

**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  
Otago Foundation Trust Board

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**STATEMENT OF EVIDENCE OF ALYSON ANNE HUTTON  
ON BEHALF OF OTAGO FOUNDATION TRUST BOARD**

**(SUBMITTER 408)  
STREAM 13**

**9 JUNE 2017**

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## 1 Introduction

- 1.1 My name is Alyson Anne Hutton (nee Schuler). I have the qualification of Bachelor of Resource Studies from Lincoln University (2000). I also have a post graduate diploma in Business and Administration from Massey University (2010). I am a full member of the New Zealand Planning Institute and am a member of the New Zealand Resource Management Law Association. I am also an accredited RMA Commissioner.
- 1.2 I am a self-employed planner. I currently provide planning services on a contract basis to Brown & Company Planning Group as well as providing planning services to my own clients. Previously I worked for Queenstown Lakes District Council (2006-2013), Civic Corporation (2002-2006), Beca Carter Hollings & Ferner (2001-2002) and the Bay of Plenty Regional Council (2000-2001).
- 1.3 **Attachment A** contains a more detailed description of my work and recent experience.
- 1.4 I have complied 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.
- 1.5 This evidence is in relation to the Otago Foundation Trust Board (“the Board”) submission (submission 408).
- 1.6 I prepared the Board’s original and further submissions in relation to Stage 1 of the Proposed District Plan Review.
- 1.7 I have previously prepared evidence on the wording of the proposed Medium Density Zone as part of Stream 6. This dealt with the other parts of the submission lodged not covered in this evidence (goals, objectives and policies of the Medium Density Zone).

- 1.8 I have read the Section 42A report prepared by Kimberly Banks dated 25 May 2017, and the Strategic Overview and common themes evidence by Kimberly Banks also dated 25 May 2017. I have also read the relevant excerpts from other experts in terms of relevant background information (landscape, services etc.) that relate to the Board's submission.
- 1.9 My evidence covers the following sections:
- (2) Overview of the submission and the board's aspirations
  - (3) Background to the Submission – Proposed Plan Process
  - (4) The Board's submission
  - (5) Council's Section 42A report and Evidence
  - (6) Further Submissions to the Board's submissions
  - (7) Section 32 of the Act
  - (8) Part 2 of the Resource Management Act
  - (9) Conclusion

## **2 Overview of Submission and the Board's aspirations**

- 2.1 The Board has a sale and purchase agreement with the Hansen Family Partnership to purchase approximately 2.9ha of land on the northern side of State Highway 6 in Frankton on land promoted by the Council to be zoned Medium Density Residential as part of the Proposed District Plan (Stage).
- 2.2 A resource consent application has been prepared by Rosalind Devlin (RM170105) to build a church, residential accommodation and other related activities on the land. The consent is currently being processed by the Council and will be publically notified around the time of the hearing of this evidence. The consent is Stage 1 of the Church's development and makes optimum use of the site within the constraints of the Outstanding Natural Landscape Line, the Transmission Lines and the Airport's Outer Control Boundary.

- 2.3 The consent has been considered by the Queenstown Urban Design Panel and their report is attached as **Attachment B**. I discuss the suggestions made in the report later in my evidence.
- 2.4 Mr Geoff Maunsell has also prepared evidence on behalf of the Church. His evidence covers the Church's vision, proposed lands uses and the contract on the land.

### **3. Background to the Submission – Proposed Plan Process**

- 3.1 The area on the north side of the State Highway has long been considered as important in terms of its future zoning. The "4th leg" of the roundabout at the Eastern Access roundabout was designed so that both future development on the northern land as well as a safe connection to Quail Rise could be provided for in the future. During my time as a Council employee the policy department had recommended that a Council led structure plan process be undertaken by the Council and landowners to structure plan appropriate locations for roads, landscaping and the appropriate zoning for this land. I believe this work-stream was "parked" when another approach was taken to the District Plan review (splitting it into stages etc).
- 3.2 In 2015 consultation was undertaken with the owners of land in the vicinity of the submitter in the form of letters (9 February 2015 and 1 May 2015)<sup>1</sup>. **Attachment D** to this evidence contains a letter (dated 23 April 2015) from Matthew Paetz (former District Plan Manager) discussing the potential rezoning of the land and seeking comment from landowners. Of note the letter contains the following paragraph:

*"The proposed Medium Density zone would provide for minimum section sizes of 250 square metres, although housing development of a density greater than this could be achieved if a land use / subdivision consent was lodged under this proposed zoning. The zone would enable consideration of community facilities such as churches and daycare centres, as well as visitor accommodation (e.g. motels), however would not generally promote commercial retail activity."*

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<sup>1</sup> Page 29, Queenstown Lakes District Council, Section 32 Evaluation Report, Medium Density Residential Zone.

Though the letter did not highlight the presence of the Air Noise Boundary (OCB) as identified through the Plan Change 35<sup>2</sup> process, the Board was well aware of the implications of this line from its advisors. Nevertheless there are still opportunities to effectively utilise the land within the constraints of the OCB. The resource consent applied for (RM170105) uses the land strategically and places ASANs (Activities Sensitive to Airport Noise) outside of the boundary while promotes land within the boundary for recreation, landscaping, offices and car parking. This represents an effective use of the land.

3.3 The Council’s Section 32 addressed the rezoning of the site supporting the Proposed District Plan (Stage 1).

*“The Medium Density Residential Zone has been established to identify locations in Queenstown, Frankton, Wanaka and Arrowtown that are considered suitable for higher density development, and to support this through more enabling provisions which simplify the regulatory process”.*<sup>3</sup>

Section 8 provides a context of the proposed zone locations<sup>4</sup>.

Frankton (Sh6)	<p>The identified MDR Zone in Frankton (SH6) contains the following attributes which support increased density:</p> <ul style="list-style-type: none"> <li>- Opportunities for greenfield land development, resulting in favourable development yield and opportunities for affordable housing</li> <li>- Proximity to the Five Mile development, including future commercial services, amenities and public transport connections.</li> <li>- Proximity to Frankton Local Shopping Centre Zone</li> <li>- Proximity to existing trail networks</li> <li>- Proximity to community facilities including schools and childcare.</li> </ul>
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3.4 The Board submitted in support of the Zone (being rezoned as Medium density) for all of their land and has prepared evidence for the Stream 6 hearing. It comes as a

<sup>2</sup> Plan Change 35, Queenstown Airport Air noise Boundaries to the Operative Queenstown Lakes District Plan

<sup>3</sup> Page 6, Queenstown Lakes District Council, Section 32 Evaluation Report, Medium Density Residential Zone.

<sup>4</sup> Queenstown Lakes District Council, Section 32 Evaluation Report, Medium Density Residential Zone.

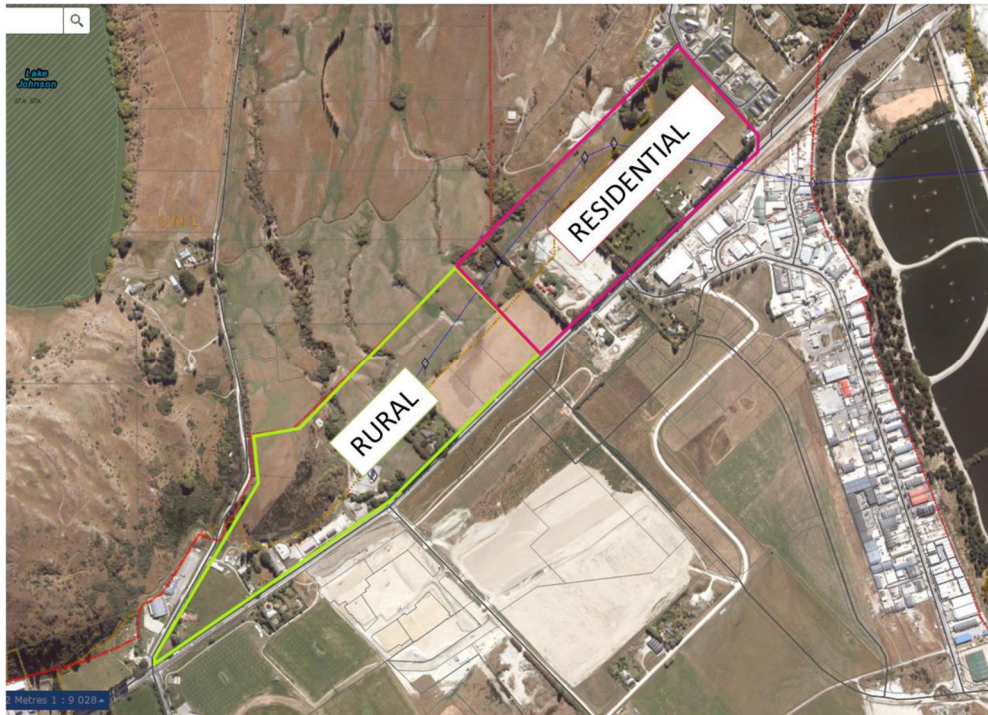
surprise that Ms Banks has now recommended that the Rural Zoning be reinstated. Though two submitters submitted in support of rural zoning none of the landowners within the proposed rezoned land submitted that the zoning should remain as rural zoning. Ms Banks recommends that the land to the east of the Eastern Access Road be zoned High Density Residential.

3.5 She considers an appropriate zoning framework to be comprised of the following, and this is illustrated in the figures below:

- (a) land within the ONL – rezoned from MDRZ to Rural;
- (b) land located between Hansen Road and the EAR, and located within the OCB are to be rezoned to Rural;
- (c) land located from the EAR east to Ferry Hill Drive, and outside of the OCB, are zoned for residential activities; and
- (d) provisions are established in the PDP to ensure the matters identified in paragraph 4.8 [transport, landscaping, parking, effects on the state highway, infrastructure, sound insulation] are addressed.<sup>5</sup>

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<sup>5</sup> *Kimberly Banks, Section 42A Report/Statement of Evidence Group 1B Queenstown Urban – Frankton and South, 25 May 2017, Page 64, Paragraph 4.39*



- 3.6 I believe that leaving the underlying zoning for the area of land from west of the Roundabout as rural is inappropriate because the rural zone forecloses the opportunity for the future uses and demands for this strategically located area. Given the small title ownerships of land along the state highway there is little if any chance that the land will be activity farmed. If the new road is developed (discussed in my paragraph 5.5) the land will be effectively landlocked.
- 3.7 Given the Rural zoning provides for any buildings as a full discretionary use, and commercial uses are non-complying it can be predicted any viable activities will be applied for all along the highway on an ad hoc basis. This leaves no opportunity for logical, integrated planning and is contrary to sound resource management. In my view it is also disappointing that the Council spent significant resources in planning the Frankton Flats (B) zone in order to optimise landuse opportunities in another constrained land area (OCB, foreground to the ONL etc.) but leaving the northern side of the state highway up to non-complying and piece-meal resource consenting, at the entrance into Queenstown.

- 3.8 Stage 1 of the Board’s development for the Church was presented to the Urban Design Panel in December 2016. The review was positive and is attached as **Attachment B** to this evidence.

*“The Panel wishes to thank the applicant for attending the meeting and explaining the proposal. Overall the Panel is impressed with the concept, noting it is clever thinking to address the Church wants and needs against restricted site constraints.*

*The Panel also wishes to complement the applicant in including a diverse range of accommodation types in the residential component, noting the inclusion of terrace and semi-detached dwellings plus the inclusion of senior housing and hostel accommodation. The Panel encourages this type of approach to residential development, proposing that it has the potential to achieve more successful community residential outcomes.”*

- 3.9 In terms of design the Panel were supportive and commented that the church will be a defining feature in a prominent location.

*“The Panel felt the scale through the site was good, with the hostel and courts building with the church at opposing ends providing a positive book end approach to the composition. The Panel considers that the church will be a defining feature in a prominent location. It was suggested that, if it were possible, placing the Church closer still to the roundabout could help to create a landmark feature and further characterize the site, though does acknowledge there are airport considerations that may restrict this.*

*In terms of the scale of the buildings, could the church and hostel each be bigger, particularly if moving the church closer to the roundabout is problematic? Suggestions of a 3-level hostel (9-9.5m) and larger church building to match (e.g. 12m Church building).”*

- 3.10 The consent was prepared with knowledge of the constraints of the site and notes that the Church’s wants and needs are provided within the site constraints. Ms Banks refers to the



resource consent but does not discuss the Board's use of the site in her evidence, only stating what the Church are seeking.

#### 4. The Board's Submission

- 4.1 The Board submitted that the entire area of the subject land be rezoned as Medium Density Residential Zoning, including that part of the land that is within the Outer Control Boundary. The land is within the proposed Urban Growth Boundary (UGB) and should logically be rezoned for urban purposes.
- 4.2 Rezoning the entire area as Medium Density Zone will not change the ability to prevent inappropriate activities on land not deemed appropriate for development (i.e. within the Outer Control Boundary (OCB) and the Outstanding Natural Landscape Boundary (where it is determined by this hearing). The Medium Density zoning will allow development that can fit in the constraints of the land and allow it to be used in the most efficient way possible. Efficiency is an important requirement of Section 32 of the Act, as well as being an important attribute in the use of land in the Frankton area. I will return to this later in my evidence.
- 4.3 The specific submission points on the Medium Density Zone (as submitted) were as follows:

<i>Zone Purpose</i>	<i>The Medium Density Residential Zone has the purpose to provide land for residential development at increased densities. In conjunction with the High Density Residential Zone and the Low Density Residential Zone, the zone will play a key role in minimising urban sprawl and increasing housing supply. The zone will primarily accommodate residential land uses, but may also support limited non-residential activities where these enhance residential amenity or support and an adjoining Town Centre, and so not impact on the primary role of the zone to provide housing supply. <b><u>These non-residential activities may include community facilities such as churches which contribute to the urban fabric of an area by providing amenity, public spaces and accessibility.</u></b></i>
<i>Policy 8.2.7.5</i>	<i>Low impact approaches to storm water management, on-site treatment and storage / dispersal approaches are enabled to limit demands on public transport infrastructure networks <b><u>where practical.</u></b></i>
<i>Objective 8.2.8</i>	<i>Support</i>

- Policy 8.2.8.2 Delete this rule as follows: ~~Ensure any community uses or facilities are of limited intensity and scale, and generate only small volumes of traffic.~~
- Objective 8.2.11** The development of land fronting State Highway 6 (between Hansen Road and Ferry Hill Drive) provides a high quality residential environment, with supporting community facilities which is sensitive to the its location at the entrance to Queenstown, minimises traffic impacts to the State Highway network and is appropriately serviced.
- Policy 8.2.11.1 Intensification does not occur until adequate water supply services are available to service the development, Council will include its provisions within the LTP as a priority.
- Policy 8.2.11.2 A stormwater ~~network~~ design is provided that utilises on-site treatment and storage / dispersal approaches, and avoid impacts on the State Highway network.
- Policy 8.2.11.3 Support.
- Policy 8.2.11.4 ~~Safe and legible transport connections are provided that avoid any new access to the State Highway, and integrates with the road network and public transport routes on the southern side of the State Highway 6. The only new access to the zone will be via a northern connection to the Eastern Arterial road roundabout to ensure integration with road network and public transport routes on the southern side of State Highway 6.~~
- ...
- Policy 8.2.11.5 The design of any road or vehicular access within individual properties is of a form and standard that accounts for long term traffic demands for the area between Hansen Road and Ferry Hill Drive, and does not require the need to subsequent retrofitting or upgrade.
- Policy 8.2.11.6 A safe and legible walking and cycling environment is provided within the area. ~~that:~~
- ~~— Links to external network and pedestrian and cyclist destinations on the southern side of State Highway 6 (such as public transport stations, schools, open space, and commercial areas) along the safest, most direct convenient routes\~~
  - ~~— Is of a form and layout that encourages walking and cycling~~
  - ~~— Provides a safe and convenient waiting areas adjacent to the State Highway, which provides shelter form the weather~~

~~— Provides a direct and legible network.~~

*Note: attention is drawn to the need to consult with the New Zealand Transport Agency (NZTA) to determine compliance with the policy.*

*Policy 8.2.11.7 Support.*

4.4 The reasons for the support and the modifications of the proposed zone are:

- a. The zone purpose as was drafted did not elaborate on the importance of the location of non-residential activities within the urban residential environment. There are a number positive attributes that community facilities (such as churches) can bring to a residential environment, including for the social and cultural wellbeing of the community.
- b. The changes made to Objective 8.2.11 highlights that the land in question (between Hansen Road and Ferry Hill Road) would be an appropriate place for residential activities and supporting community facilities. A community facility such as a church will contribute positively to a quality entrance into Queenstown.
- c. Policy 8.2.11.1 does not enable developers to have any influence over the Council water supply. The addition to this policy directs Council to include this in its planning and funding framework. As the Council rezones additional land for residential and other purposes it should also be prioritising the infrastructure provision at the same time. The cost of that is then recovered through the development contributions paid by developers.

The proposed changes to the policy (Policy 9.2.8.1)<sup>6</sup> indicated by Ms Banks are more appropriate and seek the encouragement of low impact stormwater design, this presumes that low impact design is not possible in all situations. In turn I support the Policy 9.2.8.1

**9.2.8.1** *Encourage low impact stormwater design that utilises on-site treatment and storage / dispersal approaches, and avoids impacts on the State Highway network.*

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<sup>6</sup> Kimberly Banks, Section 42A Report/Statement of Evidence Group 1B Queenstown Urban – Frankton and South, 25 May 2017, Appendix 1, revised Chapter 9 High Density Chapter 2 Definitions.

- d. The New Zealand Transport Agency consider any new road accesses carefully along this portion of State Highway 6, and it is better that all access (to connect to existing roads) will be via the roundabout at the Eastern Access Road. Amended Policy 9.2.8.3 reflects this.<sup>7</sup> It should be noted that the Board has approval in principle from NZTA for direct access off SH6 for Stage 1 for the church's development. This access will be closed once the 4<sup>th</sup> leg of the roundabout has completed.
- e. Policy 8.2.11.6 (Amended recommended policy 9.2.8.5<sup>8</sup>) requests planning and consideration of a number of links that would be outside of the ability of a single landowner to influence; this is the role of the Council and/or NZTA.
- f. Policy 8.2.8.2- The submission recommended deletion of this policy. I consider that is no need to limit the size, intensity, scale and limit development to generate only small volumes of traffic. The location of the development near a State Highway roundabout brings the potential to cater for increased traffic for both residential and other non-residential activities that are appropriately located within this zone.

4.5 Ms Banks has proposed that half of the proposed land area north of the Stage Highway to rezoned Rural while the other half (east of the Eastern Access Road roundabout) be rezoned as High Density with the following site specific changes. I believe that her reason for the zoning to High Density was that the land is not constrained by the Outer Control Boundary and to increase possible housing supply.

## **5.0 Council's Section 42A Report and Evidence**

5.1 The planning recommendation by Ms Banks seeks the Rural zoning of the land. Her evidence is brief and does not provide any rationale for the appropriateness of Rural Zoning and there is no supporting Section 32 analysis for the rezoning back to Rural.

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<sup>7</sup> Kimberly Banks, Section 42A Report/Statement of Evidence Group 1B Queenstown Urban – Frankton and South, 25 May 2017, Appendix 1, revised Chapter 9 High Density Chapter 2 Definitions.

<sup>8</sup> Kimberly Banks, Section 42A Report/Statement of Evidence Group 1B Queenstown Urban – Frankton and South, 25 May 2017, Appendix 1, revised Chapter 9 High Density Chapter 2 Definitions.

- 5.2 Council's assessments and recommendations note that the zoning proposed by the Board is not opposed in terms of Ecology, Infrastructure and Traffic and is opposed in part in terms of Landscape.
- 5.3 The landscape comment by Dr Read notes that she does not oppose the rezoning of land in this location outside of the ONL line. There are various ways in which zone boundaries can be created, such as via topographical changes, lot boundaries, roads. Given the land in question is already compromised by the location of the high tension power lines it could be seen as logical compromise to utilise the toe of the hill for development. This is supported by the comments made by the Urban Design Panel in terms of use of land and *"that the toe area at the base of the hillside at the rear of the site to be developed more to gain a bit of height across the site"*.
- 5.4 In relation to landscape values, I agree with the landscape evidence provided by Mr David Compton-Moen on behalf of the Church in support of their resource consent, which states that the residual landscape and visual effects of the proposed Stage 1 of the Church's development are less than minor. This is **Attachment C** to this evidence.
- 5.5 Ms Bank's evidence includes discussion on the Council's application for funding under the Central Government's Housing Infrastructure Fund. This was dealt with in the Public Excluded part of the 24 March Council meeting so I do not know the context or the background that was presented to the Government for this. I do find it strange that on one hand Council is promoting a roading connection to Hanson Road off the 4<sup>th</sup> leg of the roundabout but on the other hand is promoting it as Rural Zoning. That decision makes it more likely that that area of land between the proposed new road and the State Highway is unlikely to be used for rural purposes.

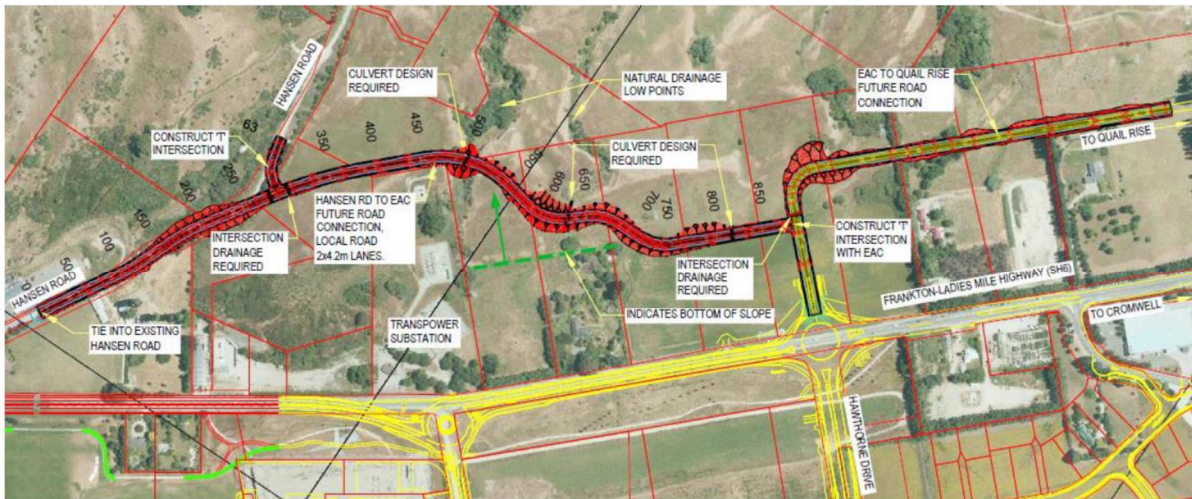


Figure 1: The proposed Quail Rise Development Corridor within Queenstown's Urban Development Area

Source: Kimberly Banks, Section 42A Report/Statement of Evidence Group 1B Queenstown Urban – Frankton and South, 25 May 2017, Page 6

5.6 Ms Banks notes that the application seeks funding for transportation and infrastructure upgrades to support a possible internal roading alignment and connection to the Eastern Access Road as identified the above map. A decision is anticipated from central government in mid 2017. Ms W Banks (Council's Traffic Expert) does not oppose the zoning of the Board's land as the traffic impacts are likely to be minimal<sup>9</sup>. There is no analysis as to the why Rural zoning is recommended in light of the proposed route. It seems that it is suggested as a "default" zone for the land.

## 6.0 Further Submissions to the Board's submission

*Queenstown Airport Corporation (QAC) (FS1340)*

6.1 The Board's proposed development recognises the OCB. There is no jurisdiction for control of any activities outside of this line by QAC.

*Peter and Margaret Arnott (FS1167.9)*

6.2 Peter and Margaret Arnott conditionally oppose the submission made the Board and submit that no provision has been made within the submitters land to the roundabout

<sup>9</sup> Kimberly Banks, Section 42A Report/Statement of Evidence Group 1B Queenstown Urban – Frankton and South, 25 May 2017, Page 64

on the Easter Access Road. Since lodged some discussions have been held with the Arnott's (as well as other landowners) and provision has been made for a "through road" through their land to provide for a transport connection to Hanson Road.

*Hanson Family Partnership (FS1270.35)*

- 6.3 The Hanson Family Partnership feels that the submission is allowed subject to a consistent zoning regime on the land between Frankton – Ladies Mile Highway and the Quail Rise Zone.

## 7.0 Section 32 of the Act

- 7.1 I original section 32 justified the Medium Density Residential Zone. I do not believe that Section 32 duties have been met in relation to the zoning back to Rural. It seems its zoning as Rural is because it is too difficult to zone as another option by the Planner.

Ms Banks sets out in her Strategic evidence<sup>10</sup> a range of Assessment Principles that should be considered in the analysis of rezoning submissions. I have assessed them as follows

***(a) Whether the change is consistent with the objectives and policies of the proposed zone. This applies to both the type of zone in addition to the zone boundary.***

- 7.2 The relevant PDP objectives and policies for the Medium Density Zone included as follows:

*Objective 8.2.1-*

*Medium density development will be realised close to town centres, local shopping zones, activity centres, public transport routes and non-vehicular trails in a manner that is responsive to housing demand pressures.*

*Policies*

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<sup>10</sup> Kimberly Banks, Section 42A Report/Statement of Evidence Strategic Overview, 25 May 2017, Page 56, Paragraph 15.3

- 8.2.1.1 *The zone accommodates existing traditional residential housing forms (dwelling, residential flat), but fundamentally has the purpose to provide land close to town centres, local shopping zones, activity centres and public transport routes that is appropriate for medium density housing uses.*
- 8.2.1.2 *Medium density development is anticipated up to two storeys in varying building forms including terrace, semi-detached, duplex, townhouse and small lot detached housing.*
- 8.2.1.3 *More than two storeys may be possible on some sloping sites where the development is able to comply with all other standards (including recession planes, setbacks, density and building coverage).*
- 8.2.1.4 *The zone provides compact development forms that provide a diverse housing supply and contain the outward spread of residential areas.*
- 8.2.1.5 *Higher density development is incentivised to help support development feasibility, reduce the prevalence of land banking, and ensure greater responsiveness of housing supply to demand.*

#### *Objective 8.2.2*

*Development provides a positive contribution to the environment through quality urban design solutions which complement and enhance local character, heritage and identity.*

#### *Policies*

- 8.2.2.1 *Buildings shall address streets and provide direct connection between front doors and the street, with limited presentation of unarticulated blank walls or facades to the street.*
- 8.2.2.2 *Where street activation (by the methods outlined by the Policy above) is not practical due to considerations or constraints such as slope, multiple road frontages, solar orientation, aspect and privacy, as a minimum buildings shall provide some form of visual connection with the street (such as through the inclusion of windows, outdoor living areas, low profile fencing or landscaping).*
- 8.2.2.3 *Street frontages shall not be dominated by garaging, parking and accessways.*
- 8.2.2.4 *The mass of buildings shall be broken down through variation in facades and materials, roof form, building separation and recessions or other techniques to reduce dominance on streets, parks, and neighbouring properties.*

#### *Objective 8.2.8*



*Provide for community activities and facilities that are generally best located in a residential environment close to residents.*

*Policies*

- 8.2.8.1 *Enable the establishment of community activities and facilities where adverse effects on residential amenity in terms of noise, traffic, hours of operation, lighting, glare and visual impact can be suitably avoided or mitigated.*
- 8.2.8.2 *Ensure any community uses or facilities are of limited intensity and scale, and generate only small volumes of traffic.*
- 8.2.8.3 *Ensure any community uses or facilities are of a design, scale and appearance compatible with a residential context.*

*8.2.11 Objective*

*The development of land fronting State Highway 6 (between Hansen Road and Ferry Hill Drive) provides a high quality residential environment which is sensitive to its location at the entrance to Queenstown, minimises traffic impacts to the State Highway network, and is appropriately serviced.*

*Policies*

- 8.2.11.1 *Intensification does not occur until adequate water supply services are available to service the development.*
- 8.2.11.2 *A stormwater network design is provided that utilises on-sit treatment and storage / dispersal approaches, and avoids impacts on the State Highway network.*
- 8.2.11.3 *A planting buffer is provided along the road frontage to soften the view of buildings from the State Highway network.*
- 8.2.11.4 *Safe and legible transport connections are provided that avoid any new access to the State Highway, and integrates with the road network and public transport routes on the southern side of State Highway*

*Note: Attention is drawn to the need to consult with the New Zealand Transport Agency (NZTA) prior to determining an internal and external road network design under this policy.*

*Note: Attention is drawn to the need to obtain a Section 93 notice from the NZ Transport Agency for all subdivisions on State Highways which are declared Limited Access Roads. The NZ Transport Agency should be consulted and a request made for a notice under Section 93 of the Government Roading Powers Act 1989.*

- 8.2.11.5 *The design of any road or vehicular access within individual properties is of a form and standard that*

*accounts for long term traffic demands for the area between Hansen Road and Ferry Hill Drive, and does not require the need for subsequent retrofitting or upgrade.*

- 8.2.11.6 *A safe and legible walking and cycle environment is provided that:*
- *links to the external network and pedestrian and cyclist destinations on the southern side of State Highway 6 (such as public transport stations, schools, open space, and commercial areas) along the safest, most direct and convenient routes*
  - *is of a form and layout that encourages walking and cycling*
  - *provides a safe and convenient waiting area adjacent to the State Highway, which provides shelter from weather*
  - *provides a direct and legible network.*

7.3 The proposed zoning (medium density) is consistent with the objectives and policies of the zone for the following reasons:

- It allows for residential development to increase capacity
- Provides for the establishment of community facilities
- The land is close to a major transport route, commercial zoned land
- It can be designed appropriately as a entrance into Queenstown (high quality urban design)
- Urban development can be serviced with Council services
- It provides for landscaping and connections to neighbouring land.

***(b) Whether the zone proposed / sought is more appropriate than the proposed zone***

7.4 As discussed in my evidence the Medium Density zoning is more appropriate than Rural General Zoning. It enables reasonable development opportunities within the framework of the constraints of the land (OCB, landscape buffer, ONL line), therefore enabling effective and efficient use of the land.

***(c) Whether the change is consistent with and does not compromise PDP Strategic chapters and in particular the Strategic Direction, Urban Development, and Landscape chapters***

- 7.5 The change is consistent with the Strategic Directions, as already set out in the Section 32 report for the Medium Density Zone.<sup>11</sup> The change is consistent with the Urban Development chapter which sets out the objective and policies for managing spatial location and layout of urban development. The proposal is consistent with Objective 4.2.1, 4.23, 4.24 and their policies. The Landscape chapter supports the Rural Zone, once the location of ONL line is determined the Medium Density Zoning should fall out to this.

**(d) The overall impacts of the rezoning gives effect to the OPRS**

- 7.6 The proposed zoning gives effect to the Operative Regional Policy Statement in the following manner:<sup>12</sup>

*To protect Otago's outstanding natural features and landscapes from inappropriate subdivision, use and development – Objectives 5.4.3 and Policy 5.5.6*

*Ensuring the sustainable provision of water supply - Objective 5.4.1 Policies 5.5.3 to 5.5.5*

*To promote sustainable management of the built environment and infrastructure, as well as avoiding or mitigating against adverse effects on natural and physical resources – Objective 9.4.1 to 9.4.3 Policies 9.5.1 to 9.5.*

**(e) Economic costs and benefits are considered**

- 7.7 The following table outlines economic costs and benefits of the proposed zoning as Medium Density.

Economic costs	Economic benefits
Because of the constraints on the land (OCB, ONL, transmission lines) the full development potential of the land cannot be fulfilled.	Makes efficient use of an "island" of rural land

<sup>11</sup> Section 32 Evaluation Report: Medium Density Residential Zone, Queenstown lakes 6.5.5 District Council, Pages 30 and 31

<sup>12</sup> Section 32 Evaluation Report: Medium Density Residential Zone, Queenstown lakes 6.5.5 District Council, Pages 30 and 31  
Page 4

Economic costs	Economic benefits
	Contributes to the entry into Queenstown, New Zealand's premier resort, which supports increasing numbers of tourists each year.
	Provides employment land, community meeting spaces, housing, recreation spaces.

***(f) Zone changes could take into account the issues debated in recent plan changes***

7.8 This area of land has not been debated in any plan changes under the operative plan.

***(g) Changes to the zone boundaries area consistent with the maps in the PDP that indicate additional overlays or constraints (e.g. Airport Obstacle Limitation Surfaces, SNAs, Building restriction Areas, ONF/ONL);***

7.9 As my evidence shows the Board's development aspirations can be fulfilled under the proposed Medium Density zoning despite the constraints of the Outer Control Boundary, State Highway, and the Transmission Lines. The location of the Outstanding Natural Landscape may be amended following this process, however as shown, there is still capacity to utilise the land within the aforementioned constraints.

***(h) Changes should take into account the location and environmental features of the site (e.g. the existing and consented environment, existing buildings, significant features and infrastructure);***

7.10 The area is presently grazed lightly with stock to enable weed control. There are no existing buildings or other infrastructure on the land. As discussed in paragraph 2.2 the Church has submitted a consent for Stage 1 of their development to the Council.

***(i) Zone changes recognise the availability or lack of major infrastructure (e.g. water, wastewater, roads);***

7.11 Council experts have identified no constraints in terms of connecting to Council infrastructure (at the Church's cost). The roading network has been addressed in this evidence, the roundabout was designed for a 4<sup>th</sup> entry/exit point and the Council's own submission to the government for infrastructure funding shows that a connection between that roundabout and Hansen Road is appropriate and sought.

***(j) Zone changes take into account effects on water, wastewater and roading network capacity, and are not just limited to the site specific effects of extending infrastructure;***

7.12 The site is within the urban area and is able to be serviced. The Council's section 32 rezoning this land from rural to Medium Density Zoning did not identify any servicing issues. The Council's experts for this hearing do not anticipate any issues with service connections.

***(k) There is adequate separation between incompatible land uses***

7.13 The site has the Outer Control Boundary running through it. Within the OCB area there are restrictions on the use of the land but outside of the OCB there are no such restrictions. The Operative or Proposed District Plans so not require any additional buffers.

7.14 A landscape buffer as identified in the proposed zoning allows for building setback and greenspace replicating the setback on the southern side of the State Highway.

***(l) Rezoning in lieu of resource consent approvals, where a portion of the site has capacity of absorb more development does not necessarily mean another zone is more appropriate; and***

7.15 This is not relevant, the Board is seeking both rezoning and a resource consent.

***(m) Zoning is not determined by existing resource consents and existing use rights, these will be taken into account.***

7.16 Not relevant.

- 7.17 In summary in terms of Section 32 of the Act, the effectiveness and efficiency of the zoning has not been properly assessed. There has been no analysis as to activities that are not ASANs that can be contained on the subject land.
- 7.18 The social, economic and cultural benefits have not been assessed. The Board seeks to build a church and related housing which contribute to positive social and cultural effects. There are serious economic effects from leaving land as zoned Rural and while the Council's own experts do not raise any environmental impacts (apart from the location of the ONL).

## **8.0 Part 2 of the Act**

### **Section 6**

- 8.1 In relation to Section 6(b) (the protection of outstanding natural features and landscapes from inappropriate subdivision, use, and development), there is an ability to utilise the land outside of the Outstanding Natural Landscape boundary, and if its location is moved to allow the toe of the hill to be used the land can be used more effectively.

### **Section 7**

- 8.2 The modifications sought in this submission are directly relevant to achieving the following matters to which particular regard must be given:
- (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;**
- 8.3 The zoning of the land to enable appropriate development enables the efficient use of natural and physical resources. Flat land immediately adjacent to an established urban

area is a scarce resource in this community. Allowing development within the confines of the OCB and ONL lines in this location is an efficient use.

- 8.4 The entrance into Queenstown is important and providing for a statutory framework that enables appropriate development as opposed to ad-hoc development over time will enhance the amenity values and quality of the environment of the area.

## **Section 5**

- 8.5 I consider that proposed Medium Density zoning for this area of land is appropriate. Any potential adverse effects on landscape values will be addressed by location of the landscape line specific provisions relating to design and site specific landscaping for the site. The restricted-discretionary regime for consenting buildings can be used to avoid or mitigate potential adverse effects on amenities and there are no other potential adverse effects.

## **9. Conclusions**

- 9.1 I believe that the land should be zoned to enable its effective use within the constraints of the Transmission Lines, Outer Control Boundary, Outstanding Natural Landscape Line and the State Highway. As the Board as shown an efficient use of the can be made, the proposed Medium Density Zone promoted by the Council enables this, while also providing for an interesting and quality entrance into Queenstown.

Alyson Hutton

9 June 2017

## Attachment A

### Experience

#### January 2014 - Present

##### **Self Employed Planning Consultant**

###### Key projects

- Providing sub-contracting services to *Brown and Company Planning Group Limited*– this has involved the following to date:
  - Drafting of a Section 32 for the Huapai Proposed Variation (Special Housing Area) to the Auckland Unitary Plan
  - Drafting of submissions and further submissions to various Plan Changes for clients
  - Drafting of submissions and evidence to the QLDC District Plan Review
  - Drafting and lodgement of resource consents
- Provision of advice, evidence and participation in expert conferencing for Plan Change 19 to its conclusion in September 2014
- Preparation of Resource Consent applications
- Preparation of a submission and supporting Section 32 analysis to rezone rural land to industrial zoned land as part of the Proposed District Plan review Stage1.
- Accredited RMA Commissioner

#### February 2006 – December 2013

##### **Senior Policy Analyst – Queenstown Lakes District Council**

###### Key projects:

- Project management and lead council planner for Plan Change 19. It involved providing for growth needs in an area of multiple landowners, high quality landscape adjacent to a nationally significant international airport. This involved project management of a team of 11 experts, approximately 10 days of Environment Court conferencing and providing expert evidence at both the Council and Environment Court hearings
- Processing private plan changes
- All aspects of 1<sup>st</sup> schedule planning processes for plan changes including environment court mediation and evidence
- Strategic planning

#### November 2002 – February 2006

##### **Policy Planner – Civic Corporation Ltd**

###### Key Projects

- Project manager and author of community plans for the townships of Kingston, Cardrona and Makarora
- Processing private plan changes
- All aspects of 1<sup>st</sup> schedule planning processes for plan changes including environment court mediation and evidence
- Strategic planning
- Processing of various Section 292 and Section 293 applications
- Managing the timely processing of Section 120 appeals to resource consents, from lodgement, sourcing expert witnesses, to resolution
- Processing designation requests from requiring authorities.

#### June 2000 – November 2006

- Employment at Beca Planning and the Bay of Plenty Regional Council.



## URBAN DESIGN PANEL

### REPORT

#### Wakatipu Community Presbyterian Church

Tuesday, 30 August 2016

**Members present:** Preston Stevens (Chair), Hamish Learmonth, Pete Ritchie, Mark Grey

**In attendance:** Gillian McLeod (Architects), Juliet Pope (Architects), Roz Devlin (Consent Planner), Alyson Hutton (District Plan - Planner), Geoff Maunsell (Church Representative),

**QLDC staffer present:** Alana Standish (Council Planner)

#### Overview

There are three main parishes in separate buildings across Wakatipu; St Johns, St Andrews and St Margaret's. Some of these are getting too small for purpose, difficult to manage (e.g. parking constraints), and the church is looking to create a new community facility and church in Frankton to future proof the ability for the parish to grow.

#### Facility to include:

- Church / community building
- Indoor courts
- Bring the three separate parish ministers to the site – 3x manses to accommodate ministers
- 13 houses to sell – church not wanting to be the developer but to maintain the design control (prescribed house typology; smaller, cheaper houses in the back corner)
- 20 LTO units for retirement housing
- Onsite hostel
- Soccer field to link to wider church community
- Community gardens

#### Site constraints:

- Airport Outer Control Boundary (OCB) – restricts where buildings and types can be constructed
- Transmission lines, and
- The Ferry Hill Outstanding Natural Landscape (ONL)

#### The applicant provided the following additional points for clarification:

- Church wants to be community linked; 7 days a week almost for various community centres linked to the church.

- Possibility to stage the consent process/development: Stage 1 to create the initial shape for the land and church, and Stage 2 being the rest of the development; complete the Church and three manses first.
- The sale of the houses and apartments (excluding manse buildings), and St Margaret's church in Frankton will help to fund the church development. In addition, a parish member is offering land to be used for the church redevelopment, hence the proposed location.
- Looking to comply with Operative District Plan (ODP); includes buildings and traffic/car parking and traffic. No simultaneous use of sports fields and church to reduce car parking demand; only 1x park per house – remaining within the on-road/site parking.
- NZTA – STAGE 1 entry has been moved along SH6 to meet NZTA guidelines (as per entry on plans); access could be left in/out only to stage 1 using roundabouts to turn. Connection to a 4<sup>th</sup> leg of the Hawthorn roundabout a very long time off yet – stage 2 access to account for that possibility. Would like to see SH6 entrance/exit closed when roundabout 4<sup>th</sup> leg opens.
- Bus parking is wanted within the site to enable visiting groups etc., to park within the site.

### **Issues and Considerations**

Applicant wants feedback on:

- The access and retaining or in time closing the SH6 entrance/exit
- Staging the subdivision or applying in full for both stages at the outset
- Landscaping adjacent to SH6 and on the hill behind extending into the ONL (where the ONL line is).

### **Panel Discussion**

The Panel wishes to thank the applicant for attending the meeting and explaining the proposal. Overall the Panel is impressed with the concept, noting it is clever thinking to address the Church wants and needs against restricted site constraints.

The Panel also wishes to complement the applicant in including a diverse range of accommodation types in the residential component, noting the inclusion of terrace and semi-detached dwellings plus the inclusion of senior housing and hostel accommodation. The Panel encourages this type of approach to residential development, proposing that it has the potential to achieve more successful community residential outcomes.

#### *Access, Transport and Community Links*

- The Panel discussed the feasibility and timeframes for the 4<sup>th</sup> leg extension to the Hawthorn Drive roundabout, the reality of additional linkages including to Quail Rise and others, what it would mean if only the Stage 1 entrance were installed, particularly if this became the only entrance/exit point.
- The Panel discussed the proposed bus parking and whether buses would need to come into the site noting it may be a preferable use of space if a community stop on

SH6 is feasible. The Panel does acknowledge that an internal bus park is a preference of the applicant

- The Panel acknowledges the consideration that has been given to the required car parking provision, however notes that the solution still appears to dominate the site. The Panel question what alternatives there may be, and suggests the car parks could be hidden to reduce the dominance of cars on site; is underground car parking an option, even in part. Use of swales and landscaping.
- The Panel raised linkages to the Five Mile development across SH6 as an important matter to consider in growing the town. In particular, can a pedestrian / cycle underpass be factored into the design. This would help to provide greater connection to this developing area and beyond, which includes residential and commercial areas.

#### *Staging the subdivision or applying in full for both stages at the outset*

- In terms of the staging for the development and consenting, the Panel commented that it can be better to show the movement within the site to achieve a better outcome / response. This could include platforms and guidelines, full elevations and so on akin to a comprehensive residential development upfront. A development can be considered in its entirety and the completion staged – particularly relevant when dealing with notification.

#### *Outstanding Natural Landscape*

- The Panel would like to see the toe area at the base of the hillside at the rear of the site developed more to gain a bit of height across the site;
- The community garden aspect is recognised as a positive community link and environmental outcome to offset the development.
- It is noted that the existing ONL line is indicative only and traverses the centre of the site in a more-or-less east-west direction. The ONL is similarly set in the PDP; greater development of this area will require specialist landscape architecture input.
- The Panel discussed the State Highway road frontage, and suggested a mixture of visual softening, not full screening of the site, plus practical fencing to avoid interference from the sports field with the highway, and shelter from the southerly wind. E.g. provide view shafts through the site and some privacy using hedging rather than mounding.

#### *Design*

- The Panel felt the scale through the site was good, with the hostel and courts building with the church at opposing ends providing a positive book end approach to the composition. The Panel considers that the church will be a defining feature in a prominent location. It was suggested that, if it were possible, placing the Church closer still to the roundabout could help to create a landmark feature and further

characterize the site, though does acknowledge there are airport considerations that may restrict this.

- In terms of the scale of the buildings, could the church and hostel each be bigger, particularly if moving the church closer to the roundabout is problematic? Suggestions of a 3-level hostel (9-9.5m) and larger church building to match (e.g. 12m Church building).

The Queenstown Urban Design Panel encourages the applicant to consider the matters included in the above discussion and to review the application accordingly.

Checked and approved by:

---

Preston Stevens

Chair: Queenstown Urban Design Panel

*\* The findings of the Panel sit outside both the statutory processes of the Resource Management Act and other regulatory functions of Council. The report will however be taken into account during those statutory and regulatory processes in regard to matters relating to urban design.*

# WAKATIPU COMMUNITY CHURCH AT FIVE MILE

WAKATIPU

Landscape and Visual Impact Assessment

Project No. 2017\_012 | 1

Final Issue 6 June 2017

# WAKATIPU COMMUNITY CHURCH AT FIVE MILE

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## Document history and status

Revision	Date	Description	By	Review	Approved
0	5/6/2017	Draft LVIA Report	DCM	RD	6/6/2017
1	6/6/2017	Final LVIA Report following comments from Reviewer	DCM	RD	6/6/2017

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# 1. INTRODUCTION AND PROPOSAL

This report is a Landscape and Visual Impact assessment for the Wakatipu Community Church proposed for 5 Mile, Queenstown. The proposal includes the following facilities:

- Church / community building with a 15m high plastered concrete sculptural element designed as a marker to the site. The roof form consists of three main structures with the middle structure being the clerestory which rises to 12m.
- The cladding materials proposed are stained (Resene 'English Walnut' or 'Teak') vertical weatherboards and plaster with the roof and aluminium windows being a dark grey colour. The church will also have a large stained-glass window;
- An Indoor sports facility with courts. The form of this building is similar to a simple shed with a gable roof.
- The proposal recommends using six greys from the coloursteel range for roofing, being: Sandstone Grey (LRV:27%); Gull Grey (LRV:51%); Flaxpod (LRV: 7%); Ironsand (LRV: 8%); Slate (LRV:9%); and Grey Friars (LRV: 10%). The final design will attempt to achieve a low reflectivity value under 28% dependant on expansion issues for the larger expanses;
- 3 manse houses
- 13 houses (to sell);
- 20 LTO units for retirement housing;
- On site hostel
- Soccer field to link to wider church community
- Community Gardens
- Landscape planting

The site is constrained by the Airport Outer Control Boundary (OCB) which restricts where buildings and types can be constructed. Transmission lines also run through the site which require a 12.5m setback.



## 2. METHODOLOGY

The landscape and visual impact assessment considers the likely effects of the proposal in a holistic sense. There are two broad components to the assessment:

1. The landscape assessment is separated into two parts:
  - An assessment of the proposal against the existing built, landscape and natural character elements of the receiving environment. This section is descriptive, outlining the elements of the receiving environment and how they may be affected by the proposal;
  - An assessment of the proposal against recognised Landscape Values. Landscape Values are those which have been given to a site or receiving environment in either Statutory (sections 6 and 7 of the Resource Management Act (RMA)) or Non-Statutory documents;
2. The visual impact assessment is primarily concerned with the effects of the proposal on the visual experience of the landscape by the principle groups of landscape users: residents, workers, travellers and recreationists.

Two site visits were undertaken for the assessment of this project and capturing of photos. All of the locations identified in the figures were visited along with the project site.

### 2.1 LANDSCAPE ASSESSMENT METHODOLOGY

This landscape assessment draws upon landscape assessment theory, professional best practice, the requirements of the RMA (particularly with regard to matters of national importance identified in section 6), the NZILA Best Practice Guide – Landscape Assessment and Sustainable Management (02.11.10), and procedures and principles established through case law in the Environment Court.

#### 2.1.1 Landscape Character

The general methodology applied is that described by Peart (2005)<sup>1</sup>, whereby the landscape unit of analysis is first described in terms of its landscape character.

The framework for describing landscape character is broken down into the categories of topography; land cover; built form / structures / human elements; and natural character. Section 6(a) of the RMA requires that a sub-set of landscape character – natural character – be subject to specific analysis.

Natural landscape character is a narrowly defined aspect of landscape character. In simple terms it is an assessment of the degree to which a given landscape is the product of nature, as opposed to cultural intervention. It can be assessed along a continuum of states from pristine wilderness, where no evidence of human intervention is apparent, to wholly developed, where scant evidence of natural elements, patterns, and processes remains.


It is important to emphasise that natural character is not an absolute quality that either exists or does not, but rather occurs across a continuum in matters of degree. Human interventions may diminish natural character, but do not necessarily eliminate it altogether. Natural character is generally understood to be determined by the extent to which the natural elements, patterns and processes occur in the landscape, and the extent to which they are modified by human interventions. The highest degree of natural character (greatest naturalness) occurs where there is least modification.

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<sup>1</sup> Peart, R. (2005). Landscape planning guide for peri-urban and rural areas. Environmental Defence Society, Auckland

- Natural elements: these are the products of ecological, erosional and depositional processes; the biophysical characteristics of the landscape, such as landforms, rock outcrops, hydrological features and vegetation communities.
- Natural patterns: patterns are formed through the interactions between landscape elements and the processes operating on them. Patterns are apparent through the interactions of plants, soils, aspect and slope, or through the erosion of the coastline through wave action. The regimented character of a forestry plantation or apple orchard compared with the apparently random patterns of trees in an indigenous forest, illustrates how natural and unnatural patterns might be understood.
- Natural processes: Natural processes are the dynamic processes at work on the biophysical landscape, shaping landform and vegetation communities through processes of erosion and deposition, soil forming processes, colonisation and succession, regeneration and energy and nutrient flows.

**Table 1: Continuum of Natural Character<sup>2</sup>**



Natural	Near-natural	Semi-natural (including pastoral agriculture and exotic forests)	Agricultural (arable and intensive cropping)	Near-cultural	Cultural	
Very high-pristine	High	Moderate High	Moderate	Moderate-low	Low	Very Low-Indiscernible

### 2.1.2 Landscape Values

Following the descriptive phase of landscape assessment, an evaluative phase is undertaken whereby values or significance is ascribed to the landscape.

In many districts, this has been achieved by a District or Regional Landscape Study which has identified Landscapes of values or importance. These are registered as Outstanding Natural Landscapes or may be assigned a lesser value but are still recognised as having value. In many areas, Assessment Matters are also provided to assist with determining the effects of a proposal on Landscape Values.

An accepted approach, where the landscape value of the site is not identified in the District Plan under section 6(b) of the RMA, is to use criteria identified in *Wakatipu Environmental Society Inc. & Ors v QLDC*<sup>3</sup> ("Pigeon Bay criteria"). The Pigeon Bay criteria include natural science factors, aesthetic value (an aspect of landscape values over which there is considerable debate regarding the theoretical basis for assessing visual or scenic quality), and the methods and techniques to be used. A professionally-based evaluation has been applied to the task of assessing aesthetic value, drawing upon the theoretical work of Kaplan and Kaplan (1989).<sup>4</sup> The technique used to assess aesthetic quality

<sup>2</sup> Kaplan, R., & Kaplan, S. (1989). *The Experience of Nature: A Psychological Perspective*. Cambridge: Cambridge University Press

<sup>3</sup> [2000] NZRMA 59.

<sup>4</sup>

includes reference to several of the factors which form the framework for the assessment of landscape character.

## 2.2 VISUAL ASSESSMENT

In response to section 7(c) of the RMA, an evaluation is undertaken to define and describe visual amenity values. As with aesthetic values, with which amenity values share considerable overlap, this evaluation was professionally-based using current and accepted good practice rather than community-based. Amenity values are defined in the Act as *“those natural or physical qualities and characteristics of an area that contribute to people’s appreciation of its pleasantness, aesthetic coherence, and cultural and recreational attributes.”* The visual assessment looks at the sensitivity of receptors to changes in their visual amenity through the analysis of selected representative viewpoints and wider visibility analysis. It identifies the potential sources for visual effect resulting from the Project and describes the existing character of the area in terms of openness, prominence, compatibility of the project with the existing visual context, viewing distances and the potential for obstruction of views.

The visual impact assessment involves the following procedures:

- Identification of key viewpoints: A selection of key viewpoints is identified and verified for selection during the site visit. The viewpoints are considered representative of the various viewing audiences within the receiving catchment, being taken from public locations where views of the proposal were possible, some of which would be very similar to views from nearby houses. The identification of the visual catchment is prepared as a desktop study in the first instance using Council GIS for aerials and contours. This information is then ground-truthed on site to determine the key viewpoints and potential audience.
- Assessment of the degree of sensitivity of receptors to changes in visual amenity resulting from the proposal: Factors affecting the sensitivity of receptors for evaluation of visual effects include the value and quality of existing views, the type of receiver, duration or frequency of view, distance from the proposal and the degree of visibility. For example, those who view the change from their homes may be considered to be highly sensitive. The attractiveness or otherwise of the outlook from their home will have a significant effect on their perception of the quality and acceptability of their home environment and their general quality of life.

Those who view the change from their workplace are considered to be only moderately sensitive as the attractiveness or otherwise of the outlook will have a less important, although still material, effect on their perception of their quality of life. The degree to which this applies depends on whether the workplace is industrial, retail or commercial. Those who view the change whilst taking part in an outdoor leisure activity may display varying sensitivity depending on the type of leisure activity. For example, walkers in open country on a long distance tramp are considered to be highly sensitive to change while other walkers may not be so focused on the surrounding landscape. Those who view the change whilst travelling on a public thoroughfare will also display varying sensitivity depending on the speed and direction of travel and whether the view is continuous or occasionally glimpsed.

- Identification of potential mitigation measures: These may take the form of revisions/refinements to the engineering and architectural design to minimise potential effects, and/or the implementation of landscape design measures (e.g. screen tree planting, colour design of hard landscape features etc.) to alleviate adverse visual effects and generate potentially beneficial long term visual effects.

- Prediction and identification of the residual visual effects after the implementation of the mitigation measures.

To assist with the assessment of likely effects the following matrix has been prepared based on the NZILA Best Practice Guide – Landscape Assessment and Sustainable Management (02.11.10) with a six point scale and the Quality Planning Websites. In determining the extent of adverse effects, the level of effects is along a continuum to ensure that each effect has been considered consistently and in turn cumulatively. This continuum may include the following effects:

- **Indiscernible Effects**

No effects at all or are too small to register.

- **Less than Minor Adverse Effects**

Adverse effects that are discernible day-to-day effects, but too small to adversely affect other persons.

- **Minor Adverse Effects**

Adverse effects that are noticeable but will not cause any significant adverse impacts.

- **More than Minor Adverse Effects**

Adverse effects that are noticeable that may cause an adverse impact but could be potentially mitigated or remedied.

- **Significant Adverse Effects that could be remedied or mitigated.**

An effect that is noticeable and will have a serious adverse impact on the environment but could potentially be mitigated or remedied.

- **Unacceptable Adverse Effects**

Extensive adverse effects that cannot be avoided, remedied or mitigated.

**Table 2: Effects Matrix**

		MAGNITUDE OF CHANGE (Effect / Impact)			
		NEGLIGIBLE	SMALL	MODERATE	LARGE
SENSITIVITY OF RECEPTOR (urban character, visual amenity or visually sensitive receptor)	LOW (industrial workers, travellers)	INDISCERNIBLE	INDISCERNIBLE	LESS THAN MINOR	MINOR
	MEDIUM (commercial workers, travellers)	INDISCERNIBLE	LESS THAN MINOR	MINOR	MORE THAN MINOR
	HIGH (residents, recreational users)	LESS THAN MINOR	MINOR	MORE THAN MINOR	SIGNIFICANT

'UNACCEPTABLE' is not shown in the above matrix but could be determined for a sensitive receptor where the potential effects are adverse and cannot be avoided, remedied or mitigated.

# 3. ASSESSMENT OF EFFECTS

## 3.1 LANDSCAPE AND NATURAL CHARACTER

### *Existing Environment*

The existing landscape character of the site is an open grass paddock on the northern side of SH6, at the base of steep grass slope of approximately 30m high which is at the base of a small plateau between Queenstown Hill (+907m) and Ferry Hill (+693m). The site itself is at about +370m asl and is free of structures with the exception of Transpower powerlines which run across the rear of the site, on the elevated section, and farm fencing. When viewed from SH6, the powerlines form part of the skyline, along with the natural topography and larger, exotic trees such as Lombardy poplars. The topography of the site has a medium sensitivity to change.

In terms of vegetation, there is no vegetation of note on the site except for a small number of deciduous trees at the base of the slope. The trees range in size from 4-8m in height at irregular spacings. The property to the west of the site, 117 Frankton-Ladies Mile Highway is well vegetated with a mix of large evergreen and deciduous trees which line all boundaries including the road frontage. Further to the east of the site trees front SH6, but the proposal site is free of any vegetation except for a single prunus tree, approximately 4m high. There is little vegetation of note on the southern side of SH6. The vegetation of the site has a low sensitivity to change.

The natural character of the area is determined by the existence and quality of natural elements, patterns and processes. The site has an agricultural character as opposed to natural and is considered to have a moderate sensitivity to change. The most prominent natural feature is the slope at the rear of the site and the visible terracing. There are no waterways within the site.

In terms of built infrastructure, SH6 and its associated infrastructure have an impact on the character of the area. Large Transpower pylons run across the back of the site and across the road is the Five-Mile commercial development consisting of big box retail and expansive surface carparking, as well as future commercial and residential development consented along Hawthorne Drive and for 'Queenstown Central'. The development is orientated away from SH6 and the site, with 6-8m high walls facing north. The walls are broken up into smaller sections with some glazing and limited signage or corporate colours visible. The buildings are slightly depressed below the road limiting their visual impact and maintaining views across the top from SH6 to the airport and the Remarkables. Further east in the industrial area, buildings are set back behind large landscape plantings and in the case of Placemakers are not readily visible from SH6. Views to the mountains are possible through intermittent gaps in the vegetation but in this location the character is more enclosed. This is also partially due to the road ascending from the Shotover River bridge through a cutting in the terrace with steep embankments on either side of the road. The Built Character of the receiving environment is considered to have a low-medium sensitivity to change.

### *Effects on Landscape and Natural Character*

Landscape Character / Element	Sensitivity of Resource	Magnitude of Change	Effect (before mitigation)	Residual Effect (after mitigation)	Comment
Landscape Character	Medium	Small	Less than Minor	Indiscernible	The landscape character of the area has a high amenity but is in a period of transition from rural to urban with the development of Five-Mile, Frankton Flats industrial area and the increased size of SH6 and its associated infrastructure. The open feel of the area is changing with the development of Five-Mile and future medium-high density residential. The park-like/rural character of the SH6 corridor is being retained with large setbacks, ensuring views to the surrounding ONL areas are maintained.
Topography	Medium	Small	Less than Minor	Indiscernible	The site can be separated into two distinct parts, being the flat area immediately adjacent to SH6 and the sloping hill at the rear of the site. The proposal is predominantly positioned on the flat area with limited earthworks required at the toe of the slope.
Vegetation	Low	Negligible	Indiscernible	Indiscernible	A small number of trees at the base of the slope are required to be removed but the effects are considered negligible with the proposed landscaping more than compensating for their loss.
Natural Character	Medium	Negligible	Indiscernible	Indiscernible	The slope at the rear of the site is to be retained with the proposed buildings positioned on the flat area of the site, with negligible effects on Natural Character.
Built Structures	Low	Negligible	Indiscernible	Indiscernible	The character of built structures in the area is changing from a rural setting to a more urban feel. The effects on existing built structures is Negligible.

### 3.2 LANDSCAPE VALUES

I am of the opinion that the site is a Visual Amenity Landscape (VAL) given its proximity to an Outstanding Natural Landscape (ONL) which crosses through the rear of the site and contains the steep escarpment, and as established in Environment Court. However, I have also read the following extraction from a Landscape Assessment prepared by Michelle Snodgrass for 145 Frankton-Ladies Mile (150m to the northeast of the Church site), dated 25 January 2016, which states:

The site is zoned Rural General. Under RM 120123 the site and was found to be partially within an Outstanding Natural Landscape (District Wide), and partially within a Visual Amenity Landscape with the boundary between the two classifications running at the change in grade between the alluvial flat and glacially formed Ferry Hill. The landscape assessment reports by QLDC and the applicant for RM120123 (FII Holdings LTD) both state that the landscape classification for the site is part ONL and part VAL. In RM150219, a landscape assessment report was prepared by Baxter Design Group and the classification of the site outside of the ONL of Ferry Hill was not determined due to the pending Plan Change 19, even though the site is not within the PC19 area. The report states that:

*'These developments are diminishing the elements that contribute to the Visual amenity Landscape (VAL) character of the flats. An assessment of this landscape category is deferred until a decision is issued on Plan Change 19, which if granted will see a dramatic change in the landscape's character'.*

While the site is not within the Plan Change 19 area, it adjoins the new Frankton Flats B zone which and is operative as can be seen in the rapid development taking place on the Frankton Flats. The site and surrounding landscape, that is rural, but not within the ONL classification of Ferry Hill, is now a rural remnant surrounded on three sides by urban development. The Environment Court in C73/2002 has discussed the appropriate scale for a landscape as follows:

- a. it must contain at least one (preferably more) rectangle with at least 1.5 x 2 kilometre sides;
- b. no part of the landscape may be more than 1 kilometre from such a rectangle;
- c. it must contain a minimum area of 600 hectares;
- d. internal corners should be rounded.

The site and surrounding landscape, which is Rural General, but not ONL, between Hansen Road, Frankton Ladies Mile Highway, the ONL boundary, and Quail Rise is approximately 30ha in area. It is therefore not strictly a landscape in its own right but rather a remnant landscape determined by non-rural general zoning and development. In the 'Report to the Queenstown Lakes District Council on appropriate landscape classification boundaries within the District, with particular reference to Outstanding Natural Landscapes and Features' by Marion Read, 1st April 2014, the map of the Wakatipu basin at the back of the report shows the area between Frankton Ladies Mile Highway, and the ONL line of Ferry Hill from approximately Ferry Hill Road to the Frankton roundabout on the northern side of Frankton Ladies Mile Highway as being ORL, although the classification of this area is not discussed in the report.

*Dr Read provided evidence on Plan Change 19, and in her evidence she describes and analyses the area between Hansen Road, SH6, the toe of Ferry Hill and Quail Rise as being ORL primarily due to C73/2002, and CIV 2004-485-002426 where 'Other rural landscape is properly understood as meaning every other landscape in the Rural General Zone which is not ONL or VAL'.*

I partially agree with the findings of both Dr Read and Ms Snodgrass, as the area is in a period of transition from a predominantly rural landscape to a landscape which is dominated by urban infrastructure. The Five Commercial development, SH6 and the industrial area off Hawthorne Road combined with future high and medium density residential development are all combining to lessen the rural character of the area to one where the proposed rural zoning of the land is more of an anomaly than characteristic of the wider receiving environment. However, the area does play an important role as one of the principal entrances into Queenstown and should be offered a level of protection will affords this role. To be conservative I have assessed the proposal against the VAL assessment matters, as opposed to Other Rural Landscapes, outlined in 5.4.2.2(3) of the Operative District Plan:

- Effects on Natural and Pastoral Character
- Visibility of the development
- Form and density of development
- Cumulative Effects of Development on the Landscape
- Rural Amenities

### **3.2.1 Effects on natural and pastoral character**

While the proposal is adjacent and in an Outstanding Natural Landscape, the proposed buildings and their location are such that they will not have a discernible effect on the values of the area. The natural values of the adjacent area are largely related to the topography at the rear of the section with the flat area being an open grass paddock with few natural features. It does however exhibit and open pastoral character. No waterways are affected by the proposal. The proposed buildings are largely set back from SH6, retaining an open character, albeit a more manicured appearance with the creation of a playing field. I consider that the effects on natural and pastoral character will be less than minor with the topography behind the proposal being retained.

### **3.2.2 Visibility of the development**

A full visual impact assessment has been undertaken below. This determined, that although the site is close to SH6, the scale of the buildings and their position set back on the site as resulted in the proposal only being visible to a small number of visually sensitive receivers. The proposal will be most visible to users of SH6 where the road corridor plays an important part to the entrance/gateway to Queenstown when arriving from the north. The present corridor is a high amenity landscape with planning rules requiring large setbacks and landscape planting to ensure views through to the surrounding mountains are still possible, and that the views are not dominated by large, industrial style building. The proposal will also be visible from the Queenstown Trail and the Industrial Area on Hawthorne Road, although these views are more distant. With mitigation planting, and the setback, it is considered that the visual impact will be Less than Minor.

### **3.2.3 Form and density of development**

The scale and form of the proposed buildings is not out of character with what would be expected for a suburban-semi rural development, being a cluster of single and two storey structures with suitable



timber cladding and dark stained timber. The church building rises to 12m (similar to a three-storey building) and a cross structure with a concrete plaster finish will extend up to 15m in height. The building will form a localised landmark feature and is considered a positive design element as opposed to a large format retail building. The variety in the size and form of the buildings is also considered a positive design element, breaking down the perceived mass of the buildings. It would be good for roof colour and cladding colours to be varied within the design also, while still retaining the same materials. As outlined above, I consider that the receiving environment to be in transition from rural to suburban with the proposal in keeping with developments in the immediate area. I consider that the form and density of the development to be suitable for its location.

### **3.2.4 Cumulative effects of development on landscape**

The scale of the development at this stage is not considered to have an adverse cumulative effect on the landscape, given the scale of the dwellings, proposed setback, material palette and planting. The existing values of the receiving environment are being maintained with the proposal with no effects on the existing topography. Views to the mountains and surrounding hills are maintained along with a large setback to reinforce a high amenity landscaped entrance into Queenstown.

### **3.2.5 Rural amenities**

I consider that the proposal will not have a discernible effect on rural amenities given the scale of the proposal and the limited rural value of the site given its small size. A large percentage of the site is a steep escarpment (ONL) which is not directly affected by the proposal without the exception of proposed ecological planting to minimise maintenance requirements in the long term as well provide additional amenity to a slope which has limited 'farming' value or potential.

## **3.3 VISUAL AMENITY**

### *Existing Environment*

The existing visual character of the receiving environment is open with expansive views available across Frankton Flats to the Remarkables the south. Views to the north are more restricted due to the topography limiting views to the base of the ONL area. The area is generally characterised by open farm paddocks and large deciduous trees clustered around houses. The character of the area is changing though with the development of Five-Mile immediately to the south of the proposal site and earthworks preparing the area for future residential development. The building are typically 2-3 stories, 8-12m high and are orientated away from the road corridor. The road corridor itself has been widened and upgraded to accommodate increased vehicle numbers and is now a busy movement corridor when compared to the character and feel of the road before its upgrade.

While the visual amenity of the receiving environment is changing with increased urban development, the SH6 road corridor is a high amenity entrance into Frankton and Queenstown. Vistas and views to the surrounding mountains and hills are still possible with natural elements visually dominating built elements. Building setbacks, orientation and landscape planting all contribute to retaining open views and subordinating built development without totally screening it or prohibiting development. I consider that the existing 'visual character' has a high sensitivity to change.

To assess the effects of the Project, the following viewpoints were visited and photos obtained:

**Table 3: Viewpoint Locations**

VIEWPOINT LOCATION	DISTANCE TO PROPOSAL	TYPE OF VIEW
1. SH6 Road Corridor	20m	Open
2. Five Mile Commercial Development	270m	Screened
3. Queenstown Trail	80m	Open
4. Hawthorne Drive industrial area	120m	Open

*Effects on Visual Amenity*

The overall effects on visual amenity are more than minor prior to mitigation measures being applied, with the proposed mitigation measures outlined in the next section reducing any residual effects to Less than Minor. Partial views will be possible of the development from SH6 until planting becomes established. Roofs and the cross structure may be visible even once the planting becomes established but the character of buildings means they will not have a negative effect on visual amenity. A breakdown of the effects on each Visually Sensitive Receptor is outlined in the following table:

**Table 4: Assessment of Effects on Visually Sensitive Receptors**

Viewpoint	Visually Sensitive Receptors (VSR)	Sensitivity of VSR	Magnitude of Change	Effect (before mitigation)	Residual Effect (after mitigation)	Comment
SH6 Road corridor	Motorists using SH6	Medium / high	Small	Less than Minor	Indiscernible	Motorists will have open views of the proposal from SH6 when travelling into Queenstown. At present motorists have open views to the base of an ONL area, across an open farm paddock. To the left they have views of the Five-Mile commercial development and will have views of high density residential once it is developed. Both developments have a large set back from the road corridor. The set back is landscaped with a shared path and tree planting but is generally open in character.
Five-Mile Retail Development	Users of the commercial area	Medium	Negligible	Indiscernible	Indiscernible	Users of the commercial centre will only view the proposal when they are entering or leaving the development. Sites from the complex are blocked by either buildings or the intervening topography. Effects for this VSR are Indiscernible.
Queenstown Trail	Walkers and cyclist	Medium / high	Small	Less than Minor	Indiscernible	Walks and cyclists will have open views of the proposal, looking across SH6 to the site and views to the base of an ONL area, across an open farm paddock. To the left they have views of the Five-Mile commercial development and will have views of high density residential once it is developed. It will be possible for views to the proposed buildings to be softened through landscape plantings while views of the ONL to the rear of the site will be maintained.
117 Frankton-Ladies Mile	Residents at 117 Frankton-Ladies Mile	High	Moderate	More than minor	Less than Minor	The residents of the adjoining property will have open views of the proposed development, and in particular views of the indoor sports hall and hostel. The current view will change from an open paddock with large power pylons running through to a more residential outlook. The proposed materials and landscape plantings will largely mitigate the imposition of the

							buildings by softening their appearance to one which is more domestic in character and using materials which are similar to a farm shed. There is a sufficient set-back to provide landscape planting along the boundary to further screen and soften views.
Industrial area on Hawthorne Road	Workers in Industrial Area	Low	Negligible	Indiscernible	Indiscernible	Indiscernible	Workers leaving the industrial area will have open views of the proposal, sited back from SH6 and a proposed playing field. Views will still be possible of the ONL and Ferry Hill behind the site and of pylons running through the middle of the site. Views will be possible of the proposed buildings and sculptural tower, viewed against the ONL behind but will not 'puncture' the ridgeline from this vantage point. The SH6 road corridor is visible in the foreground, and given the low sensitivity of this VSR, adverse effects are Indiscernible.

## 4. MITIGATION MEASURES

The following mitigation measures are proposed to avoid, remedy or mitigate any adverse effects on the urban and landscape character of the receiving environment from the Project:

- Planting of a 3m wide landscape strip between the playing fields and carpark and SH6 to minimise views into the site and to maintain a soft, landscape entrance to Frankton / Queenstown. Tree species should be planted at spacings no greater than 2m centres with smaller shrubs and grasses planted at 1m centres. The layout of planting should be such that a solid screen of plants is created, but with a natural, irregular form. The strip should be at least 2 plants deep, preferably 3 and staged to fill any potential gaps;
- Species planted are to be from the plant list created by Neill Simpson, dated 14 December 2016;
- All plant beds shall be prepared by removing all weed and grass species, ripping the existing soil to a depth of 200mm and adding an additional 100mm layer of compost which is to be thoroughly mixed through with the existing soil. Once planted, a 75mm layer of 25mm-50mm bark mulch should be spread across planter bed to minimise weed growth and assist with maintaining soil moisture;
- Planting should occur in the landscape strip within the first available growing season following commencement of construction of the first building on site;
- The landscape strip should have an establishment period of 12 months with any dead plants at the end of this time being replaced with the same or similar species;
- Any roof colour selected should have a Reflectivity Value of less than 28%;
- Cladding materials for buildings shall be non-reflective materials such as timber or similar with dwelling buildings designed with a small amount of variation to provide interest and avoid monotony.

## 5. CONCLUSIONS AND RECOMMENDATIONS

It is considered that the Project will have the following residual effects on landscape values, character and visual amenity after the implementation of mitigation measures:

Landscape character – the character of the area is changing with the development of the 5-Mile retail area and residential intensification as well as the increased width of the State Highway and associated roundabout creating a more urban character than the rural landscape which existed 5 years ago. It is considered that the proposed development will assimilate well with the new character of the area which is developing and will not have adverse effects on the receiving environment's landscape character.

Landscape values – the proposed buildings are located outside an Outstanding Natural Landscape area but in a General Rural zone considered to be a Visual Amenity Landscape. An assessment was undertaken against the Assessment Matters outlined in the Operative District Plan, 5.4.2.2 (3) where it was considered the proposal will have less than minor effects on the values of the receiving environment.

Visual amenity – in terms of visual effects, views will be possible of the development from motorists using the state highway and the adjoining residence to the southeast. The effects on visual amenity from the proposal are less than minor given the scale and scale of the proposal combined with the proposed mitigation measures.

Overall, the residual landscape and visual effects of the proposal are less than minor.



Dave Compton-Moen





23 April 2015



Dear Sir/Madam

**P E N A L E N N - D S C P L A N E E**

Council is undertaking a review of its District Plan. We anticipate notifying the Proposed District Plan in August / September 2015.

We have been considering the potential to rezone the land shown on the attachment – which includes the land you own - from General Rural zone to a new Medium Density Residential zone. We would like to enable the potential for greater competition in the supply of townhouses near Frankton / Central Queenstown.

The proposed Medium Density zone would provide for minimum section sizes of 250 square metres, although housing development of a density greater than this could be achieved if a land use / subdivision consent was lodged under this proposed zoning.

The zone would enable consideration of community facilities such as churches and daycare centres, as well as visitor accommodation (eg. motels), however would not generally promote commercial retail activity.

Please note that in addition to other landowners in this location, we have also written to the New Zealand Transport Agency to ascertain their views.

We would like to obtain your feedback on this proposal by 15 May 2015. Please provide feedback to me either by letter, or via email: [matthew.paetz@qldc.govt.nz](mailto:matthew.paetz@qldc.govt.nz).

Yours sincerely

Matthew Paetz  
District Plan Manager





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