

**BEFORE THE QUEENSTOWN LAKES DISTRICT COUNCIL  
INDEPENDENT HEARINGS PANEL**

**IN THE MATTER** of the Resource Management Act 1991

**AND**

**IN THE MATTER** of submissions to the Stage 1 Proposed  
Queenstown Lakes District Council Plan by  
**Jon Waterston (Submitter 2308);**

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**Statement of evidence of ALYSON ANNE HUTTON on behalf of  
Jon Waterston (2308)**

**TOPIC 14: WAKATIPU BASIN LAND USE VARIATION**

**13 June 2018**

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## Introduction

- 1 My name is Alyson Anne Hutton (nee Schuler). I have the qualifications of Bachelor of Resource Studies from Lincoln University. I am a full member of the New Zealand Planning Institute. I am also a member of the New Zealand Resource Management Law Association. I was employed by Civic Corporation Limited (CivicCorp) and Queenstown Lakes District Council (QLDC) from 2002 . 2013, as a Policy Planner/Senior Policy Analyst. Since 2014 I have practiced as an independent resource management planning consultant. I currently provide planning services on a contract basis to Brown & Company Planning Group Ltd, a consultancy with offices in Auckland and Queenstown.
- 2 **Attachment A** contains a more detailed description of my work and experience.
- 3 I confirm that I have read and agree to comply with the Code of Conduct for Expert Witnesses contained in the Environment Court Consolidated Practice Note 2014. This evidence is within my area of expertise, except where I state that I am relying on another person, and I have not omitted to consider any material facts known to me that might alter or detract from the opinions I express.
- 4 This evidence is on behalf of Jon Waterston. I prepared Mr Waterston's submissions on Stage 1 (Submission 437) and Stage 2 (Submission 2387) of the PDP.
- 5 I have reviewed the evidence of Mr Barr, Mr Langman, and Ms Gilbert for the Council. I have read and support the evidence of Mr Baxter for the submitter.
- 6 This evidence seeks the following:
  - a. An area of rezoning from Wakatipu Basin Rural Amenity Zone (**WBRAZ**) to Wakatipu Basin Lifestyle Precinct (**WBLP**); and
  - b. Reinstatement of the development rights afforded under the Operative District Plan, and/or similar standards as the Proposed Rural Zone for development of zoned land for residential purposes.

## Proposed Rezoning

- 7 Submission (475) was made to Chapter 21: Rural Zone seeking a small portion of land be rezoned from Rural Zone to Rural Residential beyond the existing Ferry Hills Sub Zone (Stage 1 of the Plan Review).

- 8 This submission (2308) (under Stage 2 of the PDP review) seeks that a similar area of land (2.3ha) is rezoned as Wakatipu Lifestyle Precinct. The land is outside and compliant with the No Build Area (that was established through the Environment Court process) and outside the Outstanding Natural Landscape Classification Line around Ferry Hill.
- 9 My evidence is supported by landscape evidence of Mr Paddy Baxter. I support his opinion that the changes to the zone boundary are appropriate.
- 10 As described by Mr Baxter the site is located at the base of Ferry Hill, in the Wakatipu Basin. Access to 10 of the consented lots is from Tucker Beach Road which runs along the northern boundary of the site. The remaining 7 consented lots and the 2 proposed RBP~~s~~ are accessed via Hansen Road which runs along the western boundary of the site. 11 of the 17 lots have been built upon.
- 11 The reasons I support the additional zoning are as follows:
- a. The rezoning will enable additional rural residential style development (2 additional lots) of part of the subject land that is difficult to farm productively because of its location and need for access over a right of way to a private property;
  - b. The proposed RBP~~s~~ sit outside the No Build Zone that was established through the Environment Court and are setback from the ONL line;
  - c. Proposed RBP 1 is located approximately 260m from the ONL Line;
  - d. Proposed RBP 2 is located 42m from the ONL Line;
  - e. There are two existing dwellings above the 400m contour line, these are located either behind or in the background of the proposed lot;
  - f. The present landscape line does not take into account the present zone boundary and creates split zoning across lots. This is not effective or efficient for further consenting. In my experience it is preferable to contain presently zoned (for development) properties within the one zone to remove future uncertainty. Accordingly I consider using a combination of the present zoning boundaries, current and future planned development (as described in Mr Baxter~~s~~ evidence) is more a appropriate method for the zone boundary location;
  - g. The proposed RBP~~s~~ created by the rezoning can already be accessed from Graces Terrace and minimal work will be required to establish two new driveways and services;
  - h. The Design Controls proposed by Mr Baxter (Attachment C to his evidence) include matters such building height, colours and materials and tree planting. The design controls will ensure the proposed dwellings are recessive in colour and material to ensure the building will blend in with the surrounding landscape. The building heights are restricted to 4.5m (from the slab to the highest point on the roof) for the proposed dwellings that will sit above the 400m RL line.

## Wakatipu Basin Zone

- 12 I support and adopt the evidence of Jeffery Brown (Lake Hayes Investments Limited [Submitter 2291] et al) in terms of Parts 2-7 and 12 and 13 because in my view the modifications by Mr Brown are the most appropriate practicable and most effective and efficient way for achieving the WBLP objectives.

## Section 32 and Part 2 of the Act

- 13 Under Section 32 I consider that the proposed modifications to the zone boundary will meet the relevant higher order objectives of the PDP, in particular, the objectives in Chapter 3 (Strategic Direction [potentially subject to appeal]):

**3.3.22 Provide for rural living opportunities in areas identified on the District Plan maps as appropriate for rural living developments.**

**3.3.23 Identify areas on the District Plan maps that are not within Outstanding Natural Landscapes or Outstanding Natural Features and that cannot absorb further change, and avoid residential development in those areas.**

**3.3.24 Ensure that cumulative effects of new subdivision and development for the purposes of rural living does not result in the alteration of the character of the rural environment to the point where the area is no longer rural in character.**

The land has been identified as possible further development by the Environment Court. Mr Baxter supports in his landscape evidence the location of the boundary and that the land has the capacity to absorb the 2 additional lots that will be created.

- 14 On efficiency, the WBRAZ regime in the location of the proposed rezoning is inefficient. The area is effectively landlocked for farming purposes. Amenity values can be maintained and enhanced by the continuation of the native planting on site as well as the requirement of homes to be designed to strict controls (to be registered on the title for further landowners)
- 15 I consider that the rezoning achieves sustainable management under Section 5 by enabling people and communities of the District to provide for their collective well-being and safety in a manner that: sustains the potential of the natural and physical resources of the WBLP for future generations; will continue to safeguard the life-supporting capacity of air, water, soil, and ecosystems; and will avoid or mitigate potential adverse landscape effects. This is achieved through the appropriate location of the zone boundary and by the proposed design Controls to require appropriate development.

- 16 In terms of Section 6, the zone boundary is outside of the Outstanding Natural Landscape Line under subsection (b).
- 17 Various matters in Section 7 of the Act are relevant, including:
- (b) the efficient use and development of natural and physical resources;
  - (c) the maintenance and enhancement of amenity values;
  - (f) maintenance and enhancement of the quality of the environment:
  - (g) any finite characteristics of natural and physical resources;
- 18 The appropriate location of the zone boundary line contributes to the wider goal of maintaining and enhancing amenity values and the quality of the environment of the Wakatipu Basin and the efficient use of the land resource. The land (subject to certain controls) can accommodate residential development in the manner described by Mr Baxter while maintaining and enhancing amenity values. The land in the proximity of the proposed rezoning has a finite capacity for development. I consider that the proposed zone boundary location will not compromise that.

### **Summary and conclusion**

- 19 For the reasons set out above I consider that it is appropriate to rezone the additional 2.3ha of land outside of the ONL boundary and No Build Area as WBLP.

## Attachment A

### Curriculum vitae – Alyson Hutton

#### Professional Qualifications

2000:	Bachelor of Resource Studies (Lincoln University)
2012:	Post Graduate Diploma . Business and Administration (Massey University)
2008:	Full Member of the New Zealand Planning Institute
2017:	%Making Good Decisions+RMA Commissioners Certification

#### Employment Profile

##### December 2003 to Present: Self Employed Planning Consultant

Provision of resource management and statutory planning advice, strategic planning, environmental impact assessments and public liaison and consultation on behalf of property development companies, Councils and central government.

Involvement in the preparation of resource consents, plan changes, and submissions to District Plan processes.

##### February 2006 – December 2013: Senior Policy Analyst – Queenstown Lakes District Council

Project management and lead council planner for a number of policy planning processes.

Section 32 documentation, strategic planning, community consultation, processing of private plan changes, all aspects of 1<sup>st</sup> schedule planning processes for Council plan changes including participation in mediation, conferencing and appearances at the Environment Court.

##### November 2002 – February 2006: Policy Planner – Civic Corporation Ltd

June 2000 – November 2006: Employment at Beca Planning and the Bay of Plenty Regional Council.