for development. Council will only have one chance to enable development of the TPLM area in a way that will maximise the use of this land resource and provide for future growth in Queenstown. It is therefore important to include minimum densities to ensure that development achieves the density target as much as possible. Redeveloping the medium and high density precincts will be challenging in the future as the development pattern will inevitably become terrace housing and apartment typologies. These typologies will result in problematic small lot parcels and a granular land ownership that are constraining of development, and will need to be amalgamated to a sizable land-holding before denser development can occur.

The distribution of density in the Medium and High Density Residential Precincts are strategically located to maximise the quantity of residents that would live near key neighbourhood amenity such as the park and commercial centre. Conversely in the Low Density Residential Precinct to the South of SH6 is furthest from key amenity and has a lower density.

Maximum density thresholds are required to gain sufficient mode shift away from cars to avoid potential effects of increased transport congestion on SH6 – as outlined in Colin Shields's evidence as well as effects on other community and three waters infrastructure and the natural environment.

(b) Building height and restrictions

Rules that restrict building heights will help to ensure development built-form is shaped responsively to the surrounding urban conditions. This includes proposing:

A graduated approach to building heights that will reduce visual dominance of the TPLM development by stepping down the building heights close to the adjacent rural zone land (height limits reduce from 24.5m 6 storey max, down to 13m 3 storey, then down to 8m 2-storey);

A 8m height limit over the Glenpanel Precinct helps provide a lower/ more sensitive built-form response the heritage homestead;

A minimum 2 storey height overlay to the buildings fronting SH6 (to the north of SH6) helps ensure the scale of development built-form reflects a medium density urbanised edge and deserving of the well-vegetative landscape amenity in the adjacent Amenity Access Area and building setback zone. The minimum 2 storey height will also facilitate passive surveillance from upper building levels over the Amenity Access Area.

The maximum height possible of 24.5m (6 storey) has been enabled over most of the Commercial Precinct in order to encourage the development viability of mixed-use.

(c) Building setback areas

Building setbacks are intended to ensure that new urbanised development will be appropriately integrated with the existing rural landscape character along SH6, noting that the eastern end of SH6 will be the gateway/ arrival point into the future suburban and urban Queenstown built form. This concept is supported by a proposed 25m building setback on the northern side of SH6 which makes room for a generously landscaped Amenity Access Zone, and the 75m building setback along the south side of SH6 which is aligned to an existing setback dimension that provides long views to the Remarkables.

(d) Boundary setbacks,

The existing QLDC district plan rules for the LDRP and MDRP have been applied to the TPLM Variation:

- LDRP = 4.5m to the road boundary and 2m to all other boundaries.
- MDR = 3m to the road boundary and 1.5m to all other boundaries.
- For the HDRZ we proposed 3m to all other boundaries.
- (e) Recession planes (sunlight)

For the LDRP and MDRP we adopted the proposed QLDC district plan standards of 2.5m vertical at the boundary with 45-degree recession to the East and West, 55-degree to North, 35-degree South.

The TPLM proposed HDRP recession planes are set to a 7m vertical rise (to enable 2-3 levels of building adjoining a boundary when used in conjunction with the yard setbacks) with 55-degree to the North, and 45-degree to East, West, and South. (f) Building coverage

The Proposed QLDC district plan rules of LDRP (maximum 40%), MDRP (maximum 45%), HDRP (maximum 70%) have been applied to the TPLM Variation.

(g) Building separation and maximum building length

These standards have been crafted to ensure built form and massing arrangements within TPLM enables visual breaks between building clusters and along street elevations in order to promote visual connections to the surrounding outstanding landscape context.

(h) Landscape Permeable Surface

The Proposed QLDC district plan rules of LDRP (minimum 30%), MDRP (minimum 25%), HDRP (minimum 20%) have been applied in the TPLM Variation.

A new requirement for on-lot landscaping in the Commercial Precinct, and Glenpanel Precinct (minimum 20%) is also included to ensure all Precincts in TPLM consistently have some landscape coverage amenity.

- (b) Specific rules responding to development effects against surrounding neighbourhoods, valued landscape context and historic buildings.
  - (a) Roof colour

A defined colour spectrum is included to reduce visual effects of development against the surrounding Outstanding Natural Features and rural landscape character.

(b) Landscape buffers to the rural boundary

Landscape buffers are intended to help the edges of the development sensitively integrate with the surrounding rural environment by partially screening buildings behind layers of attract vegetation and landscaping.

Landscape buffer zones are noted on the Structure Plan. In my opinion the provision of landscape buffer zones could be increased, and my recommendation in this evidence is to add an additional buffer zone at the eastern boundary of the TPLM Variation area (refer section 78.1 – Amendments to the landscape and screening treatment of the eastern TPLM site boundary)

(c) Building height and coverage in Glen Panel heritage area

Building heights are restricted to 8m maximum, and building coverage to 50% maximum in the Glenpanel Precinct to provide a more sensitive built-form response the heritage homestead.

- (c) Liveability (on-lot amenity rules and frontage conditions)
  - (d) Outlook

Ladies Mile will have generous principle living room outlook dimensions to intentionally offer a spacious outlook for residents living at medium and high density environments. Outlook depths would range from a minimum of 8m and increase up to 12m with the height of the building, deliberately acknowledging that outlooks from spaces at higher levels in a building should be larger as they rely mainly on distant views for visual amenity, and are limited in how they can be improved in terms of:

- residents' ability to attractively landscape their balconies;
- and upper levels receive less tree canopy views from planted below.
- (e) Trees

Each residential unit located on the ground floor shall include a minimum of 1 specimen tree (45L) and 3m2 of soft landscaping located between the road boundary and the front elevation of any building.

(f) Residential Storage

Residential storage provisions are included to require at least 2m<sup>3</sup> per one bedroom and an additional storage space of 1m3 for every bedroom thereafter. These requirements support liveablity outcomes by ensuring dwellings have sufficient capacity to support common and predictable lifestyle needs in the Queenstown Lakes District such as gardening, ski/ snow sports, track, and water related activities.

(g) Front landscaping provision

Higher density development in the MDRP and HDRP will result in a more urbanised built form typically characterised by having less landscaping and trees, smaller front yards, and building positioned closer to the street boundary. The proposed front landscaping provisions as described in (para 35.c.e) work to counter balance this by making sure front yards have at least some landscape amenity, which will improve ecology, and the pleasantness of the streetscape environment which are and improved outlook from buildings and for the street user.

(h) Garaging (frequency and setbacks)

All zones require garages to be set back 6m to fully accommodate a parked car without the car overhanging the footpath.

#### (d) Transport (supporting mode-shift)

*(i)* Bike parking minimum requirements

Requirements such as residential long term bicycle parking at a rate of 1 per residential unit will ensure higher density typologies, particularly multi-unit

apartments, are futureproofed with space for cycle parking which supports the wider mode-shift transport strategy.

(j) Vehicle access restrictions (i.e. frequency of side road and vehicle crossings)

The rule requiring a minimum 8m separation between vehicle crossings will improve the safety and attractiveness of the streetscape environment by reducing frequency of driveway crossings and lead to more berm space for other amenities like landscape and trees that make walking more attractive.

#### **Response to Submissions**

- 36 I have reviewed the submissions that comment on matters relevant to my area of expertise. To reduce repetition, I have organised submitter concerns into several key themes and have addressed these together.
- 37 My recommendations considered how each submitter's request would affect the overall objectives of the TPLM Structure Plan. I have also revisited the site while writing this evidence.
- 38 Since the TPLM Variation was notified, QLDC has also notified its Urban Intensification Variation to implement Policy 5 of the National Policy Statement for Urban Development (NPS-UD). I have been provided with a copy of the Urban Design Report prepared by Barker and Associates on the Variation that was appended to the section 32 report. This document raises several recommendations regarding how the MDRS rules could be applied to QLDC District Plan in a modified way to achieve good urban design outcomes. I have considered these recommendations in my response to submissions below.

#### Submissions concerning building height

- 39 Several submissions seek a range of outcomes including both less and more building height in the zone provisions.
- 40 Shane Pratley (submitter 41) and Blakely Wallace Family (submitter 74) seek to restrict maximum height of any building to 12 metres or three storeys in the HDRP. Shane Pratley also seeks this restriction in the MDRP and seeks that there are no buildings higher than 8 metres within 75 metres of the state highway on both sides, regardless of the zone. Kim Netzler (submitter 50) seeks that building heights are reduced to 13 metres.

- 41 Corona Trust (submitter 99) seeks that the maximum building height in sub-area H2 is reduced from 8 metres 5.5 metres to enhance boundary to rural character.
- 42 Maryhill Limited (submitter 105) seeks deletion of the minimum 2-storey overlay height requirement.
- 43 Hansen Road Limited (submitter 85) supports the 24.5 metre maximum building height and 6 storeys in HDRP.
- 44 Fire and Emergency NZ (submitter 36) seeks a maximum height of 15 metres for Emergency services towers and communication poles in all precincts.
- 45 Sanderson Group and Queenstown Commercial (submitter 93) seeks that maximum building height limits are increased to eight storeys (32 metres). Glenpanel Development Limited (submitter 73) oppose the 8 metre maximum building height in the Glenpanel Precinct and seeks that this is increased to 17 metres. Milstead Trust (submitter 108) also opposes the 8 metre height limit and raises concerns about the change in height limit at the interface between the Glenpanel Precinct and HDRP.
- 46 The reasons for the relief sought by these submissions include opposition to the perceived tallness of building scale in the wider site context, concerns regarding the height transition between the HDRP and MDRP, and seeking more development enabling height controls.
- 47 In my opinion the building heights included in the TPLM Variation provisions should be retained (except for the extent of discretionary matters for the 8 metre height limit in the Glenpanel Precinct; an amendment to a small area of the maximum building heights overlay at the Eastern arrival threshold to the site in the Medium Density Residential Precinct; and a further height allowance for Fire and Emergency NZ to accommodate their equipment where required) for the following reasons.

## Retaining the maximum building heights

48 The proposed building heights enable sufficient massing to meet the target density range in the TPLM Structure Plan without having to compromise on other important provisions. For example, if building heights were reduced (as some submitters seek), achieving the target density range would require having a more condensed urban form with greater site coverage, smaller outlook zones, smaller yard sizes, and less sunlight recession plane protection. These are undesirable outcomes which can negatively impact the liveability of the development, and would require QLDC to introduce further urban design controls in response making the development process more complicated.

- 49 Furthermore, it is essential to retain the 6-storey height limit in the HDRP because it enables the HDRP to meet the required density range for this precinct (minimum 60 households / Ha) whilst also enabling a variety of housing types and diversity of households (apartments and larger houses) that support diverse housing options within Ladies Mile. In my opinion that lowering the proposed building height would cause a narrow reliance on smaller houses and apartment units to reach the density yield target.
- 50 The proposed height restriction overlay (refer Te Putahi Ladies Mile Structure Plan – Building Heights) and minimum building heights overlay intentionally responds to the surrounding site land features by positioning the tallest building mass closer to Slope Hill. In my opinion this is appropriate because it uses the large landscape backdrop of Slope Hill to reduce the building massing's relative scale, whilst achieving the desired outcomes in terms of density. Note as shown in Figure 3 the upper density requirements in the HDRP of 72 residential units per hectare likely results in a built form outcome with most buildings as 3 storeys. From a sunlight and shading perspective, this is a good outcome as only several 6 storey apartments would likely eventuate.



Figure 3: Density study 70 dwellings per hectare

- 51 Furthermore, requiring a minimum build height adjacent to SH6 enables the built form to meet Waka Kotahi's (submitter 104) critical request for SH6 to have a "look and feel of an urban environment, which is needed to achieve the lower state highway speed limits the Masterplan envisages." From an urban design perspective reduced speeds along SH6 are essential to creating a desirable residential environment that is not overtly impacted by dangerous and unpleasant vehicle speeds (visual and acoustic pollution), and is critical to improving wider connectivity between neighbourhoods on both sides of the state highway.
- 52 With respect to height transitions between zones, the yield testing diagrams above show that although the height provision enables up to 6 storeys in the HDRP, the target density range is likely to result in a range of building heights (between 2 –6 storeys) with the minority being 6 storey. Therefore, in reality height it is unlikely to eventuate in taller buildings across the entire HDRP zone.
- 53 In response to Corona Trust (submitter 99) seeking that the maximum building height in sub-area H2 be reduced to 5.5m in order to minimise visual changes to the existing views from within their private property. I consider the proposed TPLM 8m height overlay (2 storeys of development) an appropriate building form for low density zones. And that it is unnecessary to place a 5.5m maximum building height

restriction over the entire H2 Sub Area (as sort by the submitter). However, given the nature of the level change between the submitters land and sub area H2 (the latter being at a higher level at the top of the terrace embankment), and the potential for development to be overbearing on the submitter, I consider it appropriate to amend the building heights plan to include a 5.5m height restriction over a zone of 17m from the Southern boundary only. In my opinion this would significantly reduce the most extreme case of potential overlooking on the submitters land.

- 54 The visual impacts could be further mitigated on the submitters own accord by planting vegetative screening within their own large property.
- 55 Sanderson Group and Queenstown Commercial (submitter 93) are seeking that maximum building height limits are increased to eight storeys (32 metres). In my opinion, the proposed increase in height limits to 32m would enable a large increase to the building height, an additional 3-4 storeys on top of the current maximum of 24.5m (6 storeys), within what is a contextually sensitive landscape environment. A tall building proposition requires careful consideration to limit potential visual impacts from the many vantage points with the surrounding Wakatipu Basin. It is possible for the submitter to apply for resource consent to breach the height limit as a Restricted Discretionary activity. In my opinion this is an appropriate pathway for the submitter to obtain a greater height limit than the structure plan height overlays currently allow as it will enable the Council to assess the effects of the proposed height on the environment at the time of consent.

#### Glenpanel Precinct maximum building height

- 56 In response to Milstead Trust's (submitter 108) request to soften the zone building height transition between the HDRP and Glenpanel Precinct by increasing building height on the Eastern end of Glenpanel, I consider that this can be addressed through the consenting assessment process. I recommend that the assessment matters be updated to include greater requirements for new development to responds sensitively/ enhances the heritage qualities of the Glenpanel precinct in terms of built form visual dominance.
- 57 I agree in part with GW and SE Stalker (submitter 71) request for more height control against their eastern boundary. The currently proposed

13m building height overlay abutting their land could lead to a more than minor height differential and associated visual dominance impacts on the submitters' land. In response, I consider an appropriate mitigation is to wrap the 8m height restriction along the entire Western edge of 'Sub area A' to more appropriately smooth the transition to the neighbouring Rural Amenity Zone. This will be further mitigated by the landscape buffer in the TPLM Variation Structure Plan.



Figure 4: Proposed adjustment to building heights on the Western site boundary

#### Response to Fire and Emergency NZ seeking of increased height limit

58 I support making an allowance in the building height provisions to enable Fire and Emergency NZ(submitter 36) to build necessary equipment required for them to function as an emergency service.

#### Improvements to the transitioning building heights on the Eastern site boundary

59 In response to Shane Pratley (submitter 41) request to reduce building heights and other submitters' requests to reduce visibility of development. I consider it would be appropriate to include further strengthening of the overall transitionary stepping down in building heights towards the Eastern rural boundary by extending the maximum 3-storey building height restrictions deeper into the site. This change ensures a lower building height at the Eastern entrance threshold of the site.



Figure 5: Proposed reduction in building heights (reduced down from 13m to 3 storey maximum)

#### Submissions concerning setbacks and the Building Restriction Area

- 60 Submitters seek both reduction and extension of the Building Restriction Area (**BRA**) and Amenity Access Area (**AAA**).
- 61 Submitters that seek a reduced BRA and AAA are:
  - (a) Shotover Country Limited (submitter 46) reduce BRA from 75 metres to 25 metres;
  - (b) Sanderson Group and Queenstown Commercial (submitter 93) reduce BRA from 25 metres to 10 metres;
  - (c) Ladies Mile Property Syndicate (submitter 73) reduce AAA to 10m.
  - (d) Queenstown Country Club Village Limited (submitter 106) and Glenpanel Development Ltd (submitter 73) generally oppose and seek deletion of the BRA.
- 62 Caithness Developments Ltd (submitter 45) accepts the 25m BRA. Koko Ridge Limited (submitter 80) also supports the 25m BRA in sub-area H2 or seek it is further reduced and support the setback area in sub-are H1

and H2. Richard Blakely (submitter 74) seeks setbacks on both sides of the state highway.

- 63 Submitters that seek an increased BRA are:
  - (a) Kim Netzler (submitter 50) increase BRA to 50m from SH6 and ensure planting screens the entire complex;
  - (b) Flightplan 2050 (submitter 84) increase BRA south of SH6 to 75m for emergency plane landings;
  - (c) Corona Trust (submitter 99) add a new setback in sub-area H2 no less than 20 metres (shown in Figure X below);



Figure 6: BRA sought by Corona Trust (submitter 99) shown in blue

(d) GW & SE Stalker (submitter 71) add a new 25 metres BRA to the western boundary of sub-area A (shown in Figure 5 below).

Attachment A



GW & SE Stalker submission

09 June 2023

Figure 7: BRA sought by GW & SE Stalker (submitter 71)

- 64 The reasons for these submissions range from a desire to enable more development on submitters land, to seeking to mitigate effects of new development within Ladies Mile on the adjoining rural zoned land.
- 65 In my opinion, subject to where I have specifically addressed changes in response to submissions in paragraph 68 below, I support retaining the setbacks and BRAs shown in the notified version of the TPLM Variation Structure Plan for the following reasons.
- 66 On the south side of SH6, the existing 75m building restriction area has created a continuous well-defined built form edge along the flat land in alignment to a similar contour level/ viewpoint elevation as experienced from SH6. This setback has resulted in a legible open character landscape feature which supports views to the south to the Remarkables and looking west towards the Peninsula Hill as described in Mr Steve Skelton's evidence. It is a key contributor to the sense of openness experience when moving through Ladies Mile. The TPLM Structure Plan seeks to continue this existing condition West to 'Precinct I'.
- 67 The proposed 25m building restriction area to the north of SH6 achieves several desired outcomes including:
  - (a) It futureproofs space in the structure plan for an amenity access lane that could support active transport linkages as well as a more

activated and desirable passive surveillance Crime Prevention Through Environmental Design (**CPTED**) outcome along the SH6 street frontage - with the potential for front doors and building access to face SH6 as opposed to a less-desirable rear yard condition.

- (b) Creates a layered planted landscape buffer that enables good onlot amenity planting along SH6 active transport pathways also providing a more desirable outlook to houses by screening traffic (from busy SH6); and will soften the visual dominance of the new development when viewed from SH6.
- (c) The combination of the proposed setback and height restriction overlay will lessen the relative scale of the development against the outlook to Slope Hill ONL.
- (d) The 25m setback complements the existing 75m setback to the south of SH6. Overall achieving a spacious multi-modal transport corridor with the potential for extensive landscape amenity adjacent to what effectively will be the northern Queenstown gateway entrance/exit transition from a rural to semi-urban setting (vice versa). This is a positive contextual design response to urbanisation in the Ladies Mile context.
- I agree in part to Corona Trust's (submitter 99) submission that seeks a 20m BRA at the south of subarea H2. I agree that a setback would be appropriate to reduce the dominance of the development in subarea H2 from the submitter's property, given that H2 is on the upper terrace and the submitter's land is on a lower terrace. However, I do not agree that a 20m BRA is required. Rather, a 4-metre setback would be sufficient at keeping building mass away from the edge of the upper terrace and would therefore reduce dominance of development on the submitter. I have addressed the reduced building height sought by the submitter for subarea H2 above at paragraph 53 of my evidence.
- 69 GW & SE Stalker (submitter 71) seeks a new setback in sub-area A. In my opinion, this is not required as effects from development are appropriately mitigated by the landscape buffer indicated in the TPLM Structure Plan, and the ability for the landowner to take mitigation measures on their land.

- I disagree with submitter Kim Netzler's (submitter 50) request to
  increase BRA to 50m from SH6. My reasoning is outlined in paragraph
  67.
- 71 I also disagree with submitter Kim Netzler's (submitter 50) request to screen the entire complex along SH6 for the following reasons. It is important that TPLM development is well visible from the immediate surrounding residential areas to create desirable sight lines and a visual connectedness between future and existing neighbourhoods south of SH6. Along with physical transport linkages across SH6 this will support a desirable urban design wayfinding outcome that promotes interneighbourhood sharing of amenities (parks, sports fields, schools, and commercial centres) and improved access to amenity in general as sort by the Grow Well Spatial Plan. As outlined in paragraph 51, submitter Waka Kotahi seek an urbanised street edge along SH6 to justify lowering the existing state highway speed limit. I am of the view that the proposed AAA along SH6 will provide the good urban design outcomes with multi-layered planting and tree amenity that will achieve an appropriate balance between screening and visibility of new development.
- 72 A response to Flightplan 2050's (submitter 84) request to allow the building set back for the NZ RAF Hercules C130J is covered in Mr Brown's section 42A report. However, from an urban design point of view, the outcomes sort would lead to poor landscape amenity outcomes for SH6 and the AAA because the height clearance needed to accommodate the Hercules aircraft would significantly undermine the quantity of trees planted in the SH6 road cross section.

# David Finlin (submitter 101) – submission concerning developability of Sub Area G

73 David Finlin (submitter 101) seeks a wider dimension to the land be included in Sub Area G adjoining the TPLM eastern boundary to make it more usable. Note that this area of the site demarcates the boundary of the proposed urbanised built environment. As such it is an area of interest to several other submitters regarding how future development will affect the surrounding rural character, and the desire for greater landscape control and screening.

- 74 I investigated multiple alternative design approaches to this area that could achieve the right balance in regard to their likely urban design outcomes in terms of improved relationship of the site edge with the rural land, quality of landscape screening, and development efficiency for the land owner.
- 75 My recommendation is to shift Collector Road B and Local Road E eastward ~6m (at the shortest point) up to 35m (at the furthest point) to be hard up against the eastern site boundary. In addition, I recommend that the Collector Road B and Local Road E cross section conditions be updated at this location to include a well-layered landscape planted buffer as part of the road corridor. Refer to Appendix A for a larger image.



Figure 8: Proposed design amendment to the structure plan

- 76 I consider these proposed changes will result in positive urban design outcomes for the following reasons:
  - (a) The new road position logically demarcates the urbanised edge of TPLM with a public.
  - (b) The changes will ensure well-designed landscape edge to the adjacent rural zone that will give good vegetation screening with an attractive layering of planting and trees of a scale respectable

to the adjacent TPLM built form, and of a landscape character similar to the existing large shelter belts.

- (c) The landscape buffer would be publicly owned and managed. This is a more robust and controllable way of ensuring quality landscaping is upheld in the long-term when compared to some of the other solutions I explored that involved a landscape planting control overlay along multiple private lots.
- (d) David Finlin, as land owner will have greater development flexibility as sought by enabling one large consolidated Sub Area parcel.
- (e) Improves the general public's outlook to adjacent rural land by creating a new public street along the rural boundary that offers a new experiential view point.
- 77 The consequential effects of the proposed change in design results in the following amendments to the structure plan:
  - (a) The neighbourhood park moves eastward to stay connected to the local road.
  - (b) The SH6 roundabout shifts eastward. This is indicatively shown in its position in figure 7 noting that likely contour constraints prevent it shifting further east.
  - (c) The HDRP boundary line has been squared off to logically align with edge of the neighbourhood park. A diagram of this is included in **Appendix A**.

#### Submissions concerning recession planes between TPLM Zones

- 78 Submitters seek a range of relief in relation to recession planes.
- 79 Several submitters seek that that recession planes rules are made more enabling, including:
  - Winter Miles Airstream Ltd (submitter 94) seeks that the recession plane NPS-UD Tier 1 rules are adopted;
  - (b) David Finlin (submitter 101) seeks that recession planes should not apply to the MRDP at the eastern end of TMPL (sub-area G, i.e. the submitters own land);

- (c) Glenpanel Development Limited (submitter 73), Sanderson Group (submitter 93) and Milstead Trust (submitter 108) seek to increase the vertical height and degree of recession plans in the MDRP;
- (d) Milstead Trust (submitter 108) seeks exemption of recession planes for sites created by subdivision in the MDRP; and
- (e) Sanderson Group (submitter 93) also seek to remove recession plane in HDRP.
- (f) Corona Trust (submitter 99) supports the proposed LDRP recession plane rules.
- (g) Alexander Reid (submitter 102) seeks that transition between the HDRP and MDRP be softened so that the height between these precinct does not jump significantly and appears more gradual.
- 80 In my opinion, the recession plane rules as notified in the TPLM Variation should be retained except where I have specifically addressed changes in response to submissions in paragraph 84 below. The reasons for my opinion are set out below.
- 81 The proposed recession planes are imposed to:
  - (a) Futureproof sunlight amenity received on adjacent developer sites, and subsequent development sites created by subdivision.
  - (b) Encourage a comprehensive development approach (where clusters of buildings are designed as a collective with common areas and efficient shared parking and servicing) by discouraging small subdivision less impacted by recession plane restrictions.
- 82 I do not share Alexander Reid's (submitter 102) concern about the need to soften the height transitions between the HDRP and MDRP as the likely range of building heights enabled by the Precinct standards results in an acceptable level of built form height variance for the proposed density range within an urban environment that provides a diverse range of housing types. Furthermore, although the HDRP enables a 6-storey building form, the target density range will likely result in a relatively gradual mix of building heights, ranging from 2-6 storeys as opposed to a blanket of 6 storey buildings across the HDRP.

- 83 I agree with Milstead Trust's (submitter 108) submission that the MDRP recession plane rules could be more enabling. However, my view is that careful consideration is required to avoid making the recession planes too enabling as this will have the undesirable effect of disincentivising developers to use a comprehensive development approach. In my opinion a comprehensive approach is less impacted by boundary recession planes due to the use of larger sized development superlots, and the efficient use of terrace housing that can share a common boundary.
  - (a) I note that the submitter's theoretical recession plane test scenario uses a stand-alone dwelling which is to be avoided as outlined in the Zone policies from MDRP and HDRP. I therefore do not consider this to be a helpful consideration.

#### Amending recession plane rules in the MDRP

- 84 In response to the submissions by Glenpanel Development Limited (submitter 74) and others seeking more enabling recession planes (Sanderson Group and Queenstown Commercial (submitter 93), and Winter Miles Airstream Ltd (submitter 94) and Milstead Trust (submitter 108) seeking to adopt the more enabling NPS-UD) I consider that the following amendments to the Recession Plane rule are appropriate:
  - (a) Increase the vertical boundary height of the MDRS recession plane rule from 2.5m to 4.0m, but retain the currently proposed recession plane angles.
  - (b) In reaching this view I have considered the Barker and Associates Urban Design Report on the Intensification plan variation which recommends a more enabling recession plane rule than what I proposed in the TPLM Variation. I have opted not to make the recession planes as enabling as Barkers recommends for three reasons:
    - (i) The Barker and Associates report acknowledges the limitations of the MDRS being primarily focused on enabling infill of up to 3 dwellings on typical sites with existing standalone dwellings. My view is this infill type development is not relevant to most of TPLM which is a medium density

greenfield development trying to achieve larger scale comprehensive development.

- (ii) I have also examined the additional potential shading effects from sun study bulk and location testing in CAD on a typical 3 storey terrace housing block, and am satisfied with the outcomes.
- (iii) It's important to incentivise the comprehensive development approach within TPLM. This is currently being achieved because the rules benefit the use of larger development parcels and consolidated massing of terrace housing and multi-unit typologies (which are less impacted by boundary recession planes) as the most efficient way of developing. Allowing for too permissive recession plane rules will undermine this by enabling more density to be achieved on smaller subdivided lots. This is problematic as it unwittingly will increase instances of an individualised development typology approaches to lot design which come with more repetition of site servicing and vehicle access along streets and therefore more negative outcomes for the streetscape. Furthermore, individualised development approaches tend to have less on-site shared amenity than comprehensive developments. On-site shared amenity is key to a wellfunctioning urban environment and promoting more sustainable community living.

#### Submissions concerns other bulk and location rules (additional to above)

- 85 A number of submitters seek increased flexibility in the zone provisions for bulk and location (I note that this excludes building heights and recession planes which I have discussed above). All submissions seek more enabling zone provisions, where:
  - (a) Housing typologies: Maryhill Limited (submitter 105) and Glenpanel Development Ltd (submitter 73) seek more flexibility for standards to allow for single detached dwellings in the MDRP and HDRP;
  - (b) Building coverage: Glenpanel Development Ltd (submitter 73) seeks an increase in building coverage from 45% to 50% in the

MDRP, and Sanderson Group (submitter 93) seeks an increase in building coverage from 70% to 90% in the HDRP.

- (c) Boundary setbacks:
  - Glenpanel Development Ltd (submitter 73) seeks a reduction in setbacks in the MDRP for side yards (from 1.5m to 1.2m), an increase to rear yards (from 1.5m to 3m) and 0m side yards for zero-lots;
  - Ladies Mile Property Syndicate (submitters 77) seeks that the HDRP setback is reduced from 3m for all boundaries to 1.5m for front yards and 1m for side yards; and
  - (iii) Sanderson Group (submitter 93) seek a reduction to setbacks in HDRP from 3m to 1m for all boundaries and no setback where buildings share a common wall.
- (d) Landscape permeable surface: Sanderson Group and Queenstown Commercial (submitter 93) seeks a reduction down from 20% to 5% in the HDRP, and that landscape permeable surface standards are deleted from the Commercial and Glenpanel Precinct. Winter Miles Airstream Limited (submitter 94) supports the rule in the HDRP but with amendments to remove the landscape requirement on a per site basis, as the submitter considers this too onerous.
- Maximum building length: Sanderson Group (submitter 93) seeks to delete this standard in the HDRP
- 86 In my opinion, the bulk and location controls as notified in the TPLM Variation should be retained except where I have specifically addressed changes in response to submissions in paragraph 96 below. The reasons for my opinion are set out below.

#### Housing typologies

87 I consider that flexibility should not be given for single detached dwellings in the MDRP and HDRP because they undermine housing variety outcomes sort in these zones which address housing diversity shortfalls in the broader context of the surrounding neighbourhoods that are mostly single detached housing. Furthermore, from an affordability perspective, my view is detached housing typologies tend to be the least affordable typology due to their increased external wall coverage and their multiple side yards require larger land parcels.

#### Site coverage

- 88 I consider that it is important to retain the building coverage standards for all Precincts, as they are sufficiently enabling for development and are aligned with the QLDC Proposed District Plan (version 2023).
- 89 Further, the HDRP standards are particularly enabling of development and are considerably more enabling than what is allowed under the operative Auckland Unitary Plan THAB zone in terms of:
  - (a) Site coverage: 70% in the HDRP vs 50% under the AUP THAB;
  - Recession planes: 7m above the boundary in the HDRP vs 3m under the AUP THAB; and
  - (b) Height limits: 24.5m in the HDRP vs 16m AUP THAB.

#### Boundary setbacks

- 90 I support retaining the MDRP side-yard boundary setbacks at 1.5m. The proposed dimension enables space for storage, fencing, minor hedge planting and mechanical services, while maintaining sufficient width for pedestrian access down the side of houses. It also encourages developers to use more efficient terracing typology models that will save space on side yards. Further, when two side yards abut each other, the result is an overall 3m wide building to building dimension that is of an appropriate width to supports day light into any building side windows, and importantly create visual interest in the street scape by enabling views between buildings to the wider Ladies Mile landscape context.
- 91 I support retaining the MDRP and HDRP minimum front yard setback at 3m. This gives sufficient space for front yards to accommodate small trees and planting, which helps to improve privacy buffers in the building to street interface, provides storage spaces, and provides the opportunity for an attractive and planted yard space.

#### Landscape permeable surface coverage

92 I support full retention of the minimum landscape permeable surface coverage in all zones (with the exception of the Commercial Precinct as sought by submitter 93) to ensure there is sufficient on-lot landscape amenity that will contribute to the landscape character, biodiversity offering, and visual amenity outlook within lots. All are key parts of ensuring well-designed medium and high-density developments. However, I consider this standard could be softened in the Commercial Precinct to give more flexibility for developers to meet commercial operator needs in terms of on-site servicing, waste, loading, and visitor parking.

#### Maximum building length

- 93 In response to Sanderson Group and Queenstown Commercial's (submitter 93) submission to remove the proposed building length rule in the HDRZ (where a building length that exceeds 32 metres requires noncomplying consent), my view is that this rule should be retained. This is because this rule ensures that the Council has some influence over the design of buildings proposed to be longer than 32 metres.
- 94 From an urban streetscape perspective, long buildings inherently cause building massing along a street to have fewer breaks, and therefore less visual relief and connection beyond to the wider context. Hence, long buildings are more at risk of negatively impacting the public buildings frontages unless they are designed to have positive relationships to adjoining streets and public spaces in terms of their passive surveillance, visual dominance, and interest.
- 95 I consider the proposed 32m building length is acceptable. Furthermore, the current consent pathway for long buildings enables developers the option to build longer buildings if they can demonstrate good design outcomes in terms of external appearance, location and visual dominance of buildings as set out in the proposed matters of control.

#### Amendments to the bulk and location rules

- 96 I consider that the following amendments to the bulk and location rules are appropriate on the bases that:
  - (a) The proposed rules were unclear on use of Zero-lot housing typologies where one side of buildings are built on the title boundary (see image below).



Figure 9: Plan diagram of a zero-lot house - for reader clarity purposes.

- (b) I clarify that zero-lot houses are not allowed on the basis they undermine the desired outcomes of the 1.5m side yard rule as described in paragraph 90.
- I agree with Ladies Mile Property Syndicate (submitter 77) and the Sanderson Group and Queenstown Commercial (submitter 93) request to reduce/ simplify the HDRP side-yard boundary setbacks. On reflection a setback dimension of 1.5m (previously 3m) is sufficient to enable access around the building and will be the same as the proposed MDRP rule.
- (d) I agree with the Sanderson Group and Queenstown Commercial's (submitter 93) concern for the landscaped permeable surface requirement in the commercial are being too restrictive in recognition that some surface parking will need to be accommodated in this precinct. My recommendation is to reduce this to 15%.

# Submissions concerning specific rules responding to development effects against the surrounding rural landscape context

- 97 Several submitters were concerned about the impact of the development enabled under the TPLM Variation on the existing rural character of Ladies Mile.<sup>2</sup> The issues raised by submitters include:
  - (a) General concern for mitigating visual impacts on rural character;
  - (b) Seeking increased planting / screening so development is in keeping with the rural character seeking "extreme" landscape design controls along SH6;
  - (c) Seeking a more defined roof colour rule definition;
  - (d) Seeking more restrictions on earthworks / mounding to be sympathetic to landscape natural forms; and
  - (e) Desire for less height along SH6 to support views to Slope Hill.
- 98 In my opinion, subject to where I have specifically addressed changes in response to submissions in paragraphs 100 - 104 below, the rules responding to development effects against the surrounding rural landscape that were included in the notified version of the TPLM Variation should be retained because:
  - (a) First, it is important to consider submitters concerns about the visual impacts on existing rural character in the context of QLDC's long-term growth strategy that identifies Ladies Mile as a growth area to develop housing in the Queenstown Lakes Spatial Plan. From an urban design perspective, the surrounding low-density suburban areas of Lower Shotover and Lake Hayes have contributed to a vernacular built form of predominantly single storey detached dwelling neighbourhoods surrounded by rural land. This low density and limited population catchment contributes to the area's problematic lack of key neighbourhood amenity (such

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Nadia Lisitsina (submitter 23), Kim Netzler (submitter 50), Sanderson Group and Queenstown Commercial (submitter 93), Philippa Crick (submitter 97), Corona Trust (submitter 99), Gordon Griffin (submitter 114),

as significant recreational parks, schools, high-quality public transport, and local commercial centres) and car dependency.

- (b) In contrast, the TPLM Structure Plan will achieve good urban design outcomes as a compact walkable neighbourhood that makes provision for all the essential neighbourhood amenity for residents within the site, as well as servicing amenity shortfalls within the adjacent low-density neighbourhoods. If TPLM and the surrounding residential areas are to become sustainable walkable communities then the TPLM Structure Plan must enable a level of medium and high-density development in order to meet the population thresholds that can feasibly service the proposed amenity provisions like frequent public transport, schools, sports fields etc. This equation would be unachievable with low-density and as such I consider it highly appropriate that TPLM is of a denser urbanised built form.
- (c) Secondly, as set out in Mr Dun's evidence the proposed structure plan employs multiple approaches to considerately plan density across the site in a balanced way that both minimises impacts on the surrounding existing rural character, and achieves the population density required to service key amenity. Some of these approaches include:
  - A stepping down of building heights adjacent the surrounding rural boundaries, for example a maximum 2 storey height overlay at the eastern most edge of the TPLM Variation area at the gateway arrival point to Ladies Mile.
  - (ii) A stepping up of building heights from SH6 which ensures the larger 6 storey buildings are located closer to the more dominant land form of Slope Hill).
  - (iii) Continuation of a building setback approach to both sides of SH6.
  - (iv) Views north to slope hill from SH6 are maintained in several places through the intended location of key north-south orientation structure plan roads, and school fields that will provide long views between pockets of urbanised built form.

- (v) Implements a maximum building height requirement adjacent SH6 to achieve the critical urban built form edge along SH6 as sort by Waka Kotahi to trigger the reduced 60km/hr speed limit that are integral to reconnecting the existing communities with TPLM and its amenity. This urban built form edge to SH6 is also framed behind a well-landscaped active transport amenity buffer.
- (d) Thirdly, the structure plan ensures TPLM development is well visible from the immediate surrounding residential areas, creating desirable sight lines and a visual connectedness between future and existing neighbourhoods south of SH6. This in conjunction with physical transport linkages across SH6 supports a desirable urban design wayfinding outcome that promotes interneighbourhood sharing of amenities (parks, sports fields, schools, and commercial centres) and improved access to amenity in general as sort by the Grow Well Spatial Plan.
- 99 In light of the above points, I do not agree with that new development should be screened in its entirety as sought by Kim Netzler (submitter 50). However, I agree with a number of the submitters that more could be done to ensure the landscape design outcomes are more responsive to the existing rural character context considering the parts of Ladies Mile is a key 'gateway' into Queenstown. I propose the amendments below in response.

#### Amendments to the landscape buffer to the West of the TPLM site

- 100 GW & SE Stalker (submitter 71) seeks more mitigation / buffering against the eastern part of the TPLM Variation Area that adjoins their property at 70 Lower Shotover Road. I consider that it is necessary to strengthen the provisions related to the 'Landscape Buffer' shown in the structure plan to ensure a satisfactory and functional landscape buffer with appropriate vegetation species and coverage is delivered by the landowner. Possible controls could be:
  - (a) 3-6m wide landscape buffer; and
  - (b) Minimum planting coverage of a defined planting selection and with minimum tree sizes on day one.

101 I have considered the recommendations made by Steve Skelton in his evidence with respect to the Landscape Buffer and I agree that it will provide an attractive planted buffer to future development.

# Amendments to the landscape and screening treatment of the eastern TPLM site boundary

- 102 In response to submission seeking greater mitigation of the visual impacts on rural character and natural landscape,<sup>3</sup> I see value in improving the key rural gateway threshold point at the eastern most boundary in Sub area G where the TPLM site will be most visible to people arriving from Lake Hayes. I recommend the following change (refer to figure 10 below, and to **Appendix A** for a larger image). which would achieve improved visual outcomes for the structure plan by:
  - (a) Providing for a well-designed landscape edge to the adjacent rural zone which would provide good vegetation screening with an attractive layering of planting and trees of a scale respectable to the adjacent TPLM built form, and of a landscape character similar to the existing large shelter belt
  - (b) improving the general public's outlook to adjacent rural land by creating a new public street along the rural boundary that offers a new experiential view point.



Figure 10: Proposed amendment to Collector Road B cross section

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Nadia Lisitsina (submitter 23), Kim Netzler (submitter 50), Sanderson Group and Queenstown Commercial (submitter 93), Philippa Crick (submitter 97), Gordon Griffin (submitter 114), Martin Barrett (submitter 118).

### Amendments of rules to retain views north south to Slope Hill on school land

103 In response to Gordon Griffin's (submitter 114) concern around development blocking views to Slope Hill, I recommend introducing new design controls or matters of discretion to ensure the orientation and positioning of building structures and sports fields within any school land does so in a way that retains good views to Slope Hill from SH6.

### Amendments to roof colour rule

I support the Sanderson Group and Queenstown Commercial's
 (submitter 93) concern for greater clarity on the roof colour rule. I
 recommend the landscape visual assessor to advise what is appropriate.

#### Submissions concerning the street design

- 105 Several submissions seek more certainty around landscape outcomes within the TPLM Variation area.
- 106 Martin Barrett (submitter 118) is concerned with whether there is a mechanism to ensure the overall development is delivered in accordance with the TPLM Structure plan given the many parties will be involved and submits that "extreme design controls" and dense planting is critical along SH6.
- 107 Philippa Crick (submitter 97) seeks stricter design standards to improve the overall quality, relationship to existing character, and cohesiveness of the entire development.
- 108 Te Rūnanga o Ngāi Tahu (submitter 100) seeks that the Structure Plan should be modified to "clarify how non-developable areas such as open space, transport, amenity and landscape buffer areas will act as ecological (Blue-Green) corridors".
- 109 I have considered the above submissions and I consider that providing additional design controls in relation to the street network would be beneficial in terms of achieving a good urban design outcome throughout the TPLM area. This is because in the absence of these controls the urban design outcomes will rely on individual developers to choreograph their developments in a holistic unified manner once multiple landowners start developing segments of new infrastructure in isolation. Providing clearer design concepts for public assets will help achieve a more widely considered and cohesive outcome for the public

realm in TPLM, including ensuring the designs maximise their landscape ecological potential in terms of planting coverages and species selection, and will address submitter concerns seeking stronger landscape controls and for a development that is more responsive to and integrated with the surrounding rural character. These are outcomes sort by the submitters.

110 Design objectives and controls that would be helpful to consider alongside more detailed design street concepts are set out as follows. I note that these would need to be worked through with QLDC as the future asset owners. However, I have set out below some suggested design provisions that could inform design controls for TPLM:

#### General design control intent covering all streets:

- (a) Streets are designed to a sustainable transport hierarchy that prioritises a pedestrian, cycling and micro mobility, and public transport over cars in terms of level of service, user experience safety, connivence, lighting, and landscaping.
- (b) Achieves a design speed that reflects the signposted speed limit through using traffic calming measures at regular intervals.
- (c) Has safe crossing points at key desire lines for active transport users.
- Provide for seated rest points along footpaths at maximum 100m intervals to support a range of walking abilities.
- (e) All roads to accommodate sufficient room for fire truck access.
- (f) Defined minimum tree specimen sizes
- (g) Defined minimum street tree spacings
- (h) Defined minimum planted vegetation coverage along streets
- (i) A defined planting species list based on the TPLM Masterplan
- (j) A defined material selection

#### Additional design control intent for Local roads:

(a) The purpose of the Local Road network is to create a network of pedestrian friendly, low-key, low traffic volume streets that provide pedestrian, cycling, and vehicular access to homes and other land uses within the sub areas and more granular superlots. Key design features for local roads include slow design speeds, playful placemaking moments, are family friendly streets, have regular planting and trees.

- (b) Are to be low-traffic and low design speed pedestrian priority streets.
- (c) Incorporate 'Play along the way' landscape elements for children distributed at walkable intervals throughout the local road street network.
- (d) Carriageway design avoids long straight sections of road to reduce vehicle speeds.
- (e) Street landscaping incorporates moments of widening such as kerb build outs and carriageway pinch points that accommodate increased levels of planting or street furniture amenity.
- (f) Local Road E to include vehicle passing areas as required to accommodate fire truck access.
- (g) Also refer 'General Design Controls' for streets

#### Additional design control intent for SH6 Amenity Access Area:

- (a) The purpose of the Amenity Access Area is to provide an attractive landscaped active transport amenity area alongside SH6. The design should provide a highly legible landscaped corridor with consistent treatment of landscaping, planting, and materials along its length, and have a distinct TPLM character that reflects its function as the arrival gateway to Queenstown. The design must deliver a high-quality continuous active transport corridor, and utilise a vehicle lane in (in short lengths) to resolve access limitations of SH6. The design should facilitate an active building frontage condition to the SH6.
- (b) Must be delivered as per the structure plan road cross section with the exception of:
  - (i) The vehicle lane and parking can be substituted for a landscaped linear park type configuration.

- (ii) The position of the footpaths are flexible within a landscape linear park configuration.
- (iii) When a site specific response to key place-making features is appropriate (such as the commercial centre, or an interface with heritage structures or existing trees) as agreed with Council.
- (c) The maximum continuous length of the vehicle lane cross section condition is 200m, after which the cross section treatment must change to the landscaped linear park condition.
- (d) Have a consistent material selection delivered along the road length.
- (e) Note there are exception with the above points where it is appropriate for the design to responds to key place-making features (such as an interface with the commercial centre) as agreed with Council.
- (f) Adjoining residential dwellings are to have direct pedestrian access to the Amenity Access Area
- (g) Also refer 'General Design Controls' for streets

#### Additional design control intent for Collector Roads (all roads):

- (a) The purpose of the collector road network is to provide direct linkages across the TPLM neighbourhood for a range of transport modes. Notable features include a consistent and legible design that supports high-quality pedestrian and cycle infrastructure, large tree lined streets with planted buffers, and wide carriageways futureproofed for public transport.
- (b) Must be delivered as per the structure plan cross sections.
- (c) Have a consistent material selection delivered along the road length.
- (d) Note there are exception with the above points where it is appropriate for the design to responds to key place-making features (such as an interface with a neighbourhood park) as agreed with Council.

- (e) Note the location of cycleways are:
  - (i) Collector Road A = Cycle way on the northern side of road.
  - (ii) Collector Road B = Cycle way on the western side of road.
  - (iii) Collector Road C = Cycle way on the western side of road.
- (f) Also refer 'General Design Controls' for streets

#### Design control intent for landscape buffer on the western site boundary

- Refer to Steve Skelton's evidence for the proposed controls in terms of the appropriate:
  - (i) Minimum landscape buffer width
  - (ii) Planting species selection based on mature tree height
  - (iii) Minimum vegetation coverage
  - (iv) Minimum trees spacing

# Submissions concerning liveability (on-lot amenity rules and frontage standards)

- 111 Several submitters raise concerns about liveability and on lot amenity rules and frontage as follows.
  - (a) Outdoor living space: Sanderson Group (submitter 93) seeks that the requirement for outdoor living spaces in the MDRP and HDRP are deleted.
  - (b) Outlook space: Glenpanel Development Limited (submitter 73), Ladies Mile Property Syndicate (submitter 77) Sanderson Group (submitter 93) seek a reduction or removal of outlook spaces.
  - (c) Garaging: Sanderson Group (Submitter 93) seeks that the 6m setback for garages is deleted.
  - (d) Front yard trees: Ladies Mile Property Syndicate (submitter 77) seeks the removal of the requirement for front yard trees and considers that better landscape outcomes could be achieved in the street corridor. Sanderson Ground (Submitter 93) seeks a reduction in the trees required.

- (e) Storage: Gary Erving (submitter 51) seek that sufficient storage is provided in properties to facilitate long term living.
- 112 In my opinion, subject to where I have specifically addressed changes in response to submissions in paragraphs 120 and 121 below, the rules responding to liveability urban design issues that were included in the notified version of the TPLM Variation should be retained because:

#### Outdoor living space

113 Retain the 'outdoor living space' rule to ensure residents have connection to a well-sized usable door-step outdoor living space that is of a size appropriate for the LM rural-urban context.

#### Outlook space

- 114 I do not agree with submitters that seek to reduce outlook spaces.
- 115 Retain the 'outlook space' rule as it is a key aspect in maximising residents' outlook to the surrounding landscape and providing a sense of openness reflective of density in the LM context (with deliberately more generous space requirements than Tier 1 District Plan rules such as the AUP). I note that the proposed living space outlook depth increases in relation to the living room storey level to provide more generous outlook at the upper levels of the building where there is limited visual amenity from landscaping and trees in the field of view.

#### Garaging

- 116 Retain the maximum garage as percentage of building elevation requirement as it supports good urban design practice of having building frontages that are not overly dominated by cars/garages.
- 117 Retain the garage setback rule as it ensures car pads/ driveway lengths that inherently adjoin garages can adequately contain a vehicle length and has access around the front of the car without overhanging the footpath.

#### Amendments to front yard trees

118 I do not accept the relief sought by submitters that seek to reduce or delete the requirement for front yard tress. I consider that requirements for front yard trees is important because they are key contributors to the quality of the streetscape environment in terms of

- Providing additional vegetation layering and ecologically beneficial canopy coverage to what's achievable in the streets.
- (b) In a medium and high-density environment where houses are closer together, have fewer outlook options (with often primary outlooks orientated over the street) and have smaller yards, front yard trees are important for improving visual privacy between dwellings and improving the attractiveness of outlook from buildings.
- 119 In reaching this view I have considered the Barker and Associates Urban Design Report on the Intensification plan variation which recommends introducing a minimum level of landscaping in the front yard setback zone to support good outcomes for street character land landscape amenity.
- 120 I propose amending the front yard landscaping and trees rule to better support policy 49.2.2.2– i.e. buildings are *"set within attractive landscaped sites":* 
  - (a) Landscape Permeable surface has to be 'planted'
  - (a) Front yard areas are to have an average minimum soft landscaping ground cover of 30% using an approved planting selection.
  - (b) Each residential unit located on the ground floor shall include a minimum font yard 1 specimen tree (45L) located between the road boundary and the front elevation of any building, Note, specimen trees can be consolidated on the boundary between two adjacent units.

#### Amendments to Residential Storage

121 In response to submitters seeking that sufficient storage is provided, I consider that the residential storage rule should be amended to provide clarity around supporting sufficient storage. I suggest that the following could be added to rule 49.5.28:

Rule does not apply to dwellings with a secure yard space that can accommodate space for future storage. Or dwellings with dedicated garages. Storage is to be secure and fully sheltered from weather.

Storage accessed must provide shelter from weather for the user.

Storage in public facing yards

Have an internal clear dimension no less than 0.45mm deep and 1.8m high

Must be additional to storage in habitable spaces.

Can be integrated with bike storage (size requirements still apply).

Clarification on outdoor living space

122 Although there was no submission on this item, I recommend clarifying the minimum outdoor living space dimension for above ground living spaces be 1.8m as the proposed rules confusingly stated both 1.5m and 1.8m.

## Submissions concerning minimum cycle parking and car parking

- 123 Several submitters raise concerns about maximum car parking requirements:
  - (a) Waka Kotahi (submitter 104) seeks that maximum car parking is made more restrictive, while Nicole Fairweather (submitter 21), the Sanderson Group and Queenstown Commercial Limited (submitter 93), and the Milstead Trust (submitter 108) seek the removal or softening of the maximum car parking rate; Sarah Hodgson (Ministry of Education submitter 86) supports the maximum car parking in residential areas, however, seeks the rule not apply to visitor parks for education facilities.
  - (b) Koko Ridge Limited (submitter 80) seeks to amend the car parking rule to allow for boats and caravans;
  - (c) The Ministry of Education (**MoE**) (submitter 86) seeks the removal of the bike parking requirement for education facilities;
  - (d) Gary Erving (submitter 51) is supportive of the requirement for onlot bike parking.
- 124 In my opinion, the rules responding to transport related issues that were included in the notified version of the TPLM Variation should be retained.

- 125 I do not agree with the submitters 86 (MoE) requests to remove maximum car parking requirements for education. This is because the TPLM Structure Plan has anticipated education will be well connected to non car-based transport modes including a high frequency public transit corridor, separated cycle lanes, and quality pedestrian networks. As such we want activities in TPLM to support a mode-shift to non-car transport modes. Education should not be exempt. Furthermore, the RD compliance status provides a consenting pathway to apply for more car parking.
- 126 I refer to Mr Colin Shield's evidence about why maximum parking limits are important for meeting the mode-shift targets. From an urban design perspective carparking maximums are good practice as they help reduce the extent of car dominance both visually and in terms of reducing vehicle movements in and out of properties; and from a development efficiency perspective they steer development more towards maximising GFA for habitable spaces as opposed to garages, expensive basement car parking structures, and surface car parking which is generally an inefficient way to use land, and undesirably increases impervious surface coverage.
- 127 I do not agree with Koko Ridge Limited's (submitter 80) request to exempt caravans and boats from the carparking rule. On-lot parking spaces for boats and caravans will be difficult for Council to enforce and therefore leads to the risk that residents will use these allocated parking spaces for additional car parking, and undermine the broader mode shift transport strategy. Developers can choose to build dedicated off-site boat and caravan parking as per market demand.
- 128 I clarify for the Ministry of Education (submitter 86) that the minimum number of cycle parking required for education should only apply to staff and not students. The school can determine necessary supply of student bike parking.
- 129 I agree with Gary Erving (submitter 51) about the need to retain bike storage. This is on the basis that bike storage supports several desirable transport outcomes:
  - (a) That zone provisions for bike infrastructure support the proposed cycle network set out in the structure plan and roading cross sections.

- (b) Give residents viable transport options (including a place to store their bikes) help meet Council's mode shift targets in the area.
- (c) Futureproofs the building stock for cycling uptake, in particular multi-unit dwellings that won't have access to additional yard storage space.

#### Overall conclusion regarding the proposal

- 130 The provisions in the TPLM Variation relating to urban design were designed to be comprehensively integrated into the development following a robust masterplan and structure plan process. I am satisfied that the testing methodology for drafting the provisions has led to a good baseline set of planning provisions to deliver the objectives of the QLDC Grow Well Spatial Plan, whilst giving sufficient flexibility to developers to achieve these requirements within their site proposal.
- 131 Regarding incorporating submitter concerns, I have sought to respond to and make amendments to the provision when their concerns supported the wider masterplan objectives and design principles.
- 132 Overall I'm of the view that the proposed rules (with amendments recommended in my evidence) achieve an appropriate development outcome for Ladies Mile.
- 133 Furthermore, I see great merit in Council producing more detailed design concepts/ guidance that outline their desired design intent for the function and look and feel of key structure plan infrastructural elements like streets and parks. Noting that these elements will be difficult to choreograph in a holistic unified manner once multiple landowners start developing segments of new infrastructure. Providing clear design concepts for public assets will lead to a more widely considered and cohesive outcome for the public realm in Ladies Mile. This may happen outside of the TPLM Variation process.

134 My view is based on my involvement in the project, and experience working across large-scale masterplanning and drafting design guidance for projects of similar complex nature.

Michael Lowe

29 September 2023

## APPENDIX A

## **REVISED EASTERN BOUNDARY STUDY PLAN**



# **Revised Eastern Boundary Study** Plan 27 Sep 2023 r.C

studiopacific architecture Te Pūtahi: Ladies Mile



# **Revised Eastern Boundary Study Precinct Boundaries** 27 Sep 2023 r.A

studiopacific architecture Te Pūtahi: Ladies Mile



Section currently shown in TPLM plan variation



Newly proposed Collector Rd B section

# Revised Collector Road Type B Cross Section 19 Sep 2023 r.B

studiopacificarchitecture Te Pūtahi: Ladies Mile