

**BEFORE THE HEARINGS PANEL
FOR THE QUEENSTOWN LAKES PROPOSED DISTRICT PLAN**

IN THE MATTER of the Resource
Management Act 1991

AND

IN THE MATTER of the resumed Hearing
for Streams 14 and 15

**STATEMENT OF EVIDENCE OF MARCUS HAYDEN LANGMAN ON BEHALF OF
QUEENSTOWN LAKES DISTRICT COUNCIL**

PLANNING: WAKATIPU BASIN

Millbrook Owner-Members Committee (#2821)
Skipp Williamson (#2822)
Rohan and Di Hill (#2123)

15 October 2018

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1. INTRODUCTION

- 1.1 My name is Marcus Hayden Langman. I am an independent planning consultant engaged by Queenstown Lakes District Council (**QLDC**) to prepare the planning report under s 42A of the Resource Management Act 1991 (**RMA** or **the Act**) for proposals for re-zonings as part of Stage 2 of the Proposed District Plan (**PDP**), located in the Wakatipu Basin (**Basin**).
- 1.2 My relevant expertise and experience is set out as **Appendix 1** to my evidence-in-chief dated 30 May 2018. In my evidence-in-chief, I have also set out the evidence I have relied on, and those matters that are relevant for the consideration of the following submissions. I adopt that here.
- 1.3 I confirm that I have read the Code of Conduct for Expert Witness contained in the Environment Court Practice Note and that I agree to comply with it. I confirm that I have considered all the material facts that I am aware of that might alter or detract from the opinions that I express, and that this evidence is within my area of expertise, except where I state that I am relying on the evidence of another person.
- 1.4 This evidence provides recommendations on three submissions related to rezoning in the Wakatipu Basin.
- 1.5 The submission from Rohan and Di Hill was addressed in the Appendix of the s42A report, but not in the body of the report.
- 1.6 A portion of the Millbrook Country Club Limited's submission (#2295) was left out of the summary of submissions when it was notified, although the submission was analysed by Ms Bridget Gilbert, Council's landscape witness, and myself. That portion of the submission was re-notified on 27 July 2018.
- 1.7 The submission attracted two further submissions:
- (a) A further submission in support from the Millbrook Owner-Members Committee (**MOMC**) (#2821); and

- (b) A further submission in opposition from Skipp Williamson (#2822).

1.8 In the same way as my evidence in chief, I refer to the following versions of the PDP text, as follows:

- (a) **Provision X.2.1:** to refer to the notified version of a Stage 2 provision (i.e. Objective 31.2.1);
- (b) **S42A Provision X.2.1:** to refer to the recommended version of a Stage 2 provision as included in Appendix 1 in Mr Craig Barr's s42A report. (i.e. S42A Objective 31.2.1); and
- (c) **Reply Provision X.2.1:** to refer to the recommended version of a Stage 2 provision as included in Appendix 1 in Mr Craig Barr's Reply (i.e. Reply Objective 31.2.1).

1.9 When referring to the Stage 1 PDP provisions, I am referring to the Council's Decisions Version notified on 5 May 2018, (i.e. Decisions Objective 3.2.1).

2. HILL (#2123)

2.1 The Hill submission is similar to other submissions by Maloney (#2129), Nancekivell (#2171) and Edmonds (#2604) in relation to Mooney Road area in LCU 6 - Wharehuanui Hills, in that it seeks a downzoning of the proposed Wakatipu Basin Rural Lifestyle Precinct Zone (**Precinct Zone**) to Wakatipu Basin Rural Amenity Zone (**Amenity Zone**).

2.2 In addition to the matters raised in those submissions, Hill also raises the following points:

- (a) that the Wharehuanui Hills is an outstanding landscape;
- (b) concern regarding the impact of external lighting on the night sky; and
- (c) adverse effects in relation to the ridgeline/escarpment on Wharehuanui Hills from Malaghans Road, Speargrass Flat Road, Coronet Peak and Skippers Road.

2.3 In relation to the Hill submission, I adopt the analysis as that set out in para 20.1 to para 20.13 in my s42A report,¹ noting that on the north eastern and southern edge of the LCU6, Ms Gilbert has recommended amending the boundary of the Precinct land, as set out in **Figure 1** below.² Ms Gilbert's reason for this amendment is related to the greater sensitivity of those areas identified.

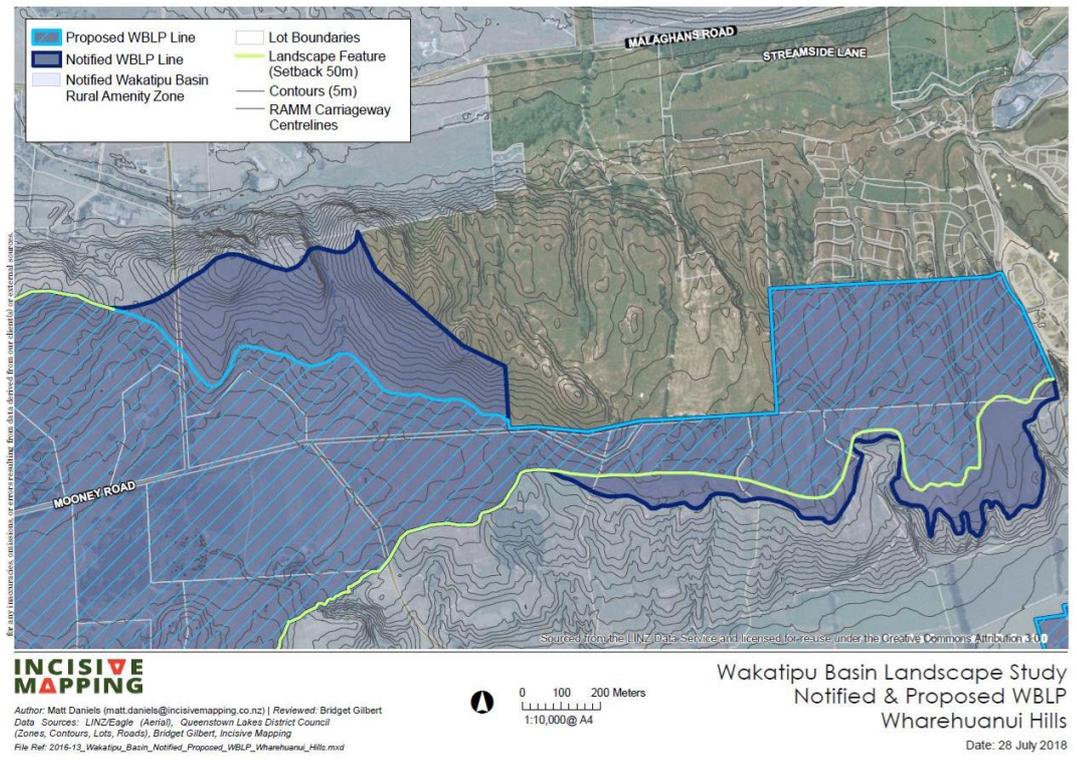


Figure 1. Recommended amendments to LCU6 in the vicinity of Mooney Road

2.4 In relation to the other matters raised by the submitter and set out at paragraph 2.2 above:

- (a) None of the landscape studies³ have identified Wharehuanui Hills as an outstanding landscape and its identification as such is not supported by expert evidence;
- (b) As discussed in my s42A report in relation to the submissions referred to in para 2.1, I consider that the subdivision

1 <https://www.qldc.govt.nz/assets/Uploads/Planning/District-Plan/PDP-Stage-2/Stream-14-Section-42A/S2239-QLDC-T14-Langman-M-Evidence-30693664-v-1.pdf>

2 Refer to Reply of Bridget Mary Gilbert, Landscape Wakatipu Basin, 10 August 2018 at 7.1-7.10

3 Wakatipu Basin Land Use Study; and Report to Queenstown Lakes District Council on appropriate landscape classification boundaries within the District, with particular reference to Outstanding Natural Landscapes and Features, prepared by Marion Read, 1 April 2014.

provisions, as provided for in Reply Rule 24.5.13 and Reply Rule 27.9.X.c.VII, address the issue of light spill and glare; and

- (c) I rely on the evidence of Ms Gilbert, as set out in section 7 of her reply evidence for Stream 14,⁴ that the revised Landscape Feature (and setback) as set out in **Figure 1** above, is sufficient to protect the values of the identified ridgelines. In addition to this, I note the restricted discretionary activity status provided for in Reply Rule 24.4.5 and assessment matters under Reply Rule 24.7.3. I consider this sufficient to manage the adverse effects of built form on landscape character and amenity in the area as a result of the Precinct zoning.

2.5 The relevant objectives and policies in relation to this request are Reply Objectives 24.2.1 and 24.2.5; and associated Reply Policies 24.2.1.3, 24.2.1.5, 24.2.1.8, 24.2.1.9, 24.2.5.1. These objectives and policies seek to protect, maintain and enhance landscape and visual amenity values, including providing for activities where they protect, maintain or enhance landscape values of the character units in Schedule 24.8.

2.6 Considering the proposed changes against the objectives and policies of the WB chapter, and the provisions of s 32 of the RMA, I do not recommend any changes in response to the Hill submission, except to the extent that the boundary is to be amended as already recommended. I consider that the zone provisions as amended are appropriate for the reasons set out above.

2.7 It is recommended that the submission is accepted in part, only to the extent that the boundary of the Precinct is modified as set out in **Figure 1**.

⁴ <https://www.qldc.govt.nz/assets/Uploads/Planning/District-Plan/PDP-Stage-2/Stream-14-Council-Right-of-Reply/S2239-QLDC-T14-Gilbert-B-Reply-Evidence.pdf>

3. MILLBROOK OWNER-MEMBERS COMMITTEE (#2821) AND WILLIAMSON (#2822)

3.1 Millbrook Owner-Members Committee (**MOMC**) and Williamson both made further submissions on the re-notified submission of Millbrook Country Club Limited (**MCCL**) (#2295). The part of the submission re-notified is provided in **Appendix 1**, and in summary sought that:

- (a) In relation to Land Parcel A:
Should the proposed zoning structure be adopted, Precinct be removed from both parcels above 440masl with the zoning of those upper slopes amended to be Wakatipu Basin Rural Amenity Zone;
- (b) In relation to Land Parcel B:
Should the proposed zoning structure be adopted, Precinct be removed from the upper slopes which already contain as many building platforms as are appropriate in this landscape above the toe of the slope (in or about the 360 to 370masl contour) with the zoning of those upper slopes amended to be Wakatipu Basin Rural Amenity Zone;
- (c) In relation to Land Parcel C:
Should the proposed zoning structure be adopted, the northern-most boundary of the Precinct zoned land be moved towards the south, so that it lies in a position at the toe of the slope (in or about the 360masl contour) with the zoning of those upper slopes amended to be Wakatipu Basin Rural Amenity Zone. In this respect, MCC unreservedly supports the Council's own submission as the remedy of this mapping error; and
- (d) In relation to Land Parcels A, B and C:
Should the proposed zoning structure not be adopted, these parcels should continue to be zoned Rural General with the discretionary design-led regime for development as provided for in the operative district plan.

3.2 MOMC's further submission (FS2821) was in support of the MCCL's submission in relation to area 'B' of the submission only. MOMC seeks

that Precinct is removed from all of Lot 3 DP 20693 ('the **Donaldson land**') by extending the area 'B' contained in the submission.⁵

- 3.3** Williamson has sought to retain the zoning as notified, and not to reduce the area of Precinct land, in particular as it relates to those sites identified in the further submission.
- 3.4** Neither submitter has raised any new matters in relation to the primary submission that have not already been addressed in evidence. Ms Gilbert addresses the issue of the Donaldson land in her rebuttal evidence at section 7 in response to the submissions of X Ray Trust and Avenue Trust Limited (#2619).
- 3.5** In relation to the Williamson further submission, the area of concern identified in the further submission is impacted by Ms Gilbert's view in her reply evidence, and noted in paragraphs 2.3-2.7 of this statement. For the reasons set out in that analysis, I consider that the zoning as set out in **Figure 1** is the most appropriate for achieving the objectives and policies of the plan.



Marcus Langman

15 October 2018

⁵ It is noted that paragraphs 3, 4, and 5 of MOMC's further submission 2821 are not relevant to the consideration of submission 2295, as those paragraphs were struck out by the Hearing Panel by its Decision on application to strike out further submission, 31 August 2018. <https://www.qldc.govt.nz/assets/Uploads/S2-Decision-on-AppIn-to-Strike-Out-FS2821-31-8-18.pdf>

APPENDIX 1

Re-notified part of the submission of Millbrook Country Club Limited (#2295)

Form 5

Submission on Publicly Notified Proposal for Policy Statement or Plan, Change or Variation

Queenstown-Lakes District Council Proposed District Plan (Stage 2) Chapter 24 – Wakatipu Basin

Clause 6 of Schedule 1, Resource Management Act 1991

- To:** Queenstown Lakes District Council
- Address:** Sent via email to: services@qldc.govt.nz
- Name of Submitter:** Millbrook Country Club Ltd (MCC)
- About the Submitter:** MCC is the owner and operator of the Millbrook Resort, an award winning, five-star resort situated near Arrowtown. Millbrook opened in 1993 and has developed into a world class recreational resort and lifestyle community. It currently comprises a 27-hole championship golf course, driving range, restaurants, a spa facility, with managed accommodation, comprehensive guest services and approximately 265 private dwellings.
- The resort encompasses around 270 hectares of land, including land recently acquired to enable a western expansion of the zone. That expanded area enables the completion of a further 9 golf holes (resulting in 2 x 18-hole championship quality golf courses) and further residential units.
- MCC has worked closely with QLDC on the preparation of the new Millbrook Zone for the Proposed District Plan. On 18 October 2017, the Council notified its decision to approving the re-zoning and amendments to the Millbrook Resort Zone. This decision is the first decision on the Proposed District Plan.
- MCC has a proven track record as a responsible developer. It is a major contributor to the District's tourism industry and is one of the largest employers in the region with an annual pay roll in excess of \$8m. Indirectly, it is a significant contributor to the local construction and service sectors. Analysis undertaken in the preparation of the District Plan and referenced in the Section 32 analysis for the Millbrook Zone sets out how MCC's plans to expand its operation to include an additional 9 golf holes with associated development will provide substantial economic benefits to the Wakatipu Community.
- Trade Competition:** The submitter cannot gain an advantage in trade competition through this submission.
- Submission:** The Millbrook Resort Zone is identified as a Special Zone in the Proposed District Plan.

The values and qualities of Millbrook are derived from its location in amongst the spectacular scenery of the surrounding landscape.

The design principles of MCC have consistently sought to achieve a high-quality resort which integrates with the surrounding landscape. Council's decision on Chapter 43 – Millbrook, confirmed that the Chapter 43 rules would ensure a high standard of amenity for both the residents of the zone itself and those in the surrounding area.

The recent decision on Chapter 43 – Millbrook includes carefully located golf holes and residential buildings on sites that have minimal off-site landscape effect. Part of this re-zoning has included the identification of 'Landscape Protection' Activity Areas, being those more elevated areas that are publicly visible from distant locations.

Chapter 24 of the Proposed District Plan introduces a variation to the zoning of the land that includes and surrounds the Millbrook Resort Zone. This submission addresses the re-zoning of land to the west and south of the Millbrook Resort Zone that has been included in the Wakatipu Basin Lifestyle Precinct (WBLP).

Land Parcel	Legal Description	Owner	Proposed Zoning	Relief Sought
A	Lot 2 DP 310442 Lots 1-2 DP 319853 Lots 1-2 DP 343305	R & H Trust Co. (NZ) Limited	Part WBLP and part WBRAZ	A reduction in the extent of the WBLP
B	Lot 101 DP 475822 Lot 1 DP 475822 Lot 2 DP 475822	XRAY Trust Limited	Part WBLP and part WBRAZ	A reduction in the extent of the WBLP
C	Pt Lot 3 DP 5737	Waterfall Park Developments Limited	Part WBLP and part WBRAZ	A reduction in the extent of the WBLP

Relief Sought: MCC seeks the relief referred to above or such further, more refined, additional, other or alternative relief that might give effect to this submission and/or better serve the overall objectives of the district plan and the purpose and principles of the Resource Management Act 1991.

Hearings: The submitter wishes to be heard in support of this submission.

Address for Service: Millbrook Country Club Ltd
C/- John Edmonds + Associates Ltd
Email: reception@jea.co.nz
Phone: 03 450 0009

Date: 23rd February 2018