

Before the Independent Hearing Panel

Under the Resource Management Act 1991

In the matter of the hearing of submissions on the Variation to the Queenstown Lakes Proposed District Plan – Te Pūhahi Ladies Mile Masterplan

Sanderson Group and Queenstown Commercial Limited

Submitter ID: 93

Statement of evidence of Erin Stagg

20 October 2023

Submitter's solicitor:

Alex Booker
Anderson Lloyd
Level 3, 70 Gloucester Street, Christchurch 8013
PO Box 13831, Armagh, Christchurch 8141
p + 64 3 379 0037
alex.booker@al.nz

**anderson
lloyd.**

Qualifications and experience

- 1 My full name is Erin Christine Stagg.
- 2 I am a Resource Management Planner and hold a Masters of Planning (with Distinction) from the University of Otago. I am an Intermediate Member of the New Zealand Planning Institute.
- 3 I am a planning consultant based in Wanaka. Prior to my current position I was employed by the Queenstown Lakes District Council from November 2014 until April 2022. During my time at QLDC I was involved principally with the processing and reviewing of resource consent applications and the presentation of planning evidence at Council hearings. I have also been an expert witness for Council before the Environment Court.
- 4 Prior to working for QLDC, I was employed by the Dunedin City Council from December 2013 until November 2014. While there I worked on the preparation of the 2nd Generation District Plan. I have a total of 10 years planning experience.

Code of Conduct for Expert Witnesses

- 5 I have read the Code of Conduct for Expert Witnesses in the Environment Court Practice Note 2023. This evidence has been prepared in accordance with that Code and I agree to comply with it. I confirm that the issues addressed in this brief of evidence are within my area of expertise. I have not omitted to consider material facts known to me that might alter or detract from the opinions expressed.

Scope of evidence

- 6 I have been engaged by Sanderson Group (Submitter #93) (Sanderson Group and Queenstown Commercial Ltd) to provide expert planning evidence in relation to Te Pūtahi Ladies Mile (TPLM) variation to the Proposed District Plan (PDP).
- 7 The documents and information that I have reviewed in preparing this evidence are listed in **Appendix 1**.
- 8 This evidence addresses matters raised in Council's s42A report and associated evidence, identifying and focusing on key matters of dispute.
- 9 My brief of evidence is set out as follows:
 - Background

- Statutory Framework
- Appropriateness of the Notified Provisions in relation to:
 - Theme D : The Appropriateness of Ladies Mile for Urban Development
 - Theme F : Certainty, robustness and outcomes of the Provisions
 - Theme G : The Density Minima Provisions
 - Theme H : The Infrastructure Staging Triggers
 - Theme I : Stormwater and Ecology
 - Commercial Precinct;
 - Height Limits;
 - Location of Reserves
 - Parking
 - Subdivision
 - Visitor Accommodation
 - Residential Flats
 - Office Activities
 - Education Activities
 - bulk and location provisions.
- Expectations of the Minister
- Part 2 Assessment
- Conclusion

Background

- 10 The submission site (the site) comprises of 6.27 hectares of land at 475 Frankton-Ladies Mile Highway. Under the provisions of the notified TPLM Zone the site has largely been included in the High Density Residential precinct, with the south-western corner of the site located within the commercial precinct. The site and surrounding area is shown in **Figure 1** below.



Figure 1 : The site, with extent of Commercial Precinct, shown in purple

- 11 The site lies immediately to the north of the Frankton Ladies Mile Highway (State Highway 6) and has a 100m road frontage. The site is irregular in shape but is generally oriented north - south along its length. The site comprises flat pastoral areas, separated by shelterbelts.
- 12 An unformed paper road passes alongside the site to the west and another to the north.
- 13 Access is provided to the site by way of a single formed vehicle crossing onto the Highway positioned alongside the easternmost boundary of the site.

Statutory Framework

- 14 The statutory context for Te Pūtahi Ladies Mile variation is set out in detail in Section 7 of Mr. Brown's s42A Report. For the sake of brevity I will not repeat that overview of the statutory context in this evidence however when addressing areas of disagreement in terms of the extent to which the provisions are the most appropriate means of achieving the intended outcomes I do so in the context of the statutory framework.

Appropriateness of Te Pūtahi Ladies Mile Masterplan

- 15 I generally support the direction of and the drafting of the provisions relating to the TPLM Zone. I consider this location to be an appropriate location for a higher density community with some commercial, education, and community activities to support the future community as well as the existing community to the south of the Highway. I consider, for the most part, that the masterplan and associated drafted provision will provide for a high quality urban development that will support a modal shift away from private vehicle use.

Appropriateness of the Notified Provisions

- 16 In the following sections of this evidence I address the appropriateness of the proposed provisions, generally following the themes set out in Mr. Brown's s42A Report. Under each theme I outline any amendments that I consider necessary to the provisions and include an associated s32AA assessment. Unless stated otherwise the recommended amendments are based on the updated version of the provisions set out on pages 185 to 242 of Mr. Brown's s42A Report with deletions shown ~~struck through~~ and additions shown underlined. A complete list of my recommended amendments is included as **Appendix 2** to this evidence.

Theme D: The Appropriateness of Ladies Mile for Urban Development

- 17 I support the Council's reasoning, detailed in Sections 11.36 to 11.98 of the s42a Report, that the Ladies Mile is an appropriate location for urban development. I agree with Council that the provisions of the plan change will support a modal shift that will eventually result in a reduction in reliance on private vehicle for traveling from the eastern corridor to areas west of

the Shotover Bridge when compared with the current situation. I agree with Mr Brown that the proposed variation is consistent with the key higher order provisions of the Proposed District Plan, although I consider that my proposed amendments would further align the plan change with those provisions.

Theme F: Certainty, robustness and outcomes of the Provisions

- 18 Sanderson Group is interested in advancing the development of their land as soon as possible. I address concerns regarding key infrastructure requirements and associated delays in Paragraph 36-47 below. Aside from the key infrastructure requirements the one factor most likely to delay development of the submitter's land (and the wider HDR zone at TPLM) is the current minimum density requirement. As Mr. Baronian sets out in his evidence the minimum density requirement of 60 residential units per hectare that is applicable to the HDR zone may have the unintended consequence of delaying the delivery of development to the market. This consequently has the potential to significantly delay the delivery of the intended outcomes and compromise the overall success of TPLM as a while.
- 19 I agree with Mr Brown that the provisions of TPLM will work together to result in the construction of a mix of dwelling types, including affordable housing. Any final provisions of the Inclusionary Housing Plan Change will apply to future development within TPLM. I consider that the proposed plan change and associated provisions to be robust and, subject to the amendments recommended in this evidence, the most effective and efficient means by which to provide for additional dwelling capacity within the eastern corridor while minimising inefficiencies within the transportation corridor.

Theme G: The Density Minima Provisions

- 20 The notified provisions require that development within the High Density Residential Zone achieve a density of 60-72 dwellings per hectare.
- 21 The submission of Sanderson Group and Queenstown Commercial Ltd sought a minimum density of 40 dwellings per hectare.

22 Mr Brown considers that the costs of implementing the proposed minimum density requirements are outweighed by the benefits of a more efficient development pattern and the creation of the critical mass of population required to support the transportation strategy.

23 I consider that a minimum density of 40-72 dwellings per hectare within the High Density Residential Precinct will be sufficient to provide affordable housing at a density that will encourage a modal shift, will be economically viable to deliver and provides for a broader range of housing opportunities and typologies. On that basis, I consider the following amendments should be made to the provisions:

49.5.16	<p>Residential Density</p> <p>49.5.16.1 In the Medium Density Residential Precinct, development shall achieve a density of 40 – 48 residential units per hectare across the gross net* developable area of the site.</p> <p>49.5.16.2 In the High Density Residential Precinct, development shall achieve a density of 6040 – 72 residential units per hectare across the gross net developable area of the site.</p> <p>For the purpose of this rule, gross net developable area of a site means the land within the site shown on the Structure Plan, excluding the following:</p> <ol style="list-style-type: none"> a. Building Restriction areas as shown on the Structure Plan and planning maps; b. Roads, Open Space, Amenity Access Areas and Landscape Buffer as shown on the Structure Plan c. Stormwater management areas d. But including any vested or private roads, reserves, accesses and walkways not shown on the Structure Plan. 	NC
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24 In order to be responsive, to change over time, and to be competitive, there needs to be flexibility within the Zone to enable responses to market demand and drive competition between landowners. In order to encourage

the provision of affordable housing within a competitive land market, density should be enabled or incentivised at the maximum end, rather than required as a minimum that is not feasible. More flexibility in terms of density will enable the delivery of these outcomes while still (as a minimum) achieving development that is as dense as Hobsonville Point, being the largest master planned high to medium density suburban residential development in the country.

- 25 Providing flexibility in this regard and addressing timing issues around the delivery of key transport infrastructure will better respond to the more immediate need for increased housing supply in the QLD.
- 26 Relying on the evidence of Mr Baronian, the construction of development to a density of 60 dwellings is challenging and, as a result, the land is likely to remain undeveloped into the long term. Objective 2 of the NPS-UD, directs that housing affordability be improved by supporting competitive land markets. Further, Policy 1 directs that planning decisions support well-functioning urban environments that *'limit as much as possible adverse impacts on, the competitive operation of land and development markets'*.
- 27 By making the minimum density requirement so stringent that development is not likely to be released to the market for some time, the competitive potential of the land and development market will be undermined. I consider that a stringent minimum density requirement of 60 dwellings a hectare does not meet Policy 1(a) and (d) of the NPS-UD and it would limit the impact on the competitive operation of land and development markets.
- 28 I consider a minimum density of 60 dwellings per hectare to be inconsistent with the direction of Objective 2 of the NPS-UD, and consider that a lesser minimum density requirement would better meet the provisions of the NPS UD.
- 29 I am aware of minimum density provisions which have been utilised at Hobsonville Point and those requirements are for housing to be constructed at a minimum density of 40 dwellings per hectare. What is proposed for the HDR parts of TPLM is substantially more, 60 dwellings per hectare, for a less urban environment. Further, I note that the provisions relating to development in Hobsonville enable minimum density to be calculated over the net area of a site rather than the gross area, and enable denser

development in some portions of the development and lower densities in other to respond the site and associated constraints. Given the character of Queenstown and the Eastern Corridor, I consider that a minimum of 40 dwellings per hectare net would be a more appropriate density for this area, noting that many of the submitters have submitted that the proposed master plan enables development that is too dense.

- 30 A minimum density of 60 dwellings per hectare would potentially result in the construction of mostly one and two bedroom units. While it is acknowledged that there is a demand for dwellings of this size in the catchment and in the Basin, it is considered that there is also demand for three to four bedroom apartments and townhouses, which enable larger families or house sharing opportunities. Further, more family sized apartments would help support the establishment of schools in the area.
- 31 Relying on the evidence of Mr Baronian, I consider that there is a point at which denser development becomes more expensive to deliver, thereby reducing the opportunities to provide affordable housing to the Queenstown market. Given that the current Housing Development Capacity Assessment was completed in 2021 and it is nearing the end of its life, and that it is likely, given current migration numbers, that the updated Housing Development Capacity Assessment will identify a greater need for more dwellings sooner, I consider that enabling the provision of high density residential opportunities to the market that can be achieved in the short to medium term will better meet the direction sought by the NPS-UD.
- 32 I consider that Council can encourage higher density development within this location, and potentially support the affordability of the resulting housing, by incentivising higher density development through other methods.

S32aa Assessment

- 33 Overall, I consider that a reduction in the minimum density requirement within the High Density Residential Precinct to 40 dwellings a hectare would better meet the provisions of the NPS-UD and the higher order provisions of the Proposed District Plan. It would still encourage a transportation modal shift while providing for a greater mix of economically viable housing options

within the area, including affordable housing. I note that it would still enable development with a density of up to 72 dwellings per hectare.

- 34 Enabling more flexibility in the provision of density within the high density residential area would support the community in providing for its social wellbeing by delivering housing that responds to the market need. The risk of not lowering the minimum density to 40 dwellings per hectare would be that development within the HDR zone does not occur for some time and the area remains vacant and undeveloped in the medium to long term. This in turn would affect the viability of the public transport system as well as the commercial precinct.
- 35 I consider the benefits of enabling greater flexibility in dwelling design and density, which would make development more economically feasible as well as make it easier to provide a mix of housing typologies while still supporting a modal shift and an efficient use of the residentially zoned land, substantially outweigh the costs of reducing the minimum density requirements. I consider a minimum density of 40 dwellings per hectare to be the most effective method in providing for, and encouraging, the development of high density residential use within TPLM.

Theme H: The Infrastructure Staging Triggers

- 36 The notified provisions require that the construction of transport infrastructure, specifically the Howard's Drive Intersection, bus stops, and pedestrian crossing, be completed prior to development within Sub-Areas D and E commencing.
- 37 The submission of Sanderson Group and Queenstown Commercial Ltd sought that the requirement to construct the pedestrian crossing prior to development be deleted.
- 38 Mr Brown finds that pedestrian access between the northern and southern sides of the highway is an important aspect reducing adverse effects on the peak time congestion of the SH6 corridor. Mr Brown has also recommended the inclusion of a requirement that the westbound bus lane be completed prior to development commencing.

- 39 I acknowledge the fact that key transportation infrastructure will help mitigate adverse effects on the efficiency of the State Highway and I support in principle the inclusion of the construction of the westbound bus lane. However, I note that the key pedestrian crossings are not scheduled for construction until 2026 and are identified as being funded by development contributions¹. It is unclear how development contributions will fund the construction of these crossings if no development can commence until it is constructed. While I agree the pedestrian crossing is a key element to enabling the existing residents of the eastern corridor to access the commercial and public transportation amenities to be provided by TPLM, I consider that the crossings are unnecessary until the commercial properties have tenants to attract customers, or until the frequent priority bus service is running.
- 40 Further, I note that infrastructure works are scheduled in a staggered way with some works beginning soon and others, such as the eastern round about, not scheduled for completion until 2031. As a result I consider that, by requiring the transportation infrastructure to be completed prior to development commencing within the various areas of TPLM some landowners may have a competitive advantage whereby they will be able to develop and go to market while other landowners will have to wait for transportation infrastructure to be completed. This will limit the operation of a competitive land market within TPLM which would be inconsistent with the intent of Objective 2 of the NPS-UD.
- 41 I consider that the most efficient and effective way to achieve the construction of the pedestrian crossing would be to construct it at the same time as the intersection and westbound bus lane. It would appear that this would result in cost savings and reduce the number of times traffic management would be required within the State Highway corridor.
- 42 Notwithstanding the above, I am of the opinion that the infrastructure improvements will not be required until commercial and/or residential buildings are occupied. While Rules 49.5.33 and 49.5.50 make exceptions for utilities and other physical infrastructure they unnecessarily restrict

¹ TPLM Transport Interventions Plan, appended as Appendix B to the evidence of Mr. C Shields

development. Given the scale of the buildings that will be required to achieve the minimum density requirements, there is likely to be relatively long lead times for the delivery of properties to market. The process for delivery would include resource consent (which would be a non-complying activity under Rules 49.5.33 or 49.5.50 if sought before the completion of the transport infrastructure), building consent, site preparation, servicing, building construction, certification, construction of internal roading, landscaping and subdivision. It is conceivable that it could take a number of years to deliver properties to market. Rules 49.5.33 and 49.5.50 would further delay the delivery of properties to market by requiring that development cannot commence until the transport infrastructure is complete despite the fact that it is not until the properties/buildings are occupied that there will be demand for the transport infrastructure.

- 43 Therefore I consider that amending the activity status for breaches to Rules 49.5.33 and 49.5.50 from non-complying to restricted discretionary and including matters of discretion that relate to the timing of occupation of buildings relative to the completion of the transport infrastructure will avoid unnecessary delay in the development of TPLM while managing potential adverse effects on the efficiency of the existing transport network. I consider that these amendments will achieve the same end result in a more efficient and effective manner.
- 44 In addition I consider that this approach would be more effective in terms of funding the key transport infrastructure through development contributions with development contributions able to be levies at resource consent or building consent stage prior to the construction of the transport infrastructure.
- 45 On this basis I consider that the following amendments should be made to Rule 49.5.33 and 49.5.50:

49.5.33	<p><i>Staging development to integrate with transport infrastructure</i></p> <p><i>Development (except for utilities and other physical infrastructure)-within the Te Pūtahī Ladies Mile Sub-Areas shown on the Structure Plan shall not occur prior to all the corresponding transport infrastructural works listed below being completed.</i></p>	<p><u>NC RD</u></p> <p><i>Discretion is restricted to:</i></p> <p>a. <u>Adverse effects on the transportation network, including any</u></p>
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	<p>For the purposes of this rule, “completed” means when the works are physically completed and are able to be used for the intended purpose.</p> <table border="1" data-bbox="643 412 1102 1283"> <thead> <tr> <th>Sub-Area</th> <th>Transport infrastructural works</th> </tr> </thead> <tbody> <tr> <td>A</td> <td>Intersection on Lower Shotover Road at Spence Road</td> </tr> <tr> <td>B</td> <td>Bus stops on State Highway 6, west of the Stalker Road intersection (one on each side of the State Highway 6) Pedestrian/ cycle crossing of State Highway 6 west of Stalker Road intersection</td> </tr> <tr> <td>C E</td> <td>Intersection on State Highway 6 at Howards Drive Bus stops on State Highway 6, west of Howards Drive intersection (one on each side of the State Highway 6) Pedestrian/ cycle crossing of State Highway 6 east of Howards Drive intersection at the location shown on the Structure Plan as Key Crossing (+/- 40m)</td> </tr> <tr> <td>F G</td> <td>Eastern Roundabout on State Highway 6 Bus stops on State Highway 6 west of the Eastern Roundabout (one on each side of the State Highway 6) Pedestrian / cycle crossing of State Highway 6 west of the Eastern Roundabout</td> </tr> </tbody> </table>	Sub-Area	Transport infrastructural works	A	Intersection on Lower Shotover Road at Spence Road	B	Bus stops on State Highway 6, west of the Stalker Road intersection (one on each side of the State Highway 6) Pedestrian/ cycle crossing of State Highway 6 west of Stalker Road intersection	C E	Intersection on State Highway 6 at Howards Drive Bus stops on State Highway 6, west of Howards Drive intersection (one on each side of the State Highway 6) Pedestrian/ cycle crossing of State Highway 6 east of Howards Drive intersection at the location shown on the Structure Plan as Key Crossing (+/- 40m)	F G	Eastern Roundabout on State Highway 6 Bus stops on State Highway 6 west of the Eastern Roundabout (one on each side of the State Highway 6) Pedestrian / cycle crossing of State Highway 6 west of the Eastern Roundabout	<p><u>effects associated with the uptake of public transportation;</u></p> <p>b. <u>The extent to which the development will create increased private vehicle trips;</u></p> <p>c. <u>The extent to which the occupation of buildings will align with the completion of the relevant transport infrastructure works.</u></p>
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		Road intersection	<u>occupation of buildings will align with the completion of the relevant transport infrastructure works.</u>
	D	<p>Intersection on State Highway 6 at Howards Drive</p> <p>Bus Stops on State Highway 6, west of Howards Drive intersection</p> <p>Pedestrian/ cycle crossing of State Highway 6 east of Howards Drive intersection at the location shown on the Structure Plan as Key Crossing (+/- 40m)</p>	

S32aa Assessment

- 46 I consider that constructing the pedestrian crossing at the same time as the intersection and westbound bus lane would result in cost and time efficiencies, as well as enable positive economic outcomes by enabling development to commence before 2026. I note that, should the crossing and subsequently development be required to wait until 2026/2027 then there will be some substantial infrastructure, including bus lanes and crossings that will be in place for two years before there will be a larger population to use them or make frequent public transport feasible.
- 47 However, I acknowledge that the funding for the transportation infrastructure are not including in the rules and provisions proposed by way of TPLM. As an alternative solution, therefore, I consider that amending Rules 49.5.33 and 49.5.50 as proposed would result in more efficient and effective way to achieve the objectives of the Proposed District Plan, the NPS UD and the purpose of the RMA. I consider the benefits of enabling development to occur prior to or during the construction of the infrastructure works outweigh the costs of these infrastructure components not being in place prior to construction commencing.

Theme I : Stormwater and Ecology

- 48 The notified provisions enabled stormwater disposal to be managed on a site per site basis.
- 49 The submission of Sanderson Group and Queenstown Commercial Ltd sought to be involved in any integrated stormwater management discussion.
- 50 Mr. Brown finds that an integrated stormwater system would result in better outcomes than a site by site solution, and has recommended a matter of discretion relating to subdivision applications, requiring the submission of confirmation as to how stormwater will be managed as part of a centralised integrated stormwater management system.

- 51 I consider that this will be challenging to implement as all the various land owners will be working to different time lines and have different intentions in relation to how they intend to accommodate stormwater attenuation throughout their developments.
- 52 On this basis I consider that the amendments recommended by Mr Brown in relation to Rule 27.7.28.1 and the new information requirement (b) be rejected.

s32AA assessment

- 53 I consider requiring and enabling developers to address stormwater attenuation and the creation of the blue green network on a site by site basis to be most effective and efficient method for achieving stormwater attenuation across TPLM in order to ensure that no stormwater enters the adjacent water bodies. I consider that a development by development approach alongside the other additions Mr Brown has recommended in relation to stormwater, and which I support, will result in positive environmental and economic effects. I consider the benefits of enabling development by development stormwater disposal outweigh the costs of not having stormwater management integrated across TPLM.

Extent of the Commercial Area

- 54 The notified commercial area is 2.13ha.
- 55 The submission of Sanderson Group and Queenstown Commercial Ltd sought to extend the commercial area further north and east so that it would include 4.21ha of TPLM.
- 56 Mr. Brown has not commented on the extent of the commercial precinct. However Ms Hampson is of the opinion that the commercial area is sufficiently large enough to accommodate the required commercial space to meet the day to day needs of the residents while not so large that it will detract from the roll of adjacent commercial areas or bring customers in from outside of the Eastern Corridor. Ms Hampson raises concerns that if the commercial precinct were expanded it would potentially be developed to a lesser density, reducing the viability and vitality of the centre as a pedestrian friendly commercial core for the development.

- 57 I disagree and consider that an extended commercial precinct will not reduce the density or vitality of commercial development in the area, or undermine the role of the commercial areas in Frankton or Queenstown. Instead, I am of the opinion that an expanded commercial area could offer an opportunity for residents of the eastern corridor to work within the corridor without having to travel over the Shotover Bridge to the west for employment. Particularly given the increase in remote working opportunities, shared office space facilities are likely to be a popular commercial use in the commercial area. I consider that the provision of sufficient commercial space to provide for the day to day needs of the residents, as well as employment opportunities, will be instrumental in encouraging a modal shift and reducing pressure on the State Highway system. Further, I note that the upper floors of the buildings within the commercial precinct can accommodate additional residential development, adding vitality and density to TPLM.
- 58 Ms Hampson considers it unlikely that individuals who live in TPLM will work within the area, and more likely that they will commute outside of the area for employment². She also considers it likely that the jobs within TPLM will be taken by individuals living outside of the area. While I acknowledge that this is the existing employment pattern in the District, I consider that the provision of employment opportunities within close proximity to higher density living areas may change this pattern. Particularly given the traffic congestion issues on the State Highway system, it is considered likely that, if provided with the opportunity, many people within the eastern corridor would prefer to use their time more efficiently and work closer to home.
- 59 In addition to the above, it is noted that the Ladies Mile Pet Lodge Site comprises over half of the proposed commercial area. The Ladies Mile Pet Lodge has confirmed they intend to continue their operation for the foreseeable future³. As such, the development of this portion of the commercial area will be delayed in the medium to long term. It is considered that the expanded commercial area will enable the employment, retail and

² Evidence of N Hampson at paragraphs 85-87

³ Submission #78, and paragraph 11.209 of the s42a Report

service needs of the community to be provided for in the shorter term, while enabling expansion of the commercial area over the long term.

- 60 On this basis I consider that the extent of the commercial precinct should be as shown in **Appendix 3**.

s32AA assessment

- 61 Extending the commercial precinct to an area of 4.21 hectares will be consistent with Policy 1(c) of the NPS-UD in relation to providing good accessibility for all people between housing, jobs and community services. In his evidence Mr Baronian states that other commercial areas he is familiar with and that service a similar population of approximately 12,000 people are up to 5 hectares in area⁴. I consider that there are economic and social benefits in providing for more commercial use within the centre of TPLM.

- 62 I consider that benefits of extending the commercial precinct to encompass an area of 4.21 hectares, including the sufficient provision of commercial and employment opportunities to future residents, outweigh the risk of attracting some medium sized businesses from elsewhere. On this basis I consider that amending the extent of the commercial precinct in this manner would result in a more efficient and effective solution that will better achieve the objectives of the Proposed District Plan and the purpose of the RMA.

Height Limits

- 63 The notified provisions require that the majority of the site has a 24.5m (6 storey) maximum height limit.
- 64 The submission of Sanderson Group and Queenstown Commercial Ltd sought that the maximum height be amended to 8 storeys (32m).
- 65 Mr. Brown finds that the notified maximum building heights to be appropriate and that should a developer wish to exceed height they can apply for resource consent.

⁴ Evidence of Mr Baronian Paragraphs 16-19

- 66 I consider that enabling higher buildings, particularly closer to Slope Hill, will enable more density to be accommodated within the structure plan area without having adverse effects on the surrounding area and may alleviate some of the constraints on developing to the densities sought (as outlined by Mr. Baronian).
- 67 While our preference is that the minimum density for the high density residential zone be reduced to 40 dwellings per hectare, to incentivise providing for greater density I consider that providing for greater building height would better enable that level of density to be provided. On this basis, I consider that amending the activity status for breaches to Rule 49.5.17 from non-complying to restricted discretionary and including matters of discretion that relate to sunlight provision, external appearance, dominance, sustainable design and the provision of affordable housing will enable larger buildings while managing potential adverse effects on the urban form and on the adjacent landscape. This is consistent with the recommendations of Mr. Lowe⁵. I consider that these amendments will achieve the same end result in a more efficient and effective manner.

s32AA assessment

- 68 I consider that in order to incentivise providing development with a greater density, the opportunity to apply for resource consent to increase the height of buildings results in economic benefits by enabling larger buildings to be built so as to accommodate different housing typologies and achieve the desired densities.
- 69 I acknowledge that enabling an increase in the height of buildings may result in effects on the landscape values of the Slope Hill ONF. I am of the opinion that reducing the density to 40 dwellings per hectare would achieve a better outcome as it would reduce the need to construct higher buildings to accommodate the required density.
- 70 If the minimum density requirements are not reduced to 40 dwellings per hectare, I consider that the amending Rule 49.5.17 as shown in the Attached Appendix 2 would result in more efficient and effective rules that

⁵ Evidence of Mr M Lowe, Paragraph 55

will better achieve the objectives of the Proposed District Plan and the purpose of the RMA.

Location of Reserves

- 71 The notified structure plan included a community park at the northern end of Collector Road C.
- 72 The submission of Sanderson Group and Queenstown Commercial Ltd sought that the park be removed from the structure plan and the location and size of parks be addressed through the future resource consent processes.
- 73 Relying on the evidence of Ms Galavazi, Mr Brown considers the central locations of the proposed parks is consistent with the QLDC's Parks and Open Spaces Strategy 2021. Mr Brown considers that the location of the parks will achieve a cohesive network of open spaces.
- 74 I am of the opinion that, while open recreation spaces are important for TPLM, the future community would be better served by a network of smaller parks and playgrounds that offer open space and recreational opportunities in closer proximity to dwellings, particularly given the density proposed. Larger parks in a development of this size are often underutilised, and can present issues from a crime prevention through environment design (CPTED) perspective. Smaller parks interspersed throughout the development may make the prospect of living in apartments or townhouses with smaller or no outdoor space more appealing as outdoor space would easily be accessible from most dwellings for children to play in, for people to barbeque in or for people to get outside and relax. A blue green network throughout would enable people to run, walk or bike throughout the development.

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- 75 I consider that providing for smaller, more evenly spaced parks rather relying on large parks would result in social and cultural benefits to the future community and would better achieve Objective 1 and Policy 1 of the NPS UD. Further, smaller parks can also be provided incrementally as development occurs, and is not reliant on significant upfront funding, which has economic and efficiency benefits.
- 76 Overall, I consider the benefits of enabling smaller parks integrated throughout the development to outweigh the costs associated with the removing or reducing in size the 3 hectare community park in the structure plan location.

Parking

- 77 The plan change included notified rules in relation to maximum parking requirements.
- 78 The submission of Sanderson Group and Queenstown Commercial Ltd sought that these rules be removed and that no rules in relation to minimum or maximum parking requirements be included in TPLM.
- 79 Mr Brown, relying on the evidence of Mr Shields is of the opinion that the parking maxima rules are a key part of the overall traffic strategy and will reduce pressure on the transportation network by reducing the ability of future residents to own a car.
- 80 With the exception of rules relating to accessible parks, I consider that no rules in relation to parking maximums or minimums should be included in TPLM Zone. Maximum parking requirements have been shown to be most effective in town centres, whereas TPLM is a satellite suburb. If there are no parking requirements, then developers will provide the number of car parks they think they need to make a development feasible but not more, as the opportunity cost would be too great. It is economically irrational to provide more parking than necessary.
- 81 I note that congestion on State Highway 6 is largely limited to peak travel times, and the construction of separate bus lanes in combination with a regular bus service and limited parking availability in the Queenstown CBD will likely encourage most residents to travel to Queenstown and Frankton by bus rather than private vehicle as it would be faster and more convenient. Parking limitations within the Queenstown CBD will further incentivise people to choose alternative methods of transportation. Many people live in the District because of the outdoor amenities it offers, including the Lake, hiking, biking, running, golfing and skiing opportunities among others. Private vehicles are often required to access these activities. However, to my knowledge, leisure activities are usually accessed at off peak times, which would not result in additional peak period congestion.
- 82 I consider that the costs of imposing maximum parking limits are greater than the benefits of allowing the market to determine how many car parks are required in a development. I am of the opinion that enabling developers to provide more or less parking as dictated by the market will result in positive economic effects. I also consider there to be positive social effects to enabling some people to own vehicles. Allowing the market to determine the number of car parks would be the most efficient way to allocate land use.

Subdivision (Super Lots)

- 83 The notified provisions do not provide for bulk super lot subdivisions so properties could be prepared for development or on sold for that purpose.
- 84 The Sanderson Group and Queenstown Commercial submission sought that the subdivision rules be amended to enable super lot subdivision.
- 85 Mr Brown has subsequently recommended an additional assessment matter, 27.9.8.1(c)(ii)(i) that relates to bulk lot subdivision.
- 86 I consider this addition is appropriate and consider that it meets the relief sought by the Sanderson Group and Queenstown commercial.

Visitor Accommodation

- 87 The notified provisions include a non-complying activity status for visitor accommodation throughout the Zone.
- 88 The Sanderson Group and Queenstown Commercial submission sought to have visitor accommodation provided for in the commercial area as a restricted discretionary activity and elsewhere as a permitted activity for up to 90 days, which is consistent with how visitor accommodation is managed in the residential zones throughout the District.
- 89 Mr Brown, relying on the evidence of Ms Hampson, amended the rules to enable visitor accommodation in the commercial zone as Discretionary. I consider this amendment to be appropriate and consider that it meets the relief sought by the Sanderson Group and Queenstown Commercial Ltd.

Residential Flats

- 90 As with visitor accommodation, residential flats were identified as non-complying activities in the notified provisions.
- 91 The submission of the Sanderson Group and Queenstown Commercial Ltd sought to make residential flats permitted.
- 92 Mr Brown has recommended amendments to the provisions to enable residential flats. I consider this amendment to be appropriate and consider that it meets the relief sought by the Sanderson Group and Queenstown Commercial Ltd.

Office Activities

- 93 The notified provisions included a maximum gross floor area (GFA) for office activities of 200m², with the exception of offices operating as coworking spaces.
- 94 The submission of the Sanderson Group and Queenstown Commercial Ltd sought that the rule limiting the GFA of offices, Rule 49.5.39, be deleted.
- 95 Mr Brown, relying on the evidence of Ms Hampson, considers that limiting the GFA of offices within TPLM commercial precinct is important to ensure that larger office activities do not relocate from Frankton or elsewhere to TPLM.
- 96 I consider that enabling larger offices would not necessarily incentivise larger office activities to relocate to TPLM. However, encouraging more employment opportunities within TPLM will enable more people to commute to work using cycles or walking, which would reduce pressure on the transportation network as well as reduce emissions for vehicle and bus transport. I consider that enabling offices with a GFA of up to 350m² would enable offices large enough to accommodate a variety of professional employment opportunities, including meeting rooms and video conferencing rooms, without detracting from the roles Frankton and Queenstown play in being the main employment centres.

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- 97 Providing for medium sized office activities within TPLM will have positive economic, and social effects, as well as potentially reduce emissions as people will be able to travel to work using active transportation methods. I consider the benefits of enabling more employment opportunities for residents of TPLM within TPLM, and the associated transportation benefits, to outweigh the costs of enabling slightly larger offices which may attract customers and employees who live outside of the Eastern corridor.

Bulk and Location provisions

- 98 The notified provisions included a number of bulk and location controls as well as Rules 49.4.4 and 49.4.18 which require an urban design assessment of buildings for residential or non-residential activities.
- 99 The submission of Sanderson Group and Queenstown Commercial Ltd sought that a number of these be amended to either be deleted or to align with the MDRS provisions set out in Schedule 3A of the RMA (1991).

100 Mr Brown has adopted a few of the requested changes but otherwise left the rules as originally notified.

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101 I consider that the amendments to the bulk and location controls as proposed by Sanderson Group and Queenstown Commercial Ltd will better enable high quality development as intended and directed by the NPS-UD while reducing the number of rules controlling development. I have included, as Appendix C, a list of the provisions and the associated changes requested by Sanderson Group.

102 I consider that the benefits of making applying for resource consent more streamlined and less onerous will outweigh the costs associated with relinquishing control over certain aspects of development, noting that in any case applications to undertake development within the zone will be subject to a resource consent likely requiring assessment by qualified urban designers.

Expectations of the Minister

103 An analysis of the expectations of the Minister of the Environment follows.

Expectation (i): That the TPLM Variation contributes to providing sufficient opportunities for the development of housing and business land to ensure a well functioning urban environment including maximising opportunities to enable housing, particularly of the typologies identified as a shortfall in Queenstown's Housing Development Capacity Assessment 2021 (housing suitable for older households, smaller households, and lower and lower-middle income households)

104 I consider that the provisions of TPLM Variation with the amendments sought by the Sanderson Group and Queenstown Commercial Ltd will ensure that there are sufficient opportunities to develop housing, including affordable housing, and business land to accommodate the retail, servicing and in some occasions the employment needs of the future population of TPLM.

105 I consider that the proposed amendment to the minimum density requirement in the HDR precincts will provide greater flexibility in terms of housing typologies and enable the accommodation of a broader range of households.

Expectation (ii) That the TPLM Variation ensures that future development will be undertaken in a manner which recognises the limitations of the existing transport network in this location.

- 106 The provisions of TPLM, with the amendments sought by the submitter, will ensure the future development is undertaken in a way that prioritises the movement of pedestrians and cycles over private vehicles. I consider that the proposed amendments to the provisions will allow for development to better fund and align with the delivery of the key transport infrastructure while managing effects on the efficiency of the wider transport network. Further, I consider that the inclusion of the westbound bus lane as part of the key transport infrastructure will ensure that a public transport system will be able to provide priority lane travel into Frankton and the CBD and the proposed amendments to Rules 49.5.33 and 49.5.50 will reduce the lead time in having a resident population capable of supporting the public transport system.

Expectation (iii) That the TPLM Variation ensures appropriate and feasible infrastructure is provided for in Te Pūtahi Ladies Mile Zone, including stormwater management that allows for future climate change impacts, and access to everyday needs through transport options that support emissions reduction (such as public and/or active transport).

- 107 I consider that addressing stormwater attenuation, and the associated blue-green network, on a development by development basis, is the most efficient and effective way to ensure that the future effects from climate change can be adequately managed. I am of the opinion that TPLM Variation, in association with the recommended amendments, will support a shift away from private vehicle use and a consequential reduction in greenhouse emissions.

Expectation (iv) That the TPLM Variation ensures future development will be undertaken in a manner that recognises and protects sensitive receiving environments including in particular Slope Hill, Waiwhakaata / Lake Hayes and the Shotover River.

- 108 The provisions of TPLM will ensure that the outstanding landscape and natural values of Slope Hill Waiwhakaata/ Lake Hayes and the Shotover river will be maintained and protected. Urban development will not cross into the outstanding natural landscape and the requirements in relation to the provision of an integrated stormwater network will ensure that stormwater from the development filters through the ground to the aquifer below, leaving the adjacent rivers and lakes unaffected.

Part 2 Assessment

- 109 With regard to Section 5, the purpose and principles of the Act, I consider that, subject to the proposed amendments set out in this evidence, TPLM Variation will provide for the submitter's and the wider communities' social, economic and cultural well-being while sustaining the potential of the District's natural and physical resources to meet the needs of future generations, safeguarding the life-supporting capacity of air, water, soil and ecosystems and avoiding, remedying and mitigating adverse effects on the environment.
- 110 Taking into consideration the matters of national importance set out in Section 6 of the Act, I consider that the Variation (including my recommended amendments and in particular the reduction in the minimum density requirement in the HDR precincts as a preference to encouraging applications to breach height limits as a means of achieving economically viable development) will support the ongoing preservation of the natural character of the lakes and rivers of the Wakatipu Basin, the Shotover River and Waiwhakaata / Lake Hayes specifically (s6(a)). Further, the Variation will not encroach on the Outstanding Natural Feature and landscape of Slopehill. As a result, the landscape will continue to be protected from inappropriate use and development (s6(b)). I therefore consider that the proposed Variation provides for the matters of national importance set out in Section 6 of the Act.
- 111 Further, taking into consideration the other matters set out in Section 7 of the Act, I consider that the Variation will result in the efficient use and development of natural and physical resources (s7(b)), while maintaining and potentially enhancing amenity values (s7(c)), maintain the intrinsic value of the existing, highly altered ecosystem (s7(d)), and maintain and enhance the quality of the environment (s7(f)). The Variation will encourage a more efficient end use of energy (s7(ba)). Given these factors, I consider that the proposed Variation (including my recommended amendments) has adequate regard to the matters in, and is consistent with the direction of, Section 7 of the Act.
- 112 I consider that TPLM Variation is consistent with the principles of Te Tiriti o Waitangi.
- 113 Consequently, I consider that the proposed Variation promotes the sustainable management of the District's natural and physical resources and is in keeping with the primary purpose of the Act.

Conclusion

114 Having carefully assessed the proposed TPLM Variation and amendments sought by the Sanderson Group and Queenstown Commercial Ltd, I consider that the objectives of the TPLM Variation are the most appropriate way to achieve the purpose of the Act and that the provisions of the proposal (subject to my recommended amendments) are the most appropriate way of achieving the objectives of the Variation.

Dated this 20th day of October 2023

Erin Stagg

Appendix 1 – Information/Evidence Reviewed

- The Resource Management (Direction to Queenstown Lakes District Council to Enter the Streamlined Planning Process for a Proposed Variation to the Queenstown Lakes District Plan – Proposed Te Pūtahi Ladies Mile Plan Variation) Notice 2023;
- QLDC Te Pūtahi Ladies Mile SPP application and associated appendices;
- Te Pūtahi Ladies Mile Proposed Plan Variation as notified;
- Te Pūtahi Ladies Mile s32 Report and associated appendices;
- Section 42a Report prepared by Mr. Jeff Brown;
- Evidence of Ms. Bridget Gilbert (landscape);
- Evidence of Mr. Bruce Hardland (Urban Design);
- Evidence of Ms. Dawn Palmer (Ecology);
- Evidence of Mr. Fraser Wilson (Geotechnical);
- Evidence of Ms. Jeannie Galavazi (Open Space and Recreation);
- Evidence of Mr. Michael Lowe (Urban Design);
- Evidence of Mr. Simon Beardmore (Contaminated Land);
- Evidence of Mr. Stephen Skelton (Landscape);
- Evidence of Mr. Stuart Dun (Urban Design);
- Evidence of Ms. Susan Fairgray (Residential Density);
- Evidence of Mr. Tony Pickard (Transport);
- Evidence of Mr. Colin Shields (Transport);
- Evidence of Mr. John Gardiner (Stormwater);
- Evidence of Ms. Amy Prestidge (Stormwater).
- Evidence of Mr Stephen Jaren Baronian (Developer)

Appendix 2 – Recommended Amendments to Provisions

Appendix 3 – Proposed Extent of Commercial Precinct

