

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

IN THE MATTER of the Resource Management Act 1991
(the "Act")

AND

IN THE MATTER of the Queenstown Lakes Proposed
District Plan

Statement of Evidence of

Duncan Lawrence White

For Land & Infrastructure Management Ltd

12 October 2016

1.0 Introduction

- 1.1 My name is Duncan Lawrence White. I hold the qualifications of a Bachelor of Science in Geography, a Diploma for Graduates and a Post Graduate Diploma in Science. Both of the latter two qualifications are in Land Planning and Development. These qualifications are all from the University of Otago.
- 1.2 I have over 13 and a half years experience as a planner. I have seven years planning experience with the Manukau City Council, including three years as a subdivision officer processing subdivision resource consent applications, followed by four years as an environmental policy planner undertaking district plan changes, policy development and the acquisition of reserves. For the past six and a half years I have lived in Wanaka and worked as a planner for Paterson Pitts Limited Partnership (Paterson Pitts) (formerly Paterson Pitts Partners (Wanaka) Ltd.). Paterson Pitts is a land development consultancy that undertakes a variety of rural and urban subdivision, resource consent applications and plan change work, primarily around Wanaka.
- 1.3 While this is a Council hearing, rather than an Environment Court process, I confirm I have read the Code of Conduct for Expert Witnesses contained in the Environment Court Practice Note 2014, and agree to comply with it. I can confirm that this evidence is within my area of expertise, except where I state that I have relied on material produced by other parties, and that I have not omitted to consider material facts known to me that might alter or detract from the opinions expressed.

2.0 Scope of Evidence

- 2.1 This evidence has been prepared on behalf of Land & Infrastructure Management Ltd (LIM) in support of their submission (submitter number #812) on Chapter 11 to the Proposed District Plan. This submission supported the extent of the Large Lot Residential Zone (LLRZ) and generally supported the proposed rules. The submission sought a refinement of the proposed rules within Chapter 11 to achieve:

- A minimum lot size of 2,000m² in low visibility locations.

- A lot size average greater than 3,000m² within any one application for subdivision consent.
- 4,000m² minimum lot size for locations that are highly visible from public places.
- A minimum dimension of 20m x 20m where lots are between 2,000m² and 4,000m².
- The above provisions apply to sites larger than 1 hectare at the time of notification of the Proposed District Plan.

The submission also sought two changes to the subdivision rules for the Large Lot Residential zone. These last two matters are not covered in this evidence as the hearing on the subdivision chapter (Chapter 27) has already been held.

2.2 In preparing this evidence I have reviewed the Section 32 Evaluation Report for Chapter 11 – Large Lot Residential Zone, relevant submissions and evidence from some submitters, and associated evidence from Mr Ulrich Glasner on infrastructure and Mr Garth Falconer on urban design.

2.3 In this evidence all references to the Act or the RMA are to the Resource Management Act 1991.

3.0 Minimum Lot Size

3.1 The recommendation to amend the minimum lot size in defined locations within the Large Lot Residential zone from 4,000m² to 2,000m² is supported. Specifically the recommendations to allow a density of 2,000m² along the north-side of Aubrey Road and south of Aubrey Road are supported.

3.2 LIM's submission sought that subdivision on less visible locations of the submitter's land at 507 Aubrey Road, Wanaka (amongst other locations) be provided to a minimum lot size of 2,000m².

3.3 The Section 42A report recommends that subdivision to a minimum lot size of 2,000m² be provided for within the LLRZ area on the south-side of the intersection of Anderson Road and Aubrey Road as far east as 461 Aubrey Road. The minimum lot size for the remainder of the south-side of Aubrey Road is recommended by the Section 42A report to remain at 4,000m². The site at

461 Aubrey Road is two properties west of the submitter's property at 507 Aubrey Road.

- 3.4 The recommendation for properties west of 461 Aubrey Road to be able to subdivide to 2,000m² is based on the proximity to residential zonings, their ability to be serviced (based on Mr Glasner's infrastructure evidence (para 6.2) that there is capacity (or planned capacity) for wastewater and water supply and stormwater will be disposed of onsite in accordance with low impact design principles), and Mr Falconer's urban design evidence (para 6.7) that in general the LLRZ minimum lot size could be decreased to 2,000m² without losing the transition between rural and urban environments and enable greater efficiency of land use.
- 3.5 Properties east of 461 Aubrey Road (including 461 itself) to Gunn Road were considered in the Section 42A report to be more sensitive as a result of the number of recently constructed dwellings and the raised topography.
- 3.6 LIM's submission (paragraphs 3.1 to 3.3) recognises that highly visible sites are more sensitive than locations that are of low visibility from public places. This sensitivity and increased visual prominence is reflected in the submission as it recommends a minimum lot size of 2,000m² in locations that are of low visibility and the status quo of 4,000m² in locations that are highly visible from public places and an overall lot size average greater than 3,000m².
- 3.7 LIM's submission sought that 461, 475 and 485 Aubrey Road, as well as its own site at 507 Aubrey Road have the ability to be developed in accordance with the recommendations in paragraphs 2.1. These sites have not been covered in detail in the Section 42A report. These sites and the surrounding context are shown on the plan and aerial photo in Appendix **A**.
- 3.8 The Section 42A Report considers that 461 Aubrey Road would be suitable for the reduced lot size as it adjoins the Proposed Low Density Residential zone to the south, but does not recommend it for the reduced lot size as the site is subject to a Queen Elizabeth II Open Space Covenant. The site is considered suitable for a density of 2,000m² and therefore it should be provided with this ability. Whether this ability can be implemented as a result of the QEII covenant is a non-RMA constraint, is no different to the ability to subdivide the site into

4,000m² lots under the current rules, and should not constrain appropriate zoning or development on adjacent sites.

- 3.9 Both 475 and 485 Aubrey Road share many of the same characteristics as 461 Aubrey Road in that limited areas of the site are visible from the road and future houses would be of limited visibility from Aubrey Road, or other public viewpoints. For the service and urban design reasons covered in the evidence of Mr Glasner and Mr Falconer I consider that the majority of these sites could be developed to a density of one house per 2,000m². The more elevated southern portion of 485 Aubrey Road could be developed at one house per 4,000m² as currently.
- 3.10 The site at 507 Aubrey Road has the same characteristics. The site has been subdivided (under RM160157 and works have been completed with title about to issue) with two 4,000m² sites along Aubrey Road, and a further 4,300m² at the base of the slope. Two lots of 1.1 hectares and 1.7 hectares respectively have been retained in LIM's ownership. This enables the outcomes sought in LIM's submission of retaining 4,000m² lots adjacent to the road and other visible locations and providing for 2,000m² lots in locations that are less visible.
- 3.11 In addition to being consistent with the development on 507 Aubrey Road the LIM submission is consistent with development on surrounding sites. Appendix **B** contains the details of a resource consent for the subdivision of 539 Aubrey road (just east of the submitter's property) into two lots. This consent was granted in February of this year and authorised subdivision into two lots, one of which was 2,704m² (1,974m² net of right of way) and the other of 6,430m² (5,205m² net of the right of way).
- 3.12 LIM's submission recommends retaining the current 4,000m² lot size along the more elevated southern boundary of both 485 and 507 Aubrey Roads is consistent with the current Rural Residential Zoning and proposed LLRZ. This lot size allows the transition between the Rural zone of Mt Iron with its Outstanding Natural Feature (ONF) classification to remain unchanged.

Appendix A – Site and Surrounding Context Plan and Aerial Photograph



Legend

- Large Lot Residential - 2000m²
- Large Lot Residential - 2000m² (Submission #812)
- Large Lot Residential - 4000m²
- Low Density Residential
- Rural
- Rural Residential (Operative)

Note: The above zone areas are from the Proposed District Plan - Section 42A Report - Chapter 11 Large Lot Residential Zones

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Client & Location:
Land & Infrastructure Management Ltd
 507 Aubrey Road
 Wanaka

Purpose & Drawing Title:
Submission 812 to Proposed District Plan
Proposed Zoning & Lot Size Plan

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Land & Infrastructure Management Ltd
 507 Aubrey Road
 Wanaka

Purpose & Drawing Title:
Submission 812 to Proposed District Plan
 Aerial Photo

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DECISIONS OF THE QUEENSTOWN LAKES DISTRICT COUNCIL

CHANGE/CANCELLATION OF CONSENT NOTICE CONDITIONS – SECTION 221

NOTIFICATION UNDER s95 AND DETERMINATION UNDER s104

RESOURCE MANAGEMENT ACT 1991

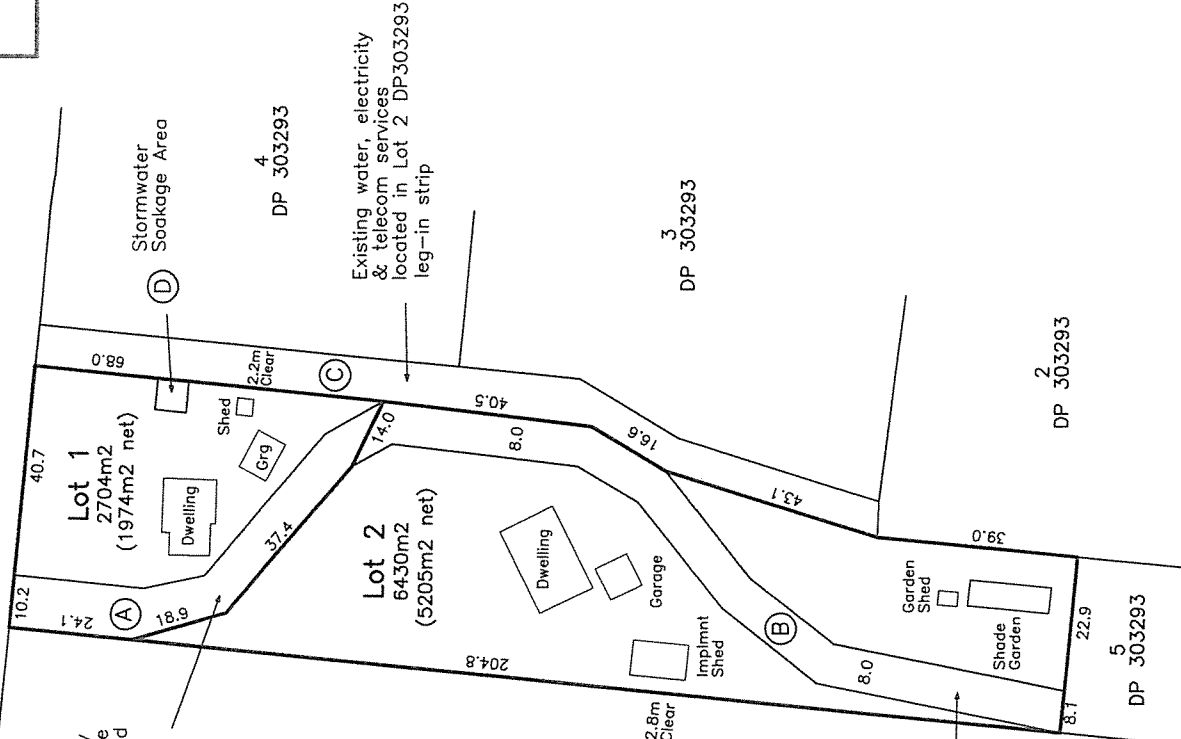
Applicant:	D Varney & E Lucas & CM Law Trustees (2011) Limited
RM reference:	RM160023
Application:	Application under Section 88 of the Resource Management Act 1991 (RMA) for a subdivision consent to create two allotments around established dwellings, with one of the allotments breaching the 4000m ² minimum lot area for the zone. Application under section 221 of the Resource Management Act 1991 (RMA), to cancel Consent Notice 5146603.12 in its entirety.
Location:	539 Aubrey Road, Wanaka
Legal Description:	Lot 1 Deposited Plan 303293 held in Computer Freehold Register 13089
Zoning:	Rural Residential
Activity Status:	Non-Complying
Decision Date	29 February 2016

SUMMARY OF DECISIONS

1. Pursuant to sections 95A-95F of the RMA the application will be processed on a **non-notified** basis given the findings of Section 6.0 of this report. This decision is made by Liz Hislop, Senior Planner, on 26 February 2016 under delegated authority pursuant to Section 34A of the RMA.
2. Pursuant to Section 104 of the RMA, consent is **GRANTED SUBJECT TO CONDITIONS** outlined in **Appendix 1** of this decision imposed pursuant to Section 220 of the RMA. The consent only applies if the conditions outlined are met.
3. Consent is GRANTED pursuant to Section 221 of the RMA, to cancel Consent Notice 5146603.12 in its entirety. This consent only applies if the conditions outlined are met.
4. To reach the decision to grant consent the application was considered (including the full and complete records available in Council's electronic file and responses to any queries) by Liz Hislop, Senior Planner, as delegate for the Council.

Aubrey Road

Right of Way
containing a 3m wide
paved driveway and
electricity & telecom
services
Lot 5 DP 303293



Right of Way
containing a 3m wide
paved driveway and
electricity & telecom
services
Lot 5 DP 303293

EXISTING EASEMENTS IN GROSS			
Purpose	Shown	Servient Tenement	Grantee
Right to Convey Water	C	Lot 2 DP303293	QLDC
Right to convey elec & locate a transformer	C	Lot 2 DP303293	Dunedin Electricity (Aurora)
Right to convey telecom	C	Lot 2 DP303293	Telecom NZ (Chorus NZ)

PROPOSED EASEMENTS			
Purpose	Shown	Servient Tenement	Dominant Tenement
ROW Right to convey elec, telecom water, sewage	A	Lot 1	Lot 2
Right to drain water	D	Lot 1	Lot 2

EXISTING EASEMENTS			
Purpose	Shown	Servient Tenement	Dominant Tenement
Right to convey elec, telecom & ROW	A	Lot 1	Lot 5 DP303293
	B	Lot 2	Lot 5 DP303293
Right to discharge stormwater	D	Lot 1	Lots 2,3&4 DP 303293
Right to convey water, elec, telecom. Right to drain stormwater & ROW	C	Lot 2 DP 303293	Lots 1 & 2 Lot 3 DP303293 Lot 4 DP303293

AND SURVEYING LTD
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Lots 1 & 2 Being a Proposed Subdivision of Lot 1 DP 303293
539 Aubrey Road, Wanaka

Notes
Areas and Dimensions Su
Drawn Date November 2015 Scale 1:1079
Job 1079