

**BEFORE THE QUEENSTOWN-LAKES DISTRICT COUNCIL PROPOSED
DISTRICT PLAN HEARINGS PANEL**

IN THE MATTER of the Resource Management Act 1991

AND the Proposed District Plan

**STATEMENT OF EVIDENCE OF TIMOTHY CARR WALSH
ON BEHALF OF POUNAMU APARTMENTS BODY CORPORATE COMMITTEE**

**PROPOSED CHAPTER 3 (STRATEGIC DIRECTIONS)
AND CHAPTER 4 (URBAN DEVELOPMENT)**

Dated the 25th day of February 2016

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1. INTRODUCTION

- 1.1 My name is Timothy Carr Walsh. I am a resource management planner employed by Novo Group.
- 1.2 I hold a Bachelor of Science (Honours) degree and a Master of Science degree from the University of Canterbury. I am also an Associate member of the New Zealand Planning Institute.
- 1.3 I have approximately 10 years of experience as a resource management planner, working in local and central government, and as a consultant. I have been employed by Novo Group as a Senior Planner for approximately one year. Prior to my current role I was employed as a Senior Advisor in the Christchurch Central Development Unit at the Canterbury Earthquake Recovery Authority for approximately 2 years. A summary of my qualifications and past experience is in Appendix **TCW1**.
- 1.4 Relevant to this matter, I have experience in processing resource consent applications including preparing Section 42A reports and attending resource consent hearings on behalf of Queenstown-Lakes District Council. As a consultant planner I have experience in evaluating development projects, preparing resource consent applications and presenting evidence at Council resource consent and plan change hearings and the Environment Court.
- 1.5 While employed at CERA I led the development of the *A Liveable City* residential chapter of the Christchurch Central Recovery Plan. I was responsible for instructing and coordinating a team of experts (including planners) to develop a draft residential chapter and associated advice for the Minister for Canterbury Earthquake Recovery's consideration. The chapter, as gazetted, includes the new Central City Residential Zone which was inserted into the Christchurch City Plan.
- 1.6 I have been asked by the Pounamu Apartments Body Corporate Committee ('**Body Corporate**') to provide evidence in relation to its submission on the Queenstown-Lakes District Council's Proposed District Plan ('**Proposed Plan**').

2. CODE OF CONDUCT

- 2.1 I confirm that I have read the code of conduct for expert witnesses as contained in the Environment Court's Practice Note 2014. I have complied with the practice note when preparing my written statement of evidence, and will do so when I give oral evidence before the hearings panel.
- 2.2 The data, information, facts and assumptions I have considered in forming my opinions are set out in my evidence to follow. The reasons for the opinions expressed are also set out in the evidence to follow.
- 2.3 Unless I state otherwise, this evidence is within the area of my expertise and I have not omitted to consider material facts known to me that might alter or detract from the opinions that I express.

3. SCOPE

- 3.1 I have been asked to provide evidence as to whether the provisions in the Proposed Plan are the most appropriate to achieve the purpose of the Resource Management Act 1991 (**'the Act'**), particularly in relation to the Pounamu Apartments site at 110 Frankton Road, Queenstown and its immediate surrounds. Where I have found the notified provisions could better achieve the Purpose of the Act I have been asked to propose amendments. Given the staged nature of the Proposed Plan hearings, this evidence only relates to Chapter 3 (Strategic Directions) and Chapter 4 (Urban Development) but will be followed by a complimentary statement that will cover elements of the proposed residential chapters to be heard later in the year.
- 3.2 The structure of my evidence for Chapters 3 and 4 is set out as follows:
- (a) The Body Corporate submission;
 - (b) High density residential neighbourhoods; and
 - (c) Proposed amendments.
- 3.3 Key documents I have used in preparing my evidence include:
- (a) The Otago Regional Policy Statement (**'RPS'**);
 - (b) The Proposed Otago Regional Policy Statement (**'Proposed RPS'**)

- (c) Chapter 3 (Strategic Directions) and Chapter 4 (Urban Development) of the Proposed Plan;
- (d) the relevant section 32 evaluation reports;
- (e) the section 42A report for the Strategic Directions chapter; and
- (f) the Body Corporate submission.

4. EXECUTIVE SUMMARY

- 4.1 Appropriately located higher density neighbourhoods can bring a multitude of benefits provided they are desirable places to live. For this reason, it is important that the Proposed Plan strikes the right balance between enabling and encouraging residential intensification (an objective which I support), and the need to ensure a high level of quality and amenity so that higher density neighbourhoods are attractive living environments for existing and future residents and visitors.
- 4.2 In my view, residential intensification can be achieved without compromising residential amenity and character to an unacceptable degree. I consider that the Proposed Plan however, tips the balance in favour of intensification at the expense of an appropriate level of residential amenity and protection of established neighbourhood character. Most of the provisions of relevance to this issue are found in the High Density Residential chapter which is to be heard later in the year. Before those provisions are addressed, I consider it is important to ensure the higher order policy framework that will guide the application of those provisions is the most appropriate way of achieving the purpose of the Act by making the minor amendments proposed in this evidence.

5. SUMMARY OF THE BODY CORPORATE SUBMISSION

- 5.1 As set out in the Body Corporate submission, the Pounamu Apartments are high end apartments located along the gateway to Queenstown town centre. The privately owned apartments cater for short stay accommodation and are well positioned to take in panoramic lake and mountain views.
- 5.2 The Body Corporate is generally concerned that the Proposed Plan seeks to achieve greater intensification in the high density living areas at the expense of neighbourhood character and residential amenity.

- 5.3 More specifically, the Body Corporate is concerned that the dilution of the existing development controls may negatively impact how future development on immediately neighbouring properties would integrate with Pounamu Apartments.
- 5.4 Further, the Body Corporate are concerned about the impact the removal of existing height controls affecting development on the opposite side of Frankton Road will have on the views and associated amenity from the apartments.

6. HIGH DENSITY RESIDENTIAL NEIGHBOURHOODS

- 6.1 The section 32 evaluation for the Urban Development chapter sets out some of the benefits that achieving a compact urban form can deliver. I generally agree with the identified benefits and acknowledge the community's desire to contain urban growth and support increased density in appropriate locations.
- 6.2 I agree with the general acceptance that the most appropriate locations for increased residential densities are around primary commercial nodes. On this basis, I consider it appropriate to encourage and provide for higher density neighbourhoods in close proximity (i.e. within walking, easy cycling distance) of the Queenstown town centre.
- 6.3 High-quality residential intensification in these locations, including the Pounamu Apartments site and surrounds, will:
- help to underpin the economic viability of the town centre by providing workers and customers for businesses, and to maintain the Queenstown town centre as the primary node of commerce in the district;
 - help to attract and retain productive and creative workers who seek out an urban lifestyle;
 - increase the agglomeration and productivity advantages of central Queenstown by helping to build and retain human capital;
 - leverage the Council's existing investment in high-quality infrastructure, facilities and amenities within and immediately surrounding the town centre;

- utilise existing physical and social infrastructure in a manner that provides for an efficient urban form;
- create or expand networks and neighbourhoods that will cater to people who prefer an urban lifestyle;
- provide greater housing choice within the district (which can help improve affordability);
- minimise motorised travel demand; and
- provide the residential base to support more effective public transport.

6.4 The section 32 evaluation for the Strategic Directions chapter acknowledges that an urban growth management approach dominated by urban intensification to protect the rural environment can negatively impact established neighbourhood character. I agree and also consider that badly designed high density developments/neighbourhoods can:

- increase real and perceived safety concerns;
- contribute to increased crime rates;
- increase management and maintenance costs;
- degrade the amenity experienced by residents of the area;
- weaken the investment potential of an area; and
- generally affect the desirability of an area to live and visit.

6.5 As the desirability of higher density neighbourhoods diminish, so do the benefits that these areas yield. For this reason, it is critical to ensure higher density neighbourhoods are attractive living environments for existing and future residents.

6.6 The Proposed Plan provides a mechanism to help realise the benefits of higher density development, but in my view success is dependent on striking the right balance between achieving higher densities and maintaining or improving the quality of the living environment while recognising and respecting local character. The Strategic Directions section 32 evaluation recognises this, emphasising that change needs to be carefully managed.

6.7 In my view, the balance between intensification and amenity protection is not expressed as well as it ought to be in the Strategic Directions chapter and some minor amendments are required to ensure that the relevant provisions give effect to the purpose of the Act.

7. PROPOSED AMENDMENTS

7.1 The opening section of the Strategic Directions chapter contains a list of the district's special qualities. I consider the list ought to also acknowledge the district's residential neighbourhoods as these make up a significant portion of the urban environment. I suggest the following addition to the list appropriately recognises this important resource:

- *Dramatic alpine landscapes free of inappropriate development*
- *Clean air and pristine water*
- *Vibrant and compact town centres*
- *Attractive residential neighbourhoods with distinct character*
- *Compact and connected settlements that encourage public transport, biking and walking*
- *Diverse, resilient, inclusive and connected communities*
- *A district providing a variety of lifestyle choices*
- *An innovative and diversifying economy based around a strong visitor industry*
- *A unique and distinctive heritage*
- *Distinctive Ngai Tahu values, rights and interests*

7.2 Goal 3.2.3 addresses the quality of the built environment. I agree with the goal and its associated objectives and policies but consider Policy 3.2.3.1.1 could be expressed in a more balanced and positive way. As below, I propose that Policy 3.2.3.1.1 be split in two. The first policy would direct that development respond to established character, and the second directs that changes to established character contribute positively to amenity, quality and enjoyment of the area. While this is a minor amendment, I consider it establishes a more appropriate balance in the higher order policy direction of the Proposed Plan that will significantly assist in ensuring the application

of the mechanical provisions in the District Plan has an appropriate focus and balance. Splitting the Policy in two also provides clarity to users of the District Plan.

3.2.3 Goal - A quality built environment taking into account the character of individual communities

Objective 3.2.3.1 Achieve a built environment that ensures our urban areas are desirable and safe places to live, work and play.

Policies 3.2.3.1.1 Ensure development responds to the character of its site, the street, open space and surrounding area, ~~whilst acknowledging the necessity of increased densities and some change in character in certain locations.~~

3.2.3.1.2 *Where development alters the predominant character of an area through intensification, ensure that it contributes positively to the amenity, quality and enjoyment of the area.*

3.2.3.1.23 *That larger scale development is comprehensively designed with an integrated and sustainable approach to infrastructure, buildings, street, trail and open space design.*

3.2.3.1.34 *Promote energy and water efficiency opportunities, waste reduction and sustainable building and subdivision design.*

Objective 3.2.3.2 Protect the District's cultural heritage values and ensure development is sympathetic to them.

Policies 3.2.3.2.1 Identify heritage items and ensure they are protected from inappropriate development.

7.3 I am mindful that this goal applies to both commercial and residential environments which is why I use the term “intensification” rather than “increased densities” which I consider has stronger residential associations. While I prefer “intensification”, it could be substituted for the term “increased densities”.

7.4 In my opinion, the amendments I have proposed are the most appropriate way to achieve the purpose of the Act. Further, I consider that the assessment in the relevant Council section 32 evaluation reports

satisfactorily address and support the proposed amendments. In particular, I consider that these amendments:

- better give effect to section 7(c) of the Act (the maintenance and enhancement of amenity values) and section 7(f) (maintenance and enhancement of the quality of the environment);
- better give effect of the relevant objectives and policies of the RPS and Proposed RPS; and
- achieve the most appropriate environmental, economic and social benefits at minimal cost and risk.

7.5 As such I consider that no further evaluation is required pursuant to section 32AA of the Act.

8. FURTHER EVIDENCE

8.1 This evidence usefully forms the basis for further evidence which will be led on behalf of the Body Corporate in respect of the residential chapters of the Proposed Plan. That evidence will primarily assess the appropriateness of the specific residential objectives, policies and rules in ensuring that they adequately protect established neighbourhood character and residential amenity.

8.2 If that assessment finds that the provisions do not adequately protect established character and amenity, a more appropriate option to achieving intensification may be to zone more existing residential areas medium/high density and retain appropriate controls in the existing high density neighbourhoods.

Tim Walsh



25 February 2016

APPENDIX TCW1 – QUALIFICATIONS AND RELEVANT PAST EXPERIENCE

Qualifications

- 2011, Master of Science in Geography, University of Canterbury
- 2005, Bachelor of Science with Honours in Geography, University of Canterbury

Affiliations

- Associate member of the New Zealand Planning Institute

Relevant Experience

- Strategic advice, site evaluations and risk mitigation for developments
- Project management and coordination of technical experts
- Preparation of resource consent applications and assessments of environmental effects
- Involvement in district plan changes
- Preparation of expert evidence (Council & Environment Court)

Selected Employment Summary

- 2015 – present, Senior Planner, Novo Group, Christchurch
- 2013 – 2015, Senior Advisor, CERA (Christchurch Central Development Unit), Christchurch
- 2012 – 2013, Acting Principal Planning Advisor, New Zealand Transport Agency, Christchurch
- 2011 – 2013, Senior Planning Advisor, New Zealand Transport Agency, Christchurch
- 2007 – 2010, Resource Management Planner, Southern Planning Group, Queenstown
- 2005 – 2007, Resource Management Planner, Civic Corporation Limited, Wanaka