

**BEFORE THE INDEPENDENT HEARING PANEL APPOINTED BY THE
QUEENSTOWN LAKES DISTRICT COUNCIL**

UNDER the Resource Management Act 1991 (RMA)
IN THE MATTER of the Te Pūtahi Ladies Mile Plan Variation in accordance
with section 80B and 80C, and Part 5 of Schedule 1 of the
Resource Management Act 1991.

**STATEMENT OF REBUTTAL EVIDENCE OF STUART JAMES DUN
10 November 2023**

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Introduction

- 1 My full name is Stuart James Dun. I am a Landscape Architect and Principal at Studio Pacific Architecture (**Studio Pacific**).
- 2 I prepared a statement of evidence on behalf of Queenstown Lakes District Council (**QLDC** or **Council**) dated 29 September 2023 on the submissions and further submissions to the Te Pūtahi Ladies Mile Plan Variation (**TPLM Variation**). My evidence considered the development of the TPLM Structure Plan, the key urban design outcomes intended by the TPLM Structure Plan, the elements of the TPLM Structure Plan to achieve the outcomes sought and responded to submissions.
- 3 I have the qualifications and experience as set out at paragraphs 6 to 8 of my statement of evidence dated 29 September 2023.
- 4 I repeat the confirmation given in my evidence that I have read the Code of Conduct for Expert Witnesses contained in the Environment Court Practice Note 2023, and that my evidence has been prepared in compliance with that Code.

Scope of rebuttal evidence

- 5 In preparing this rebuttal statement, I have read and considered the evidence filed on behalf of submitters as that evidence relates to my evidence. I also attended the expert conferencing session on 1 November 2023 and have also read and considered the Joint Witness Statement produced at that expert conferencing session.
- 6 In this evidence I respond to the:
 - (a) Statement of Evidence of Bruce Weir on behalf of the Anna Hutchinson Family Trust (107) dated 20 October 2023.
 - (b) Statement of Evidence of Tim Church on behalf of the Anna Hutchinson Family Trust (107) dated 20 October 2023.
 - (c) Statement of Evidence of Bruce Weir on behalf of Glenpanel Development Ltd (73) dated 20 October 2023.
 - (d) Statement of Evidence of Jane Rennie on behalf of Queenstown Country Club (106) dated 20 October 2023.
 - (e) Statement of Evidence of Dave Compton-Moen on behalf of Glenpanel Development Limited (73) dated 25 October 2023.

- (f) Statement of Evidence of Alex John Dunn for Doolytle & Son Limited dated 20 October 2023.
 - (g) Statement of Evidence of Erin Stagg on behalf of the Sanderson Group and Queenstown Commercial Limited (93) dated 20 October 2023;
 - (h) The experts' joint witness statement on urban design, dated 1 November 2023.
- 7 My rebuttal evidence relates to urban design matters alongside the rebuttal evidence of Bruce Harland and Michael Lowe. As such, all three briefs of rebuttal evidence should be read in conjunction.
- 8 My rebuttal evidence addresses the following matters::
- (a) Reduction of SH6 Setbacks;
 - (b) Anna Hutchinson Family Trust Land;
 - (c) Density;
 - (d) Glenpanel Precinct; and
 - (e) Doolytle & Sons property.
- 9 I rely on the evidence of Bruce Harland and Michael Lowe related to other urban design matters and am generally aligned with the statements of rebuttal evidence. In particular:
- (a) Mr Harland's evidence addresses the alignment with the Te Kirikiri Frankton Masterplan; the western extent of the TPLM Variation; walkability assumptions and the layout of the proposed Western Node proposed in the evidence in support of the Anna Hutchinson Family Trust requested rezoning.
 - (b) Mr Lowe's evidence addresses the minimum densities; Structure Plan prescriptiveness; the request for storage facilities by Maryhill; the increased height limit sought in the evidence of Sanderson Group and Queenstown Commercial and setbacks between the Koko Ridge and Corona Trust land.

Reduction to SH6 Setbacks

- 10 As stated in the urban design joint witness statement (**JWS**) it was agreed that the Ladies Mile, specifically the SH6 corridor, provides an important gateway experience – now and in the future – to Queenstown.¹
- 11 It was further agreed that SH6 needs to be a key multi modal transport corridor with good amenity, and all agreed that at least northern development needs to front SH6 positively and should not turn its back to Ladies Mile.
- 12 As highlighted in my evidence in chief (paragraph's 24 -26) the design of SH6 is a considered response to a unique set of opportunities and constraints to appropriately urbanise the northern part of Ladies Mile whilst balancing the gateway qualities sought and responding to the unique landscape. A 75m setback on the southern side of SH6 was proposed in the TPLM Variation in order to achieve these outcomes and in particular to maintain views to the Remarkables and other ONLs.
- 13 Jane Rennie, expert for Queenstown Country Club (**QCC**), considers that there is insufficient urban design justification for the retention of the 75m setback on the QCC site and contends that 'a reduced setback of 25m will still enable the development of a high amenity character along the QCC frontage that will support a 'softer' filtered view of the built form anticipated and contribute to this important gateway experience.'²
- 14 The joint witness statement from landscape experts notes that there was agreement that 'a pattern of development comprising 8m building height located at a 25m setback of a consistent form along this setback would have adverse effect on views to surrounding ONLs.'³ However, it also states that 'there is room for consideration of the reduction of the 75m BRA to 25m, on the basis that it is replaced/accompanied with a specific design/policy response in regard to built form permitted.'⁴
- 15 I rely on agreement from the landscape experts that views to the Remarkables and wider landscape would be retained with a reduced setback (to 25m with building height and other controls) and that as such

¹ Urban design JWS - page 2.

² Evidence of Jane Maree Rennie – paragraph 1.5

³ Landscape JWS – issue 4

⁴ Landscape JWS – issue 4

the wider landscape intent of the 'gateway' approach to the southern side of SH6 can be maintained within this smaller setback.

- 16 I would suggest that as a minimum the controls would need to include restrictions on height, building line in order to avoid a consistent building line along the entire length, separation between buildings to enable long views, and fencing/boundary treatment. I would also recommend that a no build area in front of the existing QCC community building be retained for sense of openness.
- 17 Jane Rennie also suggests that 'a reduced setback will also better support visual connectedness across the corridor, reducing the sense of separation of the two sides of the corridor. This will reduce barriers to community connectivity, and cohesion and support will be enhanced overlooking of the corridor.'⁵
- 18 I do not agree that this is necessarily the case. The nature of SH6, even with reduced speeds, coupled with both public transport and active transport links will limit crossing opportunities regardless, and the volume of traffic on SH6 already provides high levels of passive surveillance.
- 19 I do agree that there is an opportunity for greater connectivity at the Howards Drive intersection and it was agreed in the urban design JWS that 'there is potential to support the urban form outcomes of the town centre and community facilities with appropriate civic or urban development around the Howards Drive intersection.'⁶
- 20 If the reduced setback was applied additional population living within walking distance to the commercial centre is positive – although given the low density zoning perhaps overstated.
- 21 From an urban design perspective I agree that a reduced setback (to 25m) on the southern side of SH6 will still achieve the urban design outcomes sought through the TPLM Variation and, relying on the statement in the landscape JWS, will not compromise the wider views of the Remarkables that constitute a significant aspect of the intended 'gateway' experience.

⁵ Evidence of Jane Rennie – paragraph 6.8

⁶ Urban Design JWS – page 3

- 22 Tim Church in his evidence on behalf on the Anna Hutchinson Family Trust states that the approach to SH6 differs to that used on the Te Kirikiri Frankton Masterplan ‘where the rationale is to better utilise developable land and integrate the urban form either side of SH6 to reduce community severance.’⁷ I agree that the approach is different and note that this is intentional given the different context. Frankton is a metropolitan centre and as such a very urban response to SH6 as described by Mr Church is appropriate. For the Ladies Mile, which is further away from the centre, the approach has been to maintain a setback – not to hide development – but to maintain a strong and consistent landscape character in response to the ‘gateway’ objectives of the project.
- 23 Mr Church also contends in paragraph 13(e) of his evidence that there was no recognition of the One Network Framework where the place based roles of urban transport routes are clearly established. The One network framework was considered as part of the TPLM Masterplan. The following statements are from Colin Shields’ TPLM Transport Strategy that supported the TPLM Masterplan and was appended to the Section 32 Report for the TPLM Variation:⁸
- The high level ONF review carried out as part of the LM Masterplan, concurs with the findings from the QLDC ONF workshop that, with the LM Masterplan, SH6 Ladies Mile is considered to be an Urban Connector with a high Place function and a high Movement function.
- The proposed LM Masterplan changes to the layout of SH6 Ladies Mile (including speed limit reduction to 50 or 60km/h, at grade signalised crossings and bus lanes) fully supports the ONF classification of SH6 as an Urban Connector and the proposed changes are necessary to correctly represent the ONF Place and Movement function for SH6 in the next 10 years with the LM Masterplan.
- 24 In my opinion a 25m setback on the northern side of SH6 which incorporates a 20m amenity access area with active transport link, consistent landscape treatment, and housing that positively addresses SH6 is an appropriate outcome that balances the desire to utilise

⁷ Evidence of Tim Church – paragraph 28

⁸ Te Putahi Ladies Mile Masterplan Transport Strategy dated 8 March 2022, Appendix D (Movement and Place Review and High-Level Safe System Assessment), page 1.

developable land and the role of SH6 as a multi modal transport corridor with the arrival experience into Queenstown.

25 I note that the JWS for planning has questioned the implications of the speed limit reduction on SH6:⁹

Does the changed speed limit and intersections change the requirement for 25m setbacks? And the 5m building setback?

Does it change the designs of developments around the road so that they face the road rather than turn their backs to the road?¹⁰

26 In response, it is my opinion that that the 60km speed limit and change to signalised intersections for SH6 does *not* alter the requirement for, or design of the 25m setback and 20m amenity access area for the following reasons:

- (a) When designing this setback it was always anticipated that the speed of SH6 would be lowered.
- (b) The character and context of this stretch of SH6 is distinct from the character and context to the west of the Shotover Bridge and as such a different approach that responds to this context is appropriate.
- (c) Regardless of speed the status of the road as a state highway and the high volumes of traffic, including heavy traffic and buses, necessitate a considered response that provides a buffer for adjacent residents from noise, visual intrusion at night, and pollution.
- (d) Limited access off of the state highway will also remain regardless of speed, as such the access lane indicated within the proposed cross section provides access to allow houses to positively face the highway, rather than rear fences.
- (e) As agreed between the urban design experts, SH6 is a gateway to Queenstown and the amenity access area on the north and setback to the south provide for a landscaped treatment that provide a consistent corridor with a distinct character.

⁹ Planning JWS for Thursday dated 3 November 2023, pages 2-3.

¹⁰ Thursday-joint-witness-statement-planning-2-11-2023-final. page 2

- (f) The setback futureproofs the corridor for potential widening or inclusion of additional or alternative public transport modes.

27 As such I maintain that the 25m setback and 20m amenity access area to the north, and 25m (min) setback to the south of SH6 are an appropriate design response and do not need to be reconsidered from an urban design perspective.

Anna Hutchinson Family Trust Land

28 Tim Church and Bruce Weir have both submitted urban design evidence on behalf of the Anna Hutchinson Family Trust and raise a number of issues which are being jointly addressed by myself and Bruce Harland in our separate rebuttal evidence. I will primarily address those aspects which relate to the suggested inclusion of the Anna Hutchinson Family Trust (**AHFT**) land into the TPLM Variation. In his rebuttal evidence Bruce Harland has addressed the following issues and I refer to and adopt his evidence on these matters:

- (a) Alignment with the Te Kirikiri Frankton Masterplan;
- (b) Western Extent - Rationale for Boundary in Masterplan and Notified Variation;
- (c) Walkability Assumptions;
- (d) Proposed western node layout; and
- (e) Layout of a Proposed Western Node.

29 In paragraph 26 of his evidence Mr Church notes the omission of consideration and analysis of the wider context, both existing and anticipated, from my design process list. I can confirm that analysis and consideration of the wider context was part of the TPLM Masterplan process and did inform the design. This is further described by Bruce Harland in his rebuttal evidence.

30 In paragraph 34 of his evidence Mr Church states that I do 'not appear to have considered how TPLM Structure Plan could be effectively integrated if the Extension Area was acceptable to the IHP.'¹¹ I agree that if the AHFT land were to be included it would necessitate a review of the land use and transport relationships at the western end of the

¹¹ Evidence of Tim Church – paragraph 34

TPLM Structure Plan area. Appended to the evidence of Mr Weir are a series of drawings presented as structure plan drawings for the extension area and integrating into the western end of the existing TPLM structure plan area. These plans are also reflected in the 'optimised option – Figure 8B' appended to Mr Church's evidence.

31 It is my opinion that if the AHFT land were to be included in the TPLM Variation there are alternative layouts that would better integrate transport connections, commercial activity, and higher density residential at the western end. I consider that there would need to be a number of changes to the proposed structure plan provided by Mr Weir to better integrate it before it could be adopted into the TPLM Structure Plan, for example:

- (a) Directing the bus route off of SH6 and into the development area is not efficient and I am unclear on how this is proposed to work. It would also result in active transport modes wanting to run along SH6 having to cross the bus lane, or be diverted into the development.
- (b) The proposed realignment to Lower Shotover Road through the western end of the TPLM Variation area is circuitous and could be reworked as a more legible route. For example the Collector Road A could run directly into Lower Shotover Road with a 'T' intersection connecting to SH6.
- (c) The relationship between the neighbourhood park and adjacent higher density living could be more strongly connected and enhanced. i.e. not separated by a busy collector road.
- (d) The layout of proposed roading would need to be tested in relationship to the efficiency of the development parcels it creates.
- (e) Consideration of the location of bus stops in relation to a signalised intersection would need to be explored.

32 I also question the lower densities proposed within the evidence of Mr Weir in relation to the structure plans provided.¹² In my opinion this is slightly contrary to their arguments for development in this area, although I acknowledge the landscape attributes noted as rationale for

¹² Evidence of Bruce Weir – paragraph 80

this reduction in density. In my view, as previously stated, if the land were to be included it would necessitate a rethink of the western end to provide additional amenity that would support higher density walkable living. As such, from an urban design perspective I would be suggesting higher medium density residential in line with the approach to the rest of the Ladies Mile Variation area to the north of SH6.

- 33 In paragraph 33 of Mr Church's evidence he acknowledges that the council cemetery is a notable feature, 'however it is not unusual for cemeteries to be integrated into urban areas and provide useful amenity for these areas. Furthermore, the extent of developable land around it remains considerable.'¹³ It should be noted that this land is zoned Open Space Zone – Community Purposes Cemetery. This is now the Wakatipu's main cemetery and the land is required for future burial capacity. From a Council perspective, this land is not available for community recreation now or into the future.
- 34 In paragraph's 30 and 31 of Mr Church's evidence he contends that the inclusion of the AHFT land would further facilitate better connections to nature and walking and cycling connections to the Shotover River. Whilst I agree that the AHFT land would provide additional opportunities to connect to the Shotover River I maintain that given the topography the most appropriate cycle and walking connection is still along Spence Road as proposed in the TPLM Variation.
- 35 Both Mr Church and Mr Weir present a number of arguments for the inclusion of the AHFT land and the creation of a 'node' at the western end of the notified TPLM Variation area based on their assessment of the relationship to Frankton and the opportunity of the transport corridor along SH6. I also note that at the urban design conferencing 'All agreed it would be a lost opportunity if the land within the Extension Area submitted on by AHFT was built on as low density or lifestyle block, as without the current infrastructure constraints, this site may be appropriate for urban development.'¹⁴
- 36 However, given the transport constraints of the TPLM Variation that place a maximum cap of 2400 dwellings I maintain that the approach taken in the TPLM Variation to focus development around the proposed

¹³ Evidence of Tim Church – paragraph 33

¹⁴ Ladies Mile Urban Design Joint Witness Statement – page 15

commercial centre, community park, sports hub, and potential schools with a focus on walkable neighbourhoods centred around Howards Drive is an appropriate response. I also maintain that the western edge in the TPLM Variation Structure Plan is a logical and defensible edge.

- 37 I re-iterate the following rationale for excluding the AHFT land from the TPLM Variation:
- (a) 2400 cap on dwellings and the risk of diluting the intensity sought around the proposed town centre by locating people outside of a walkable catchment of it.
 - (b) It is beyond 1200m from the Town Centre, High School, community park, and sports hub which will reduce walking and cycling trips and likely encourage more vehicle trips from this location.
 - (c) Although within walking distance (800m) to the proposed bus stop at Stalker Road it is outside of the 400m catchment and these distances will be greater than distances to bus stops for within the rest of Ladies Mile where the majority of residential development is within 400-500m.
 - (d) It is noted in the landscape JWS that there is disagreement on the appropriateness of development in this area from a landscape perspective.¹⁵
 - (e) It is noted that the under the Transport JWS that no agreement was reached regarding the inclusion of the extension area for a transport perspective.¹⁶

Density

- 38 The issue of density and the requiring of minimum densities has been raised and I refer to Michael Lowe's rebuttal evidence on densities. As a general note I do re-iterate that from an urban design perspective I support minimum densities in order to achieve the outcomes sought in the TPLM Variation for compact walkable neighbourhoods that support efficient use of land and good urban design outcomes.

¹⁵ Landscape JWS – issue 3.

¹⁶ Traffic JWS – page 6.

Glenpanel Development

- 39 The evidence of both David Compton-Moen and Bruce Weir on behalf of Glenpanel Development Limited (**GDL**) have proposed to:
- (a) Provide a higher intensity mixed ‘use quarter’ on the eastern edge of the Glenpanel Precinct up to, and on the lower banks of Slope Hill, and;
 - (b) Promote more-intensive MDR outcomes on the blocks immediately west of the Homestead.¹⁷
- 40 It is my understanding that the evidence essentially proposes the creation of a commercial or community ‘mixed use quarter’ by creating a setback to the Homestead which would include the existing trees, as a ‘highly legible, attractive and vibrant node.’¹⁸ This precinct would then be surrounded by development with an increase of building heights from 8m to 17m outside of this setback, and possible residential development which extends into the ONF.¹⁹
- 41 I refer to drawing number 004 appended to Mr Compton-Moen’s evidence and agree that the image presented of proposed building heights on the lower half of the page represents a more positive urban design outcome. I agree that an increase in building heights to the east and adjacent to the HDR Precinct is appropriate in this context from an urban design perspective although I note that councils heritage expert Robin Miller has concerns around a blanket 17m height limit for the precinct as set out in his rebuttal evidence.²⁰
- 42 I would support the approach to providing setbacks from the Homestead and note that the size of the proposed setbacks to the Homestead are not provided in Mr Compton-Moen’s evidence, but are however noted in the evidence of Tony Milne as 100m to the west and 80m to the east of the Homestead as referenced in Mr Miller’s evidence.²¹ These setbacks would need to be sufficient to create the type of precinct described in the image and also provide for sufficient long term protection of the trees

¹⁷ Evidence of Bruce Weir – paragraph 35

¹⁸ Evidence of Bruce Weir – paragraph 36(a)

¹⁹ Evidence of David Compton-Moen – paragraph 17

²⁰ Rebuttal evidence of Robin Alexander Keith Miller, at paragraph 10.

²¹ Rebuttal evidence of Robin Alexander Keith Miller, at paragraph 13

within the precinct that provide an appropriate setting for the heritage building.

- 43 I also note that through the TPLM Masterplan design process the opportunity to create a 'public park' at the homestead was explored but not pursued in favour of providing a flat open community park adjacent to the proposed commercial centre that provided for a greater range of recreation activities. As such I envisage that the Glenpanel Precinct would remain in private ownership with access to the public related to the commercial or community activity of the Homestead.
- 44 I am reluctant to enter the debate on building into the ONF as this is outside of my area of expertise and I rely on the landscape evidence in chief of Bridget Gilbert in this regard (and also Bridget Gilbert's opinions recorded in the Joint Witness Statement of Landscape experts regarding Slope Hill ONF dated 18 October 2023) . However, from an urban design perspective I would support a crafted response to topography and landform in this area that contributes to the vibrancy of the overall Glenpanel Precinct.

Doolytle and Sons

- 45 Alex Dunn on behalf of Doolytle & Son Limited has provided evidence in support of zoning their property on Howards Drive to TPLM Zone - Commercial Precinct, or alternatively High Density Residential Zone under the Proposed District Plan (**PDP**) if this is not accepted. The site is currently zoned Lower Density Suburban Residential in the notified TPLM Variation. I responded in my evidence in chief to the original submission from Doolytle & Son Limited (submitter 81) that I did not support zoning of this land for commercial activity or for High Density Residential Zone. I note that at the time I interpreted that the request was for HDR Precinct under the TPLM zone. . Mr Dunn clarifies in his expert evidence that the relief sought is for either TPLM Zone - Commercial Precinct zoning or, failing that, current PDP High Density Residential zoning with a maximum height of 12 metres on flat sites (Rule 9.5.1.1).
- 46 Mr Dunn provides a number of arguments for the rezoning of this land for commercial purposes related to location of the site and commercial demand in the area. I refer to the JWS for the economic experts who

have agreed under item 8 that they do not support the proposal as promoted by the submission for reasons including that:

- (a) The site is too close to existing and proposed centres;
- (b) Competes with the proposed Commercial Precinct; and
- (c) Unsupported by demand evidence.²²

47 I also refer to the rebuttal evidence of Natalie Hampson that further addresses why she does not support the rezoning of this land for commercial purposes.

48 From an urban design perspective I concur with the economic experts view and agree that zoning this site commercial would not be a logical extension of the proposed commercial centre on the north side of SH6 nor create a 'commercial corridor' as suggested by Mr Dunn.

49 I would support the zoning of this land for higher density residential as in my opinion the site is well located to support the nearby town centre, sports hub, potential high school, and public transport. I would be supportive of a PDP HDR zoning with 12 metre height limit.

Expansion to commercial precinct

50 The statement of evidence of Erin Stagg supports the submission of Sanderson Group and Queenstown Commercial Limited to extend the commercial precinct of the TPLM Variation size of 2.13ha to 4.21ha by extending the area further to the north and the east. I refer to the economic rebuttal evidence of Natalie Hampson who gives a detailed analysis of the submission to expand the commercial precinct in response to the evidence of Erin Stagg on behalf of the Sanderson Group and Queenstown Commercial Limited.

51 I support the conclusion that Natalie Hampson has reached to support a 50% (1.07ha Gross) expansion of the Commercial Precinct for the reasons outlined in her evidence.

52 From an urban design perspective it is my opinion that this additional area should be provided for by widening the existing Commercial Precinct to the east only. This would maintain the current position of the western edge with the Howards Road extension and maintain the view

²² TMPL JWS – Attachment A Economics – section 8

shaft through to the community park and Slope Hill on the current alignment. Extending only to the east would also contain the commercial precinct to the south of the Collector Road A and maintain the community park in its current location. The addition of 1.07ha would extend the width of the precinct by approximately 38m.

Conclusion

- 53 From an urban design perspective I can support the proposal to reduce the setback on the south side of SH6 from 75m to 25m with the inclusion of building design and height controls that will ensure views to the Remarkables and a sense of open space are retained.
- 54 I maintain that a 25m setback to the north of SH6 including the 20m amenity access area is an appropriate outcome for this urban connector that balances urbanisation with a consistent green corridor and promotes a positive relationship between development and the state highway.
- 55 I maintain that the AHFT land should *not* be included in the TPLM Variation, however acknowledge that it may be suitable for development in the future.
- 56 If the AHFT land were to be included in the TPLM Variation I agree that it would necessitate a reworking of the western end of the TPLM Structure Plan to better accommodate additional amenity to support the residents of this extension area, and enable higher density residential.
- 57 I support the proposal to create a setback around the Homestead within the Glenpanel Precinct to create a community or commercial precinct including the heritage building and surrounding trees.
- 58 I support additional height to the development surrounding this setback within the Glenpanel Precinct and consider that it would have an appropriate relationship to the adjoining HDR and MDR precincts, and support a vibrant community or commercial node in this location.
- 59 I defer to the landscape experts regarding building within the ONF at the lower slopes of Slope Hill.
- 60 I do not support the zoning of the Doolittle land for commercial activity.
- 61 I would support the zoning of the Doolittle land to PDP High Density Residential with a 12m height limit.

- 62 I support the expansion of the commercial precinct by 50% and recommend that this is provided for by extending the width of the existing Commercial precinct to the east only.

Stuart James Dun

10 November 2023