

**BEFORE THE QUEENSTOWN LAKES
DISTRICT COUNCIL**

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 Ranch Royale Estates Ltd

(replacing Sir Clifford and Lady Marie Skeggs submission #412)

4 April 2017

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 14 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 seven years I have lived in Wanaka and worked as a planner for Paterson Pitts Limited Partnership (Paterson Pitts). 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 Ranch Royale Estate Ltd in support of submission #412 to the Proposed District Plan. Ranch Royale purchased the submission site from Sir Clifford and Marie Lady Skeggs after the close of submissions and in doing they assumed rights to the submission as successor in title. The submission relates to Lot 1 DP 303207. This area is shown in the yellow hatch on the plan in Appendix **A** and is described hereafter.

- 2.2 The submission sought that the Urban Growth Boundary (UGB) be amended to include the site and that the site be rezoned to the Three Parks Special Zone and within the Tourism and Community Facilities subzone. Subsequent to the preparation of the submission further work has been undertaken identifying possible development opportunities and constraints for the site. As a result of these investigations it is considered that the site (with the exception of the visible north-eastern face of the ridge and the southern slope) is suitable for low density residential use. The proposed zone (the Three Parks Special Zone) remains as sought in the submission and the revised relief (Low Density Residential subzone) will have less effect than the Tourism and Community Facility subzone and is considered to be within the scope of the original submission.
- 2.3 This evidence examines the objectives from the Three Parks Special Zone Low Density Residential sub-zone of the Operative District Plan (ODP) in comparison to those from the proposed Rural chapter (section 21) of the Proposed District Plan (PDP) to consider which of these represents the most appropriate way to achieve the sustainable management of the site (being the purpose of the Resource Management Act 1991) as required by Section 32(1)(a).
- 2.4 This evidence then considers whether the Three Parks Low Density Residential provisions (the policies and methods) are the most appropriate way to achieve the objectives (Section 32(1)(b)) by identifying other reasonably practicable options for achieving the objectives, and assessing the efficiency and effectiveness of the provisions in achieving the objectives.
- 2.5 This evidence has been prepared to provide the level of assessment required by Sections 32 and 32AA of the Act in relation to the provisions sought by the submissions (S32(3)) at a level of detail that corresponds to the significance of the anticipated effects from the proposed change (S32(1)(c)).

2.6 In preparing this evidence I have reviewed (amongst other documentation) the following:

- The PDP planning maps, primarily Map 18;
- S42A Hearing Report – Upper Clutha Mapping, including the S32AA evaluation of relevant recommended changes.

3.0 The Site Content

3.1 Lot 1 DP 303207 is a 7.3 hectare site situated east of Puzzling World and adjacent to the Wanaka – Luggate Highway SH84 as shown on the plan in Appendix A. The site contains a central ridge that runs in a north-west to south-east direction. This ridge blocks views into the site from the highway and means that only the northern face of the ridge and a narrow vista through the existing gate can be seen only briefly when travelling along the highway. The site contains a private short length golf course, a large house, a second house, swimming pool, tennis court and clubhouse. Access to the houses comes from the entrance on the western boundary, along a tree and shrub lined paved driveway which follows a low ridge. To the north-east of the driveway is a low flat bottomed gully. To the south of the driveway the land slopes to the south and west to Three Parks. Land to the east of the site is zoned Rural Lifestyle under both the Operative and Proposed District Plans. Land immediately to the south of the site is zoned Three Parks Special Zone with the Deferred Commercial Core sub-zone which provides for a future plan change for an alternative use. The site to the west is zoned Rural General but houses the popular visitor attraction Puzzling World which has existed on the site for approximately 40 years.

4.0 Evaluation of Proposed Objectives – Section 32 (1)(a)

4.1 The proposed planning provisions contained in the PDP relating to this site (ie the Rural zone and leaving the site outside the UGB) are a continuation of the existing ODP regime. This means that most forms of development will require resource consent through the Discretionary Activity consent processes. These processes do not prevent development of the site, nor do they provide a vision or framework for how the site might develop in the context of the entrance into Wanaka and in relation to the potential commercial development on the site

immediately to the south. Instead, the rural zoning and the absence of a definite planning framework leaves the site in a state of flux without a resource consent such as exists for Puzzling World for a specific activity and as a large and valuable parcel with limited residential use. There have been two recent proposals (including Private Plan Change 47 to rezone the site to provide for visitor accommodation and RM151043 for a two lot subdivision) to develop the site. Neither has proceeded and were withdrawn prior to hearing and determination. These indicate that the current use and zoning of the site does not provide for the sustainable management of the site and therefore does not represent a long term planning solution.

- 4.2 Rezoning the site to alternatives such as a continuation of the adjacent Rural Lifestyle zone have been considered, but are not considered appropriate in a resource management sense as a result of the site characteristics with the ridge and the site's location immediately adjacent to future urban areas. Nor is Rural Residential considered appropriate as this would be a spot zoning and not consistent with surrounding land uses and might enable development on the more sensitive highway face of the ridge.
- 4.3 The site immediately to the south provides for future commercial development (or alternative uses if deemed appropriate through a future plan change with a wider urban setting). A transition from a possible future commercial area to a rural zone is unusual as it would be usual to transition from commercial activities to residential to peri-urban then to rural zonings.
- 4.4 In relation to proposed objective 4.2.1 from the Urban Development section of the PDP (Chapter 4) development (as demonstrated in the Infrastructure Report contained in Appendix **B** to this evidence) can be provided with infrastructure and services.
- 4.5 It is proposed to locate the UGB so it follows the prominent ridgeline. The location of the UGB will discourage development on the road side of the ridge (as will the proximity to the road, road noise and topography) and protect the rural character of the entrance into Wanaka, provide a distinction between urban and rural areas, while avoiding ad hoc development (which is not prevented by the proposed Rural zoning) and not encroach on any areas of Outstanding Natural Landscape or Outstanding Features (Policy 4.2.6.1).

- 4.6 In relation to proposed policy 4.2.6.2. The submission will provide for development in a location that is considered appropriate, and the protection of the ridgeline will mean any development will not be perceived as sprawling into rural areas. Instead the proposed residential development will enable a sensitive (larger lot sizes than low density residential ie approximately 1,500 – 2,000m² lot sizes) transition into rural, with setbacks to preserve amenity, will provide for a range of housing types and not diminish the quality of views from nearby Mt Iron as these views will be seen in the context of existing urban and commercial development to the south (Three Parks) and to west the (Puzzling World).
- 4.7 In relation to the Three Parks objectives and policies, Objective 1 seeks to achieve best practice in environmental sustainability. These are design outcomes to be considered at the time of subdivision and building design but are also important for ensuring internal amenity and for low impact stormwater design (which will be required as there is no reticulated stormwater system to service this site). Objectives 2 and 3 are appropriate as the site is immediately adjacent to a deferred commercial core and connectivity (particularly for cyclists and pedestrians) should be considered as part of the design of subdivision and development.
- 4.8 Objective 4 - *Staged development which keeps pace with the growth of Wanaka and results in a high quality urban area containing a network of open spaces and a mix of compatible uses.*
- 4.1 *To ensure that development is consistent with the Wanaka Structure Plan (2007) and the Wanaka Transport Study (2007).*
- 4.2 *To avoid development that is not in accordance with the Three Parks Structure Plan or approved Outline Development Plans or Comprehensive Development Plans.*
- 4.3 *To ensure development is staged in a manner which results in a logical progression of development, the cost effective provision of infrastructure, an appropriate mix of uses, and a consolidated urban form.*
- 4.4 *To ensure that issues relating to potentially incompatible landuses are taken into account as part of the Outline Development Plan or Comprehensive Development Plan application.*

4.5 *To ensure that development and subdivision does not occur unless appropriate infrastructure is in place to service it.*

4.7 *To ensure that the open space network includes those open spaces shown on the Three Parks Structure Plan in order to provide landscaped buffers along SH84 and Riverbank Rd, to protect key landscape features, and to provide for passive and active outdoor recreation activities.*

The site is not within the Three Parks Structure Plan area, but can be covered by an Outline Development Plan (which would be developed and lodged as part of the subdivision consent). Infrastructure has been considered in a previous paragraph. A consolidated urban form and logical progression of development might be difficult to achieve in the short term, at least until the deferred commercial core develops. I also note the s42A comments about complexities in the administration of the rules in relation to this land, but consider this is a very minor issue given the limited number of resource consent applications likely in the submission area and that this is a temporary issue until such time as the Three Parks zone is reviewed.

4.9 Objective 7 and the subsequent policies seeks to create high level of residential amenity and a range of housing types, again this can be achieved through the subdivision design and layout.

5.0 Evaluation of Proposed Provisions – Section 32(1)(b)

5.1 The following section considers whether the Three Park Special zone Low Density sub-zone provisions are the most appropriate way to achieve the relevant objectives in relation to the submission area. This section also considers the costs and benefits of the proposed provisions.

5.2 The Three Parks Low Density Residential sub-zone rules were specifically designed to achieve the relevant objectives. Furthermore through Plan Change 16 these were considered to be efficient and effective in achieving the objectives. These provisions, when combined with the constraints of the UGB will result in a high level of design and amenity while preserving the rural character of the entrance into Wanaka.

- 5.3 Section 32(2)(a) requires the identification and assessment of the anticipated benefits, costs, and the environmental, economic, social and cultural effects of the proposal.
- 5.4 The proposed Low Density Residential sub-zone zone extension will provide an increase in the residential land availability in a consistent and logical location adjacent to current and future urban and commercial development. This will assist in providing a supply of residential land. The rezoning will provide for economic benefits to existing owners, enabling them to provide for their economic wellbeing and provides additional economic and employment activity during the development and construction phases. Residential development on this site would enable Council to collect additional development contributions to recover the costs associated with growth and rates for ongoing operation of physical infrastructure and other services. Residential development also provides the opportunity for more efficient use of infrastructure, primarily the wastewater network. The costs of infrastructure upgrades will be borne by the developers, with the majority of infrastructure remaining in private ownership.
- 5.5 Environmental and social effects of the proposal are expected to be limited. No sites of cultural significance would be affected by the proposal and no cultural effects are anticipated as a result of the proposal.
- 5.6 Section 32(2)(c) requires an assessment of the risk of acting or not acting if there is uncertain or insufficient information about the subject matter of the provisions. In the case of the proposed Low Density Residential zone in the submission area there is very limited uncertainty and sufficient information in order to make a decision on the submission. The risks associated with the zoning sought are very low as it is an existing zoning, with provisions that are the same as those contained in the ODP, in an area already developed to a similar density and adjacent to areas zoned or consented for urban and commercial activities or Rural Lifestyle use zoned area. The likely outcome of the residential zone sought can be predicted with some accuracy and would be approximately 15 more houses/lots. As the environmental conditions are already known and well understood the level of risk associated with the proposed rezoning is very low.

6.0 Efficiency and Effectiveness of Provisions

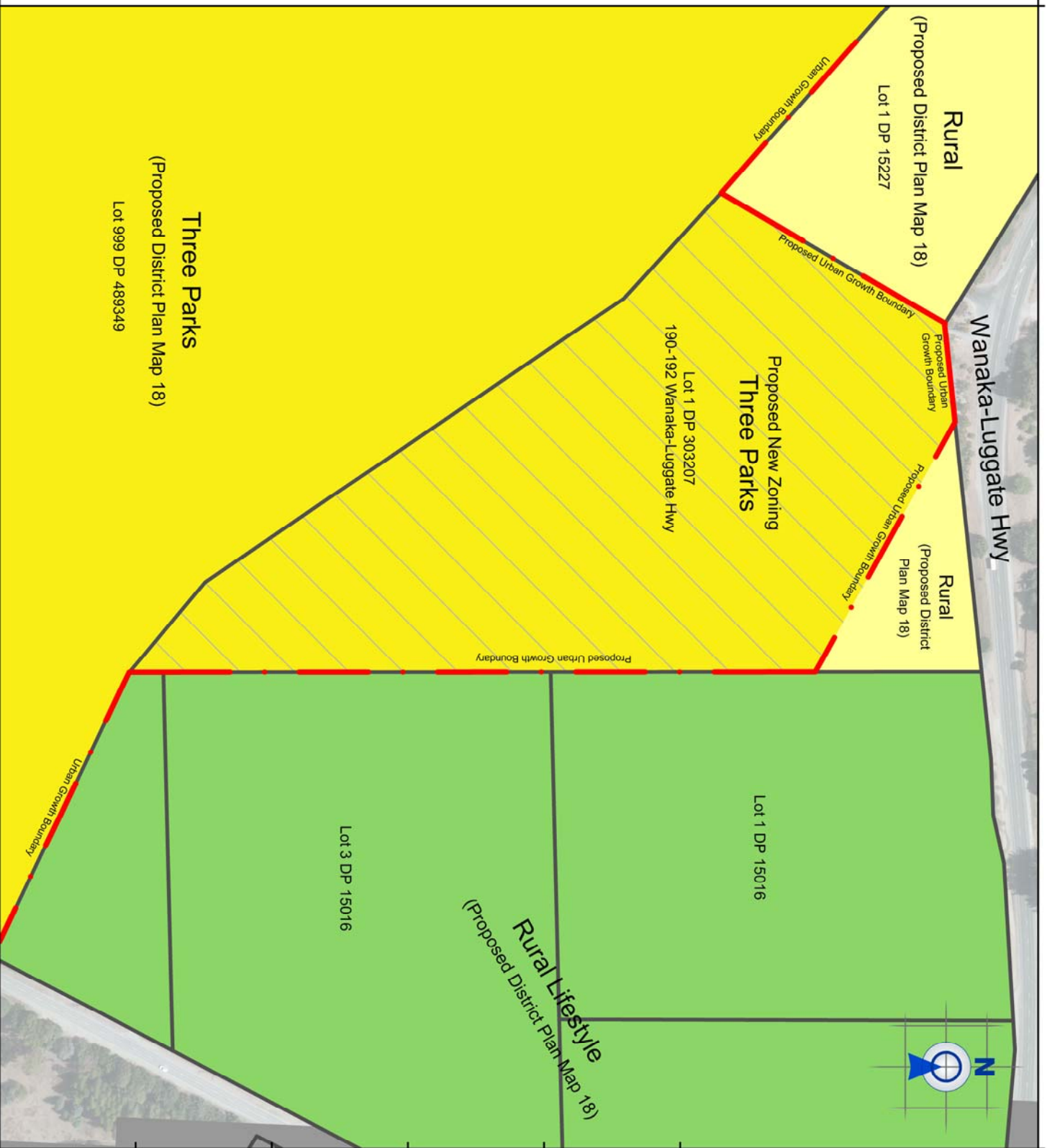
- 6.1 The provisions have already been considered through the S32 and S32AA assessments and commissioners' deliberations on Plan Change 16 (Three Parks) to be efficient and effective and in the case of the UGB this consideration will occur through the deliberations on the PDP. These rules would continue to be efficient and effective on the subject site.
- 6.2 The Low Density Residential provisions combined with the UGB provides certainty of outcome for landowners, adjacent owners and Council as they provide a minimum lot size and maximum development density. This is compared with the proposed Rural provisions that do not provide a minimum lot size or maximum density as almost all subdivision and building platform applications require resource consent application as a Discretionary Activity. Consequently the Low Density Residential provisions are considered more efficient and effective than the proposed Rural provisions.

7.0 Conclusions

- 7.1 Submission #412 from Ranch Royale Estate Ltd relates to the site at 190-192 Wanaka – Luggate Highway. This submission sought that the Urban Growth Boundary (UGB) be amended to include the site and that the site be rezoned to the Three Parks Special Zone and within the Tourism and Community Facilities sub-zone. The relief sought has been amended as a result of subsequent investigations such that the Urban Growth Boundary be located so as to exclude the visible road face of the ridgeline and to prevent development in the area that would remain outside that line. Instead of the Tourism and Community Facilities sub-zone it is now proposed to rezone the land that would be within the Urban Growth Boundary to Three Parks Special Zone – Low Density Residential sub-zone.
- 7.2 This evidence considers these submissions against the requirements of Sections 32 and 32AA of the Act. It is considered that the objectives relating to the Urban Growth Boundary and the relevant Three Parks residential objectives are more appropriate to achieve the sustainable management of natural and

physical resources in the submission area than those of the proposed Rural chapter and would be efficient and effective in achieving sustainable management.

- 7.3 The proposed provisions avoid inappropriate development on prominent areas of the site, avoid causing adverse changes in landscape character and associated visual amenity. As a result there will be limited adverse environmental effects, no cultural effects and some social and economic benefit benefits arising from the proposal.
- 7.4 The risks of acting or not acting have also been considered. It is considered that there is very limited uncertainty and sufficient information in order to make a decision on the submissions. The risk associated with the zoning sought is very low as it is an existing zoning in an area that will over time develop a commercial character in addition to the existing commercial activity on the adjacent Puzzling World site.
- 7.5 As a result of the above it is sought that the submission be adopted and that the Urban Growth Boundary and the Three Parks Special Zone Low Density Residential subzone be extended to include the identified part of the subject site.



- Lot Boundaries
- Urban Growth Boundary
- Rural Lifestyle Zone
- Three Parks Zone
- Rural Zone

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Client/Location:
Lot 1 DP 303207
190-192 Wanaka-Luggate Hwy

Purpose/Drawing Title:
Proposed Zone Change

Surveyed by:	Original Size:	Scale:
Designed by:	A4	1:300 @ A4
Drawn by:	TRG	
Checked by:	DW	
Approved by:	DW	
Job Ref:	Sheet No:	Revision No:
W5232	100	A
		Date Created:
		28/03/2017



INFRASTRUCTURE REPORT

190-192 Wanaka Luggate Highway, Wanaka

PROJECT: 190 – 192 Wanaka Luggate Highway

PRINCIPAL: Ranch Royale Estates Ltd

OUR REF: W5232

DATE: 2 April 2017

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REVISION / APPROVAL PANEL

Rev:	Date:	Prepared By:	Reviewed By:	Comments:
A	02/03/17	MJB	DLW	Original issue

CONTENTS

1. SCOPE 3

2. PROPOSED INFRASTRUCTURE 4

 2.1 General 4

 2.2 Water Supply 4

 2.3 Wastewater 4

 2.4 Stormwater 4

 2.5 Network Utility Services 5

 2.6 Access 5

3. Conclusion 6

1. SCOPE

This report has been prepared to provide servicing information to support submission #412 to the Proposed District Plan. This area is shown on the plan in Appendix A. This report covers the following infrastructure issues.

- Natural Hazards
- Water Supply
- Wastewater
- Stormwater
- Network Utility Services (electricity and telecommunications)
- Access

2. NATURAL HAZARDS

2.1 Council Hazard maps

The council hazard maps identify this land as LIC1 as nil to low risk of liquefaction.

2.2 Flooding / Inundation

The site is generally located on a slope with a small upstream catchment. Along the northern boundary the state highway cuts off any runoff from the slopes of Mt Iron. There is a localised depression immediately adjacent the state highway boundary that has potential to be subjected to minor ponding. This is located in an area of the site which is unlikely to be developed given its proximity to the state highway.

Immediately above the depression along the northern boundary the ground rises up relatively steeply to a low ridge line that then dips away to the southern part of the site.

In the middle part of the site below the ridgeline is another shallow depression which has the potential for some localised ponding to occur. The catchment contributing to this area originates from within the site and is relatively minor.

The ground then rises up slightly to another shallow ridgeline before dipping away to the south.

Given the size of the catchment within the site and that the site is mostly unaffected from flow outside the site, it is considered that overland flows can be managed by standard subdivision design techniques and the provisions of E1 to the Building Code. Appropriate mitigation of localised ponding within the site will be possible utilising low impact stormwater disposal techniques.

3. PROPOSED INFRASTRUCTURE

3.1 General

It is anticipated that all infrastructure for development would be designed and constructed in accordance with Council's infrastructure standards – "Land Development and Subdivision Code of Practice" adopted June 2015 and any subsequent amendments.

3.2 Water Supply

Extension of Council's town water supply to the site will be possible once Three Parks is developed and reticulation extended to adjacent properties as required by Council's engineering infrastructure standards. It is anticipated that this will allow a standard residential FW2 level of service to be provided to the site given its elevation is only just slightly higher than the adjacent Three Parks site.

Depending on the final density of residential development achievable onsite alternative use of an onsite water bore may be possible.

3.3 Wastewater

Extension of Council's waste water network to the site will be possible once Three Parks is developed and reticulation extended to the upstream catchments as required by Council's engineering infrastructure standards. As the site is elevated above the adjacent Three Park development there is no restriction on achieving a gravity waste water solution to the site.

Depending on the final density of residential development achievable onsite the alternative use of low pressure waste water pumping is also possible. In this case waste water could be pumped back down the state highway to the nearest waste water manhole located in the state highway berm opposite the Mt Iron carpark. Installation of a low pressure pumping main at minimum depth with minimal disruption to the existing highway berm is easily achievable given the space available. An example of this is the adjacent Puzzling World site which installed a low pressure discharge system with NZTA approval by way of a right to occupy to convey waste water to Council's reticulated network.

3.4 Stormwater

There is no Council reticulated stormwater servicing the site. It is anticipated that specific engineering investigation will need to be undertaken at the time of development to design stormwater systems for lots and roads to dispose of stormwater to ground. Given the size of the site and the relatively low density residential uses proposed by the submission and the amount of permeable surface it is considered that there is sufficient space to provide onsite low impact stormwater disposal and ensure that there is no increase in runoff from pre-development levels that may leave the site.

3.5 Network Utility Services

3.5.1 Electricity

There is existing electrical reticulation to the area of single phase 15kVA. In my experience I expect that Aurora will be able to supply power to residential development on this site in accordance with this standard.

3.5.2 Telecommunications

In my experience I expect that Chorus will be able to supply reticulated telecommunication connections to future residential development on the subject site.

3.6 Access

The site has an existing access point to the Wanaka Luggate Highway in the site's north western corner immediately adjacent the entrance to Puzzling World. This currently allows the existing house and manager's residence to gain access to the state highway. Upgrading of the site entrance to NZTA standards for additional users will require discussions with NZTA and Puzzling World in order to rationalise the existing access point to both the subject site and Puzzling World.

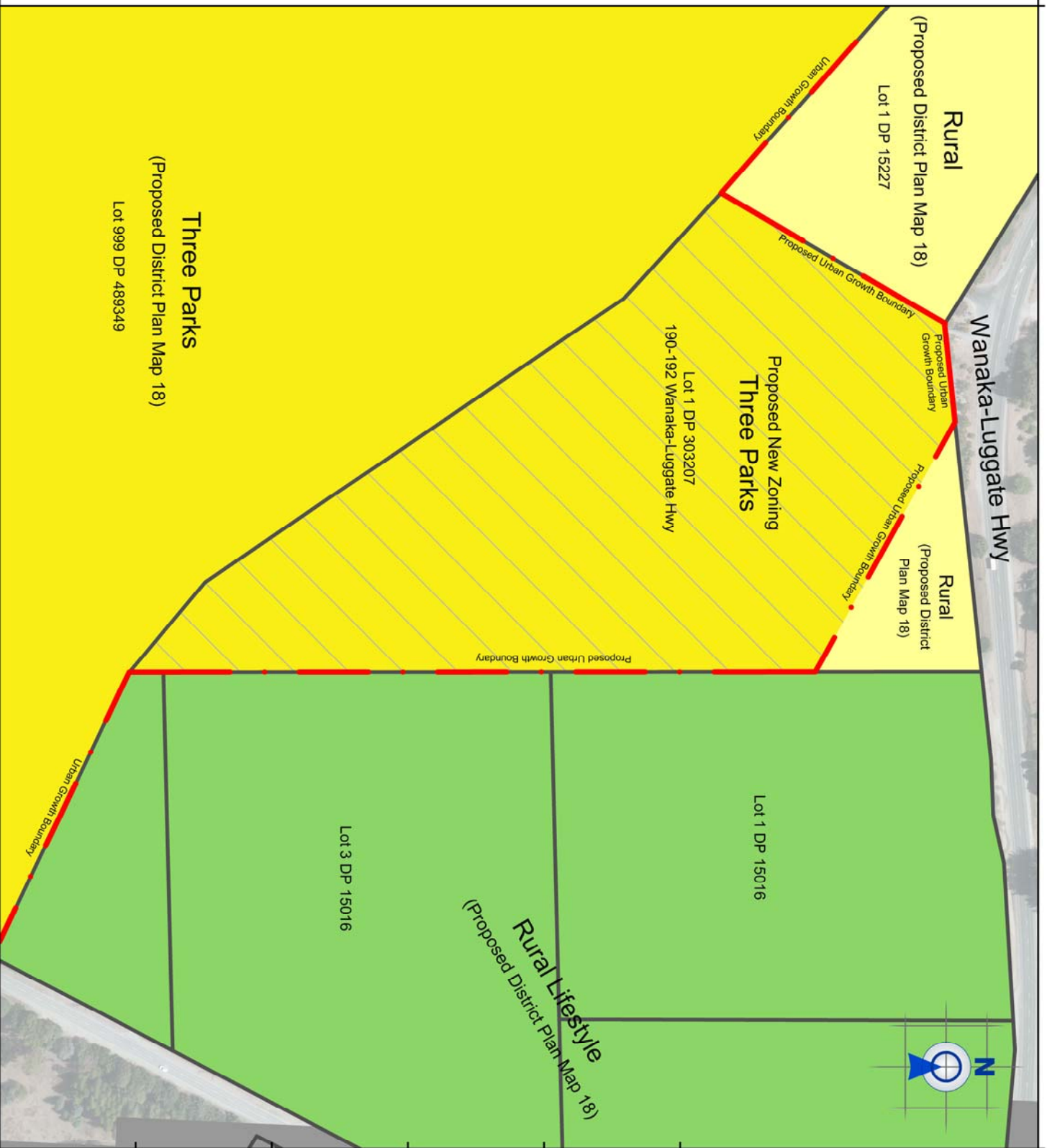
An alternative access to the site could be attained via a new site entrance at the northeast corner of the site. There is separation of 205m from the Puzzling World site entrance which exceeds NZTA's minimum spacing between accessways of 100m. There is sufficient visibility in both directions in excess of 203m which is NZTA's minimum sight visibility for an accessway off an 80km state highway. Part of the existing depression immediately adjacent the northern boundary would require earth working to fill in part of the depression in order to create a suitable site entrance at this point. Appropriate screening would also likely be required to prevent visual effects on the state highway as the site entrance, once inside the site, would have to curve and run at an oblique angle to the State highway in order to traverse the upslope of the low ridgeline into the site. Though requiring careful design, this alternative site entrance and access into site is technically feasible.

Other alternative access would require access through a neighbouring site(s). These would require specific investigation and negotiation with neighbours, but are technically feasible.

4. Conclusion

Development within the submission area can be serviced in accordance with Council's District Plan and Land Development and Subdivision Code of Practice. Specific design issues can be identified and resolved at the time of resource consent or specific engineering design and approval (if necessary). There are no engineering or servicing issues that would preclude the subject area being rezoned from Rural to Three Parks – Low Density Residential.

Mike Botting
Registered Professional Surveyor
Paterson Pitts Limited Partnership



- Lot Boundaries
- Urban Growth Boundary
- Rural Lifestyle Zone
- Three Parks Zone
- Rural Zone

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Client Location:
Lot 1 DP 303207
190-192 Wanaka-Luggate Hwy

Purpose/Drawing Title:
Proposed Zone Change

Surveyed by:	Original Size:	Scale:
Designed by:	A4	1:300 @ A4
Drawn by:	TRG	
Checked by:	DW	
Approved by:	DW	
Job Ref:	Sheet No:	Revision No:
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		Date Created:
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