

**BEFORE THE QUEENSTOWN LAKES DISTRICT COUNCIL**

**IN THE MATTER** of the Resource Management Act ('Act')

**AND**

**IN THE MATTER** of Hearing Stream 13 – Queenstown Mapping  
Annotations and Rezoning Requests

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**STATEMENT OF EVIDENCE OF AMANDA LEITH  
ON BEHALF OF NEVILLE MAHON (SUBMISSION 628)**

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**9 June 2017**



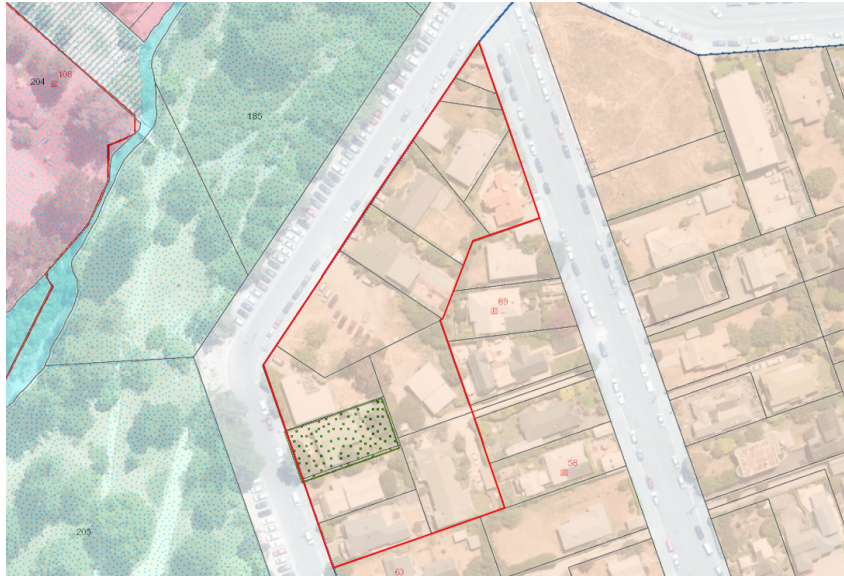


Figure 2: ODP zoning (red outlined indicating the subject sites)

9. Under the Proposed District Plan (PDP) the subject sites are proposed to be zoned Medium Density Residential. See Figure 3 below:



Figure 3: PDP zoning (blue outline indicating the subject sites)

10. The combined area of the sites is approximately 7437m<sup>2</sup>. One of the sites is vacant (12 Park Street) and the remainder contain single or two storey residential units. There is a gentle slope to the land down from the north to south, however many of the sites would be considered flat for the purposes of the District Plan height rules.
11. The Neville Mahon submission seeks that the zoning be changed from Medium Density Residential (MDR) to High Density Residential (HDR).
12. There were a number of further submissions lodged against the submission of Neville Mahon including Dato Tan Chin Nam (FS1260) who supported the submission and DJ and EJ Cassells, the Bulling Family, the Bennett Family, M Lynch (FS1265) and the Friends of the Wakatipu Gardens and Reserves Inc (FS1268) who oppose the submission.
13. The s42A report prepared by Ms Rosalind Devlin has recommended that the rezoning request be rejected due to the subject sites overlooking the Queenstown Gardens and Outstanding Natural Landscape (ONL). Given the potential 12m building height and the sites adjoining established residential housing and some protected heritage features Ms Devlin also considers that there is the potential for HDR development to be out of character in this location.

## EVIDENCE

14. PDP Chapter 3 – Strategic Directions seeks to achieve compact urban settlements which are well designed and integrated (Goal 3.2.2, Objective 3.2.2.1 and the associated policies) and has nominated urban growth boundaries for this purpose. Furthermore policy 3.2.2.1.4 encourages a higher density of residential development in locations close to town centres etc.
15. PDP Chapter 4 – Urban Development seeks to ensure that urban development is coordinated with infrastructure and services, is contained within the nominated urban growth boundaries and provides for a compact and integrated urban form to limit the lateral spread of urban areas.
16. The objectives and policies within PDP Chapter 9 – High Density Residential seek to locate high density housing development in urban areas close to town centres, to provide greater housing diversity and to respond to the projected growth in visitor numbers. They also seek to efficiently utilise existing infrastructure and minimise impacts on infrastructure and roading networks.
17. The National Policy Statement on Urban Development Capacity (NPS) came into effect on 1 December 2016 and must be given effect to through the PDP. The NPS requires that local authorities provide sufficient residential and business land capacity over the short, medium and long term. Queenstown has been identified as a ‘High Growth Urban Area’ under the NPS.
18. It is noted that Council will release its evidence in relation to its Dwelling Capacity Model on 16 June 2017, therefore it is difficult to ascertain whether Queenstown requires additional dwellings to satisfy the NPS targets or not. Anecdotally, it appears that there is a rental supply problem in Queenstown (eg. employers such as NZSki having to advertise in newspapers and school newsletters for people to house their workers) and its surrounds. This is leading to high rental prices<sup>1</sup> and media stories about many people occupying single bedrooms in rental accommodation. Furthermore, Mr Phil Osbourne provided evidence on behalf of QLDC in Stream 6 that the overall affordability of the District’s housing stock is one of the lowest in the country<sup>2</sup>.
19. Further to the above, visitor accommodation is not yet addressed within Chapters 7 – 9 of the PDP and is a significant matter that is likely to be making a big impact upon both the housing supply and values within the District. Although this is not being considered as part of the Stage 1 PDP chapters, it is a factor affecting the District which the zonings and densities need to take into account at some point.
20. One method that can be used (amongst others) to ameliorate housing supply issues is to increase the permitted density of existing residential areas. Mr Osbourne outlines the economic benefits of this in his evidence as part of Stream 6<sup>3</sup> which include improved infrastructure efficiencies, reduced transportation costs, agglomeration and associated activity benefits, lower social infrastructure costs, providing more diverse lower cost housing options, greater affordability, improved land efficiencies and greater levels of ownership.
21. One method that can be used (amongst others) to ameliorate housing supply issues is to increase the permitted density of existing residential areas. Mr Osbourne outlines the economic benefits of this in his evidence as part of Stream 6<sup>4</sup> which include improved infrastructure efficiencies, reduced transportation costs, agglomeration and associated activity

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<sup>1</sup> Paragraph 3.9 of Phil Osbourne’s evidence on behalf of QLDC in Stream 6 states that there is a median rate of \$500 per week for an average 3 bedroom house in Queenstown

<sup>2</sup> Paragraph 2.5

<sup>3</sup> Paragraph 2.13

<sup>4</sup> Paragraph 2.13

benefits, lower social infrastructure costs, providing more diverse lower cost housing options, greater affordability, improved land efficiencies and greater levels of ownership.

22. Further, Mr Matthew Paetz in his s42A report<sup>5</sup> on behalf of QLDC in relation to Chapter 3 – Strategic Directions stated:

*'the strategic approach adopted in the PDP is to increase the potential for housing supply in existing urban locations to complement the existing greenfield opportunities. Intensifying in existing urban locations can take some of the pressure off greenfield locations, and has the benefit of helping to support walking, cycling and public transport modes of transport. It also contributes to greater housing diversity and choice, as not all people want to live in large houses on large sections remote from services.'*

23. Comparing the ODP and PDP zoning surrounding the Queenstown Town Centre (QTC) has found that the above approach as outlined by Mr Paetz has not resulted in any significant changes to the density surrounding the QTC<sup>6</sup>. There have been small extensions to the QTC zone along Brecon Street and around Henry Street; however the residential densities surrounding the QTC have not altered (taking into account that the ODP HDR – Subzone C is tantamount in density terms to the PDP MDR zone). Taking into account the above strategic approach outlined by Mr Paetz, the strong population growth predictions<sup>7</sup> for the District and the attractiveness of the residential land surrounding the QTC, given the views and orientation to the sun, this is surprising.

#### Location and Accessibility

24. I agree with Ms Devlin's assessment that based on the location and accessibility to the QTC that the HDR zoning of the properties is suitable. A HDR zone of the subject land would be the most efficient use of the land given its proximity to the QTC and other amenities in the area such as schools, Lake Wakatipu, churches and the like. Increased densities around a town centre can also increase the vitality of a town centre.
25. The residential properties on Park Street are located approximately 95m away from the QTC zone and can be accessed from the QTC area via a public walkway through the Queenstown Gardens (Gardens), the walkway adjacent to the Queenstown Resort College or via Coronation Drive. None of these distances to access the town centre are significant.
26. It is noted that the Park Street area is the only residentially zoned area adjacent to the QTC which is not proposed to be zoned HDR in the PDP.
27. Furthermore, it is noted that Ms Devlin has recommended acceptance of the AWS Trustees No 31 Ltd (#641), Millennium and Copthorne Hotels NZ Ltd (#679) and Dato Tan Chin Nam (#61) submissions in her s42A report which would allow the blocks between Hobart Street and Suburb Street to also be zoned HDR. This therefore creates a two block area of MDR close to the QTC which people would have to travel through HDR areas to get to.
28. Overall, taking the above into account, having land located in such close proximity to the QTC which is not zoned HDR is not considered to give effect to the goals and objectives in Chapters 3 – Strategic Direction (Goal 3.2.2.2 and its related objective and policies) and 4 – Urban Development.

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<sup>5</sup> Paragraph 7.16

<sup>6</sup> This does not include the PC50 land given that this land is no longer included within the PDP

<sup>7</sup> Outlined by Mr Osbourne in paragraphs 3.13 and 3.15 of his evidence on behalf of Council for Stream 6.

## Proximity to the Queenstown Gardens

29. The majority of the sites which are the subject of the submission are located directly opposite the Gardens with the Park Street road alignment and a row of public car parking adjacent to the Gardens in between.
30. There is a significant difference in ground level between the QTC (around Queenstown Bay) and Park Street. Given this level change and the existing planting within the Gardens, the Park Street area is not visible from the QTC. 2 – 12 Park Street are also not readily visible from the public walkway through the Gardens which links Park Street to the QTC (except for where the area of the walkway adjoins the Park Street footpath) given that the level of the walkway is below that of the road and the existing vegetation in between. 18 – 26 Park Street are very visible from within Queenstown Gardens including from the main pedestrian entrance point and the car park.
31. The HDR permitted height for flat sites is proposed to be 12m. It is acknowledged that a 12m height on the flat sites along Park Street would be different to the single and two storey built form which currently exists in the area. It is also acknowledged that the existing and future buildings on these sites will overlook the Gardens. I do not consider that overlooking of the Gardens would be a negative effect of development as this is more of a positive effect in terms of providing passive surveillance which increases safety and security. I anticipate therefore that Ms Devlin's comment in this regard was more in relation to the potential dominance effects that 12m height buildings may have on the Gardens.
32. As a user of Gardens, I consider that when you arrive at the main entrance or car park that the landscaping and pathways draw you in toward the central area of the Gardens to the ponds, the bowling club, tennis court or the frisbee golf areas and along the walkways through the middle of the gardens or around the edge of the lake. Activity and views within the Gardens are not generally orientated out toward Park Street.
33. I consider that Park Street is important as one of the main gateways into the Gardens; however, the interface between the subject sites and the Gardens and Park Street could be managed effectively through mandating good urban design rather than through a reduction in the density and height.
34. In Chapter 9, any development comprising four or more residential units requires a restricted discretionary activity consent in the HDR with the matters of discretion including:
- *'The location, external appearance and design of buildings*
  - *The extent to which the development positively addresses the street*
  - *The extent to which building may be broken down and articulated in order to reduce impacts on neighbouring properties and the public realm*
- .....'
35. Furthermore, in September 2016 the Council resolved to prepare High Density Residential Design Guidelines as part of the Stage 2 of the PDP. I expect that these design guidelines will (or at least could) incorporate provisions to support the above matters of discretion. Through the consent requirement and an assessment against the future design guidelines it is anticipated that the potential interface issues could be addressed successfully.
36. A portion of the Gardens is classified as an Outstanding Natural Landscape (ONL). The area of the Gardens located opposite 2 – 12 Park Street is not however included within the ONL. The interface between an ONL and an urban zoning requires a balance and I consider that this is best served via the abovementioned matters of discretion and design guidelines rather than application of a lower density. The Park Street alignment also provides a physical buffer between the subject sites and the Gardens which also provides relief in this respect.

### Effects on Neighbouring Properties

37. The proposed rezoning as sought by Neville Mahon does have the potential to result in interface issues between the proposed HDR sites and the adjoining MDR sites.
38. Ms Devlin notes that some of the sites which are included in the submission area could be deemed flat for the purposes of the PDP height requirements and that a 12m height limit would therefore apply. This is accepted and it is noted that other HDR standards would also allow an intensified built form compared to that within the MDR, including site coverage (65-70% instead of 45%) and continuous building length (30m instead of 16m). However, it is noted that recession planes apply for flat sites in the HDR which would ensure that any future buildings are designed to mitigate effects on the access to sunlight and dominance effects upon the adjoining properties.
39. As outlined above, any development comprising four or more residential units requires a restricted discretionary activity consent in the HDR with the matters of discretion including the location, external appearance and design of buildings and the extent to which the building is broken down and articulated to reduce impacts on neighbouring properties. As also outlined above, Council have also resolved to prepare High Density Residential Design Guidelines as part of Stage 2, through which potential interface issues could be further addressed through guidance as to suitable design characteristics.
40. In walking around the Park Street area I do not consider there to be a visible or obvious unifying character either in built form style, pattern of development or other notable characteristic. The housing stock is of varied ages, styles and standards.
41. There are three heritage features included within the Park Street / Brisbane Street blocks, however these are not within the proposed rezoning area. I also note that Chapter 26 – Heritage provides some protection of heritage features where development is occurring within its ‘setting’. The ‘setting’ is defined within Chapter 26 and includes an *‘area around and/or adjacent to a place of cultural heritage value that is integral to its function, meaning and relationships’*. It also states that the *‘setting may extend beyond the area defined by legal title, and may include a buffer zone necessary for the long-term protection of the cultural heritage value of the place’*. If any of the sites which are included within the re-zoning request are within the ‘setting’ of a heritage feature then consent may be required under this PDP rule which will therefore allow assessment of the potential effects on the heritage values of the feature and its setting.

### **CONCLUSION**

42. Overall, I consider that the proximity of the subject sites to the QTC is the most important consideration in the zoning being applied to the area. Having land located less than 100m from the QTC which is not zoned HDR does not align with the strategic goals, objectives and policies of Chapters 3 and 4 of the PDP.
43. The interface between the adjacent Gardens and the adjoining residential properties can be efficiently managed via the review of future developments through the resource consent process, taking into account any applicable matters of discretion and design guidelines.
44. I consider that the HDR zoning of the subject sites is the most suitable zoning taking into account all of the matters outlined above.



Signed 9 June 2017