

**BEFORE INDEPENDENT COMMISSIONERS APPOINTED
BY THE QUEENSTOWN LAKES DISTRICT COUNCIL**

IN THE MATTER of the Resource Management Act 1991

AND

IN THE MATTER of a submission by Gertrude's Saddlery Limited and Larchmont Developments Limited seeking rezoning of land at 111 and 163 Atley Road from Rural to both Lower Density Suburban Residential and Large Lot Residential

STATEMENT OF EVIDENCE OF ARTHURS POINT COMMUNITY ASSOCIATION

Dated 26 January 2023

Introduction

1. The Arthurs Point Community Association (APCA) role is to represent and advocate for the needs and interest of the Arthurs Point community. Representing approximately 1500 residents the Association typically takes a role of facilitation in RMA matters to inform the community about what is proposed and direct them towards the relevant information. Allowing residents to draw their own conclusions as to what the proposed development may mean to them.
2. In our Further Submission on the rezoning of 111 -115 Atley Road the APCA, due to the absence of any supporting information on what rezoning may mean for the community, opposed the rezoning. Our opposition was founded in the fact that it was not possible for residents to make an informed decision on how the new zoning classification may impact them as individuals or as a community.
3. Having read the subsequent evidence provided by Submitters, Further Submitters and Queenstown Lakes District Council experts, we acknowledge that many of the concerns raised in our Further Submission regarding traffic, infrastructure, geotechnical hazards have been addressed.
4. However, with regard to Landscape Effects and Active Transport key issues are still to be addressed or even acknowledged. Until adequate evidence is provided to address these matters, the APCA remains opposed to the re-zoning of 111-115 Atley Road. Our reasons for continued opposition are set out as follows.

Active Transport.

5. In Mr Bartlett's evidence (paragraph 22) it is acknowledged that Atley Road is now a shared cycle/pedestrian route providing active transport access, via the Edith Cavell Bridge, from Arthur's Point to Queenstown.
6. Stated in Mr Bartlett's evidence is that Atley Road, south of Mathias Terrace, has a 4.0-5.0m wide sealed carriageway and is considered a "*wide single lane road, requiring vehicles to use the grass verge to allow oncoming vehicles to pass*". Also included in Mr Bartlett's evidence is a proposal to upgrade to Atley Road that includes widening it to 5.5m and introducing a 1.5m wide footpath on one side of the road.
7. We note that both Mr Bartlett and Mr. M Smith do not comment on the significance of Atley Road as an Active Transport (AT) route both now and into the future.

8. Atley Road, from Amber Close (roundabout) to what is colloquially referred to as the Moa Track (shown in Figure 1), is the key and only link to convey pedestrians and cyclists from the north side of the river to the south side of the Shotover River, without having to travel on Arthur's Point Road (Edith Cavell Bridge excepted).

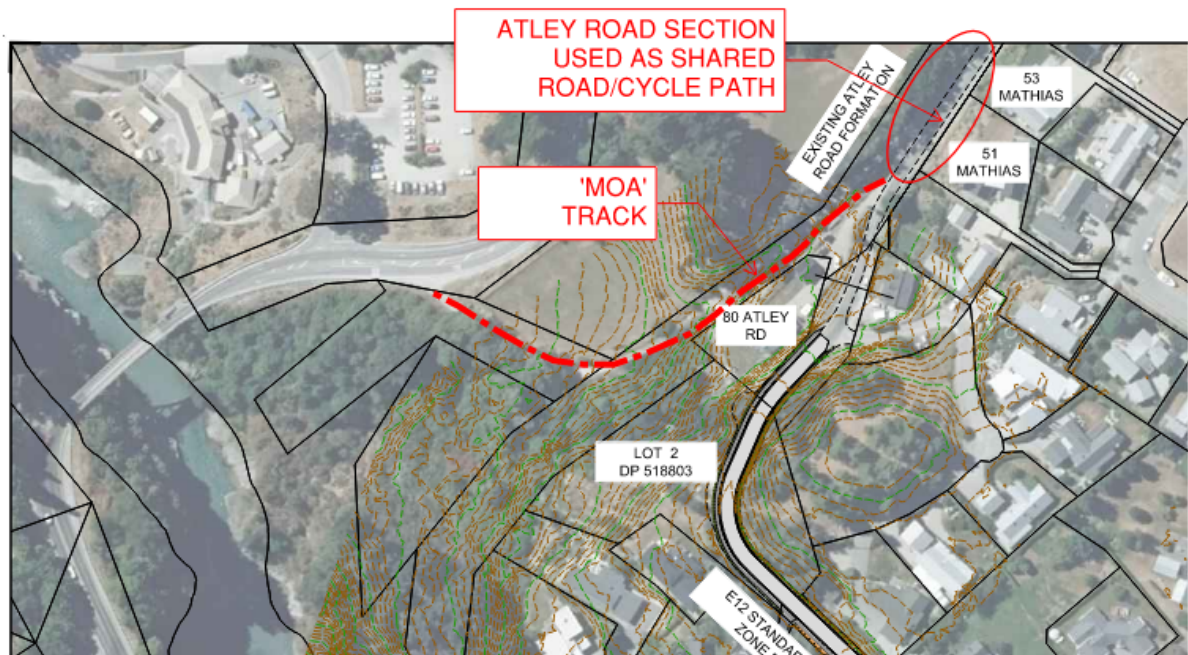


Figure 1: Excerpt Taken from Atley Road Roding Overview presented in Mr evidence. Annotated to show the 'Moa' Track

9. The northern end of Atley Road was recently upgraded to improve cyclce/pedestrian user experience, including a new entrance/exit off Arthur's Point Road.
10. The significance of this residential street will grow exponentially in the coming years as the Queenstown Trails Trust - Arthurs Point to Arrowtown and Arthurs Point to Tucker Beach trails come on line (refer Annex 1) and will funnel an increasing number of cyclists/pedestrians, including people from outside of Arthur's Point, onto Atley Road as they cycle, run or walk to/from Queenstown for recreation or transport.
11. QLDC have recently obtained funding and have completed detailed design to construct and upgrade the Wakatipu Travel WANT Stage 2 Route – C5 from McChesney Bridge in Arthurs Point to Queenstown. www.qldc.govt.nz/services/transport-and-parking/way-to-go/whakatipy-active-travel-network . The designed upgrades include a 2.5m wide, off-road shared pedestrian cycle path. This design sets the benchmark for future upgrades to the remainder of the route to link McChesney Bridge through to Atley Road.
12. With the knowledge that future recreation and commuter trails have to use Atley Road and that the majority of the active transport (AT) route from Arthurs Point to Queenstown is to be upgraded imminently the following key questions need to be answered.

- a. Why is the possible access road design provided by Mr Bartlett, which includes “appropriate transport infrastructure”, inconsistent with proposed upgrades on the remainder of the AT route from Arthurs Point to Queenstown (1.5m footpath vs 2.5m footpath).
- b. Can the section of Atley Road be upgraded to accommodate both the necessary increases in carriageway width to support rezoning and shared cycle/pedestrian width to cater for the upgraded AT route. Noting that the western side of the road is bounded by a circa one metre high retaining wall and a steep ~ 45 degree slope (Figure 2) into the neighbouring property.
- c.



Figure 2: Photo of Atley Road, south of Mathias Terrace showing western boundary of existing carriageway

- d. If both upgrades cannot be accommodated due to the constraints that exist, what takes priority, given no viable alternative route for Active Transport exists in APCA’s opinion.
- e. With the proposed rezoning (and other development) increasing vehicle movements on Atley Road south of Mathias Terrace by circa 200% (~20 current lots, increasing to ~60 with rezoning and development of LDR already zoned on the site) is Atley Road still safe to use as a major AT route? How can the conflict between the large increase in vehicle movements coupled with increasing cycle movements be managed? Particularly given cycle traffic will need to cross Atley Road when travelling towards Queenstown. Why has no study been undertaken to determine the effects of this, given it is a nationally significant issue and a requirement of Policy 4.2.4.2 of the PDP.

Landscape Effects

Impact on visual amenity for users of the Shotover River

13. The APCA agrees with Mrs Mellisop that Mr Espie has understated how much the river is used by recreational users, both motorised and non-motorised. Shotover Jet have never had exclusive access to the river as stated by Mr Espie, only exclusive commercial access. Recreational jet-boaters, kayakers, etc have always been able to use the river via the permit system that exists and has been in place for many years.
14. Since the introduction of “blanket” permits, for non-motorised vessels, on Wednesday and Friday evenings that allow anyone to use the river at set times without organising their own permit, the river has seen a dramatic increase in recreational use. It is not uncommon on a warm, summer evening to see upwards of 50 different watercraft floating down the stretch of river from Edith Cavell Bridge to Tucker Beach.
15. The Shotover River is a significant recreational area for residents and non-residents, the stretch of river from Edith Cavell Bridge to Big Beach (and beyond) retains a wild and natural feeling that can only be experienced by being on the river, refer figure 3



Figure 3: Photo taken from Shotover River, just downstream of Edith Cavell Bridge

16. As stated by Mr Espie in paragraph 91 of his evidence he has not visited the stretch of river immediately below the area proposed to be rezoned. We also note that there are no visualisations presented in his evidence (Or Mrs Mellisop’s) that show how the views from the river may be impacted by development of the site.

17. Given Mr Espie has not been on the stretch of river and there are no visualisations provided with his evidence we struggle to see how he, or anyone else, could arrive at the conclusion that *“adverse effects on visual amenity will be of a very low degree at most”* as he states. Particularly given a number of lots (Lots 31,33, & 36) are located right on the lip of the gorge walls, with no or limited planting proposed to screen them from the river
18. The naturalness and views on this stretch of river are outstanding and the experience is one that is very rare, so close to a major urban centre. It is imperative that the views and experience currently enjoyed are maintained.

Arthurs Point Landscape Concept Plan

19. In 2021, the APCA commissioned a Landscape Concept Plan to preserve the values of the Arthurs Point community and landscape. A copy of the Landscape Concept Plan is appended to this Further Submission (Annex 3).
20. The proposed rezoning, removal of the ONL protections and relocation of the urban growth boundary are contrary to points 1, 7 and 8 of the Landscape Concept Plan and is potentially inconsistent with point 6 with regards to AT.

Rezoning

21. If the above matters were adequately addressed and the impacts on visual amenity from the Shotover River are confirmed to be minimal or appropriately mitigated. And it can be demonstrated that Atley Road can be upgraded to cater for both development of the rezoned land and upgrades to the active travel network, APCA’s position would revert to neutral.
22. If the commissioners are of the mind to grant rezoning of the site then the APCA would request the following conditions be imposed.
 - a. That the areas of structure planting proposed to screen development be held in common title, or designated reserve area, to be managed by a body corporate or QLDC to afford them a greater level of protection than if held in private title (given they are key to mitigating the effects). This would also provide flexibility to bring the proposed trail paralleling the river onto the subject site, if the topography on conservation land was too steep for trail construction.
 - b. While we acknowledge that the current structure plan provides for access from the site to the conservation land bordering the river, it is limited. The future [Shotover River pedestrian bridge](#) is likely to be located to the western end of the site (or further upstream) and as such access to conservation land bordering the river would be better suited with multiple access points – refer Annex 2 for suggested locations. Similarly, there is an existing QLDC reserve on the north-eastern end of the site that could be (better) connected via access over the site.

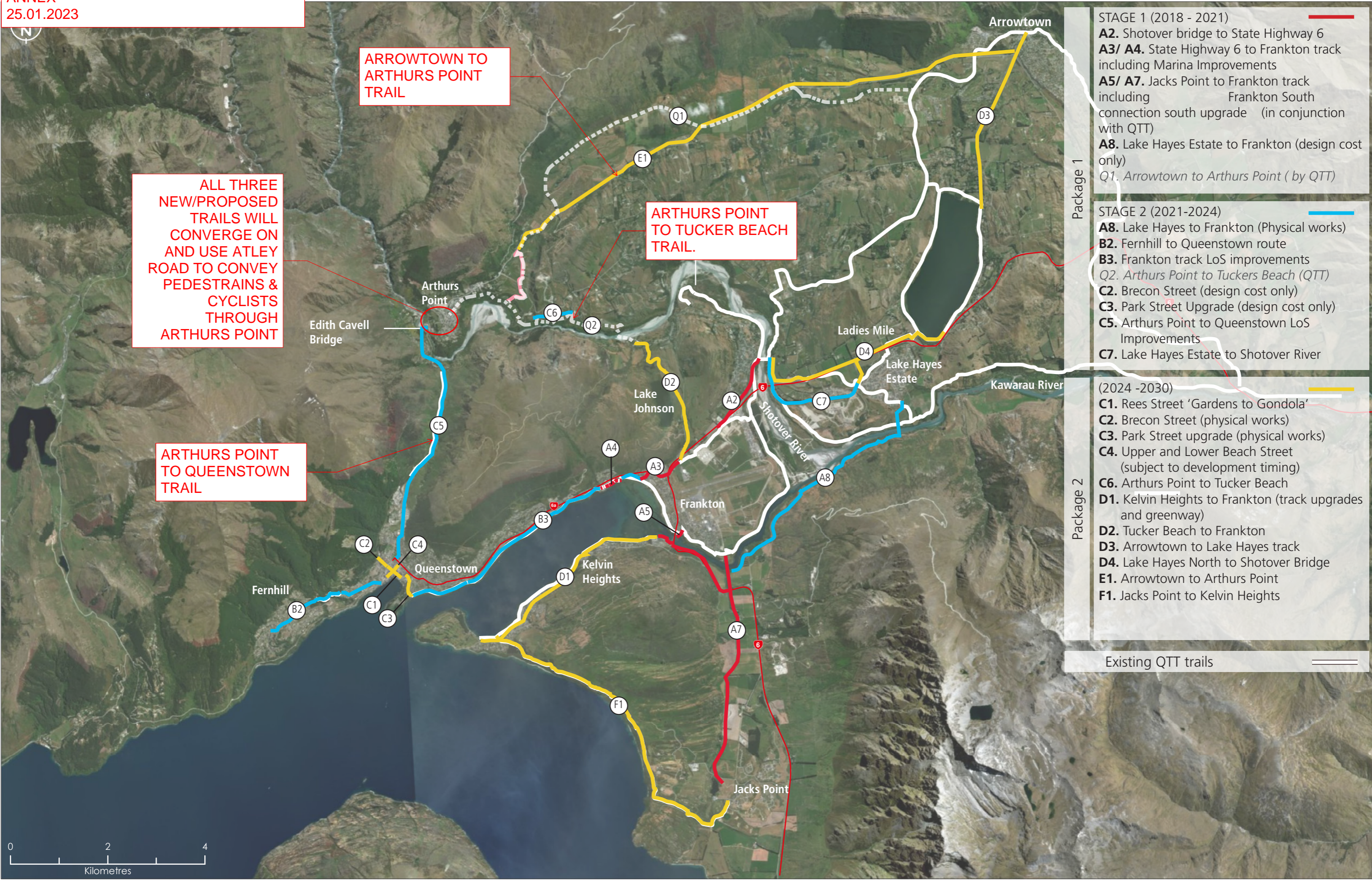
- c. The potential trail, and access to it, on DoC land is proffered as a positive aspect of the proposed development. The APCA would therefore request that covenants (or some other legal instrument) be registered on the property title (and any future subdivision of it) preventing property owners from objecting to the formation of the trail and as well as any future Shotover River crossing (bridges) that the trail connects to. Alternatively, as outlined above the trail could be built on the subject site, this would ensure that third party approval was not a requirement of its construction and would ensure a positive outcome for the community. Either way, the costs of construction and obtaining the necessary consents for the trail should fall on the Submitter.
- d. The upper reaches of the conical hill within the site are proposed to be reserve to protect landscape values. We note that the hill is completely landlocked by private property (in the structure plan) and therefore has no recreational value. Public access to the hill should be provided from the roads proposed either side of the hill.
- e. If the request to have the structure planting held in reserve land is not acceptable, the APCA would request additional reserve land be designated for public recreation. The proposed development is similar in scale to Atley Downs (Mathias Terrace) which has a community park and a public walkway (unfinished) to public conservation land.
- f. The APCA have some concerns that if rezoning is granted then future subdivision and development may be done under a controlled activity status, limiting further community input. Our preference would be that future subdivision and development of the more sensitive sites be subject to public notification.

Other Matters

- 23. Addressing Mr Fairfax's concerns as raised in his evidence, paragraphs 24(c) & 28, that he feels he has been subject to bias by the APCA in regards to the potential rezoning of his land.
- 24. We acknowledge that Mr Fairfax has contacted APCA several times requesting to talk at committee meetings.
- 25. As relayed to Mr Fairfax consistently, the APCA is happy to circulate, on his behalf, via our media channels any written information that would help inform the community as to what is/was proposed. No information was ever provided to APCA.
- 26. As also discussed with Mr Fairfax, there is little to no value in presenting verbally, directly to APCA committee members to provide "the context" as a) the burden of documenting "the context" in a way that it could be circulated to the community would then fall on the APCA members, b) it could be construed as being biased, towards supporting the rezoning and c) the meetings are typically always only attended by committee members and it is the community that needs to be informed (not committee members), hence our request for written information to be provided.
- 27. APCA did circulate the "Concept Masterplan" as well as links to expert evidence to our members when it was made available to us via the QLDC website (after the Further

Submission date had closed). Mr Fairfax was also offered the opportunity to have an information stand at the APCA annual community BBQ, which he chose not to attend.

28. Further to this we also deny that APCA has somehow been supportive of the Arthurs Point Outstanding Natural Landscape Society (APONLS) in their opposition to rezoning. Any resident of Arthurs Point can attend an APCA meeting (although seldom do) and speak at the general forum (as Mr Fairfax could have if he had chose to do so). There was and never has been a formal invite to APONLS to attend any APCA meetings, or support provided by APCA to APONLS in their opposition to rezoning.
29. As outlined in Mr Fairfax's evidence and our own Further Submission. APCA do not typically take a position on RMA matters, but act as a conduit for information to flow through to the community. Given the scale and significance of the proposed development and that no information was available on what rezoning may entail, at the time Further Submissions were requested – we opposed rezoning to provide the community the opportunity to be involved in the rezoning process and to seek and distribute information, once available. Our opposition is due to the lack of information detailing what is proposed, rather than the proposal itself.



ALL THREE
 NEW/PROPOSED
 TRAILS WILL
 CONVERGE ON
 AND USE ATLEY
 ROAD TO CONVEY
 PEDESTRIANS &
 CYCLISTS
 THROUGH
 ARTHURS POINT

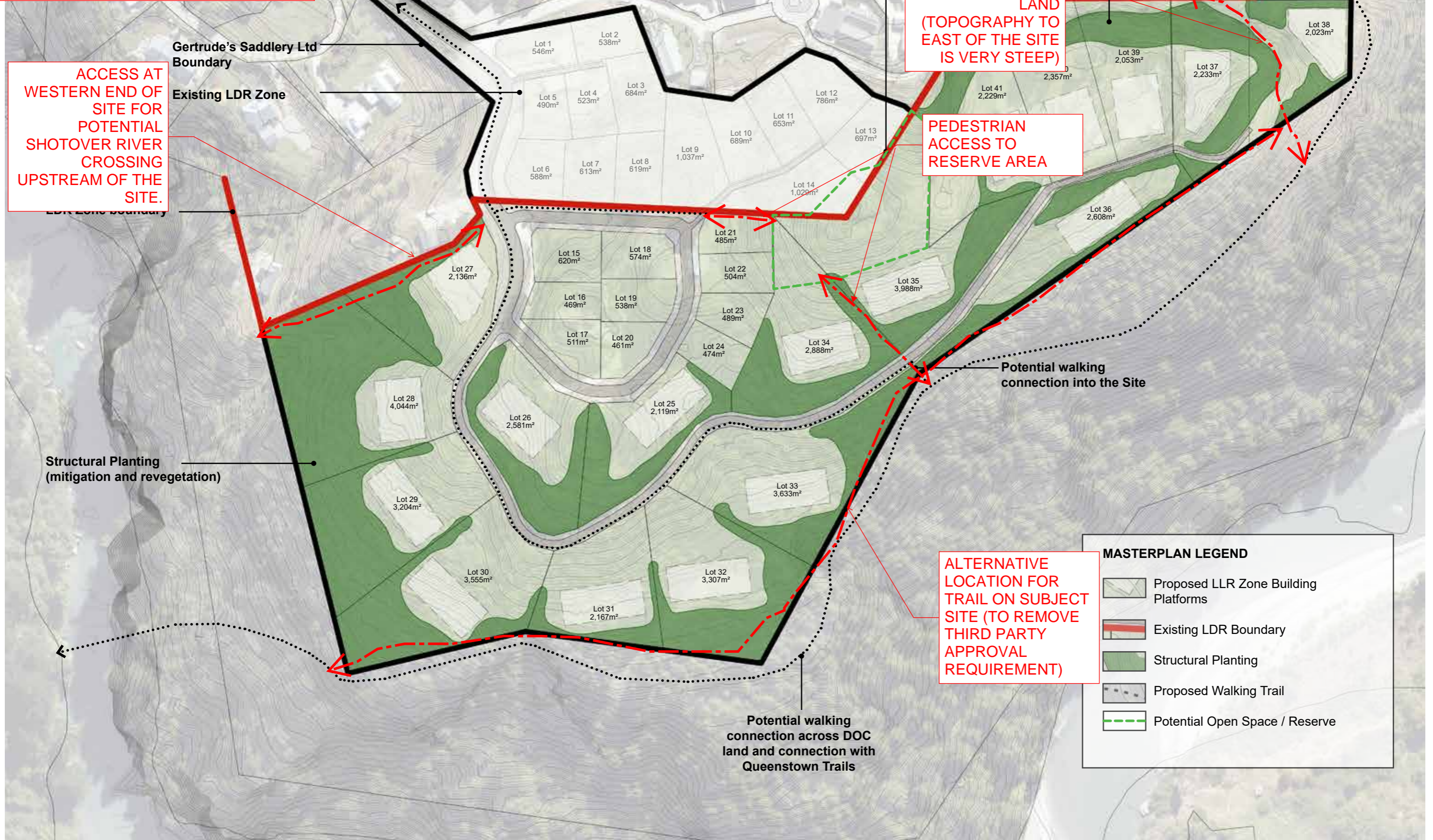
ARROWTOWN TO
 ARTHURS POINT
 TRAIL

ARTHURS POINT
 TO TUCKER BEACH
 TRAIL.

ARTHURS POINT
 TO QUEENSTOWN
 TRAIL

- Package 1**
- STAGE 1 (2018 - 2021)
- A2. Shotover bridge to State Highway 6
 - A3/ A4. State Highway 6 to Frankton track including Marina Improvements
 - A5/ A7. Jacks Point to Frankton track including Frankton South connection south upgrade (in conjunction with QTT)
 - A8. Lake Hayes Estate to Frankton (design cost only)
 - Q1. Arrowtown to Arthurs Point (by QTT)
- STAGE 2 (2021-2024)
- A8. Lake Hayes to Frankton (Physical works)
 - B2. Fernhill to Queenstown route
 - B3. Frankton track LoS improvements
 - Q2. Arthurs Point to Tuckers Beach (QTT)
 - C2. Brecon Street (design cost only)
 - C3. Park Street Upgrade (design cost only)
 - C5. Arthurs Point to Queenstown LoS Improvements
 - C7. Lake Hayes Estate to Shotover River
- (2024 -2030)
- C1. Rees Street 'Gardens to Gondola'
 - C2. Brecon Street (physical works)
 - C3. Park Street upgrade (physical works)
 - C4. Upper and Lower Beach Street (subject to development timing)
 - C6. Arthurs Point to Tucker Beach
 - D1. Kelvin Heights to Frankton (track upgrades and greenway)
 - D2. Tucker Beach to Frankton
 - D3. Arrowtown to Lake Hayes track
 - D4. Lake Hayes North to Shotover Bridge
 - E1. Arrowtown to Arthurs Point
 - F1. Jacks Point to Kelvin Heights
- Existing QTT trails





Arthurs Point Landscape Concept Plan

Arthurs Point is nestled within an outstanding natural landscape. This provides context and is central to its identity and special character. The goldmining heritage provides an additional important overlay which also contributes to its character.

Key Landscape Strategies

- 1 Uphold a clear urban/rural edge at both the southern and northern entrance. Avoid urban bleed.
- 2 Establish clear and distinctive 'gateway' entrances at both the north and south entries.
- 3 Retain and protect the distinct character and differences of old and new Arthurs Point.
- 4 Edith Cavell Bridge and the Shotover Gorge are defining physical and spiritual focal points of Arthurs Point. Maximise opportunities for use, enjoyment and viewing (separate from vehicles).
- 5 Eco-sourced native roadside planting (especially of main arterial road) provides a key means of creating cohesion, softening built form and strengthen natural character.
- 6 Ensure infrastructure upgrades are compatible with the character of Arthurs Point.
- 7 Transition to a more pedestrian focused zone on the main arterial route and minimize excessive traffic and road clutter (parking, traffic signs, bollards etc).
- 8 Retain key views to natural landscape and avoid losing views and visual degradation.
- 9 Continue wilding tree removal and weed removal/control on reserves and Crown Land and transition to eco-sourced native planting.
- 10 Establish junctions or nodes for the different parts of Arthurs Point to form community gathering points/precincts