

Before Queenstown Lakes District Council

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In the matter of            The Resource Management Act 1991

And                            The Queenstown Lakes District Proposed District Plan Topic 13  
Queenstown Mapping – Group 1C (Queenstown Urban (Central,  
West and Arthurs Point))

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**SUMMARY STATEMENT OF EVIDENCE OF CAREY VIVIAN FOR**

**Nicki Patel Submitter (#103)**

**Hamish Munro Submitter (#104)**

**PR Queenstown Limited Submitter (#102)**

**Dated 21 August 2017**

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## SUMMARY EVIDENCE

- 1 My name is Carey Vivian.
- 2 My Evidence in Chief dated 9 June 2017 outlines my experience and qualifications relevant to this evidence in respect of the Queenstown Mapping Hearings of the Proposed District Plan (PDP).
- 3 I have read the rebuttal evidence of Ms. Devlin. At paragraph 14.2 Ms. Devlin agrees with my EIC that building height may not be as great a concern, in regards to amenity, as she considered in her primary evidence.
- 4 Ms. Devlin further notes that she would not support bespoke or site-specific rules if the site was zoned BMUZ as sought in paragraph 3.2 of my EIC. The only rule I sought to amend in the EIC was Rule 16.6.2, which enables Buildings and Building Height (between 12 and 20m in the BMUZ) applications to be processed without written approval and shall not be publicly notified, by excluding the subject site (thus giving Council discretion to do those things). I consider my amendment to be positive. However, if such amendments are not adopted, then it does not change my opinion as to the appropriateness of BMUZ over the subject site.
- 5 At paragraph 14.3 Ms. Devlin maintains her primary concern that the site is too close to the QTCZ to be complementary and would be competitive instead. Ms. Devlin maintains that if the subject sites were zoned BMUZ, the walking distance from the QTCZ to the BMUZ would decrease from 290m to 170m, which makes it "easy walking distance of an easy walk from the Council building through the car park and along Gorge Road". It is important to note that the Gorge Road car park will always act as a buffer between the QTCZ and the requested BMUZ.
- 6 Ms. Devlin then states:  
  
*"The PDP proposed QTCZ expansion on Brecon Street is also 'closing in' on the site, reducing walking distances from that part of the QTCZ to the submission site and related concerns about competition."*
- 7 I am unsure what Ms. Devlin means by "related concern about competition". Clause 6 of the first schedule to the RMA deals with trade competition submissions. It is difficult to see how a person in QTCZ at Brecon Street could be directly affected by the requested BMUZ.
- 8 Ms. Devlin continues that zoning the subject site BMUZ would be inconsistent with policies 3.2.1.1.1 and 3.2.1.1.2 in particular, in regard to providing a planning framework for the Queenstown central business area as a key commercial hub within the District, and avoiding commercial rezoning that could fundamentally undermine the role of Queenstown

central business areas as the primary focus for the District's economic activity. With respect, I disagree. As discussed in my EIC the purpose of the BMUZ is "complementary" commercial, business, retail and residential uses that supplement the activities and services provided by town centres. Whether the BMUZ is 290m or 170m from the Council building is irrelevant in my view. The important thing is how activities are managed to ensure they are complementary to the services provided by the town centres. As discussed in my EIC the proposed BMUZ provisions are designed to ensure this will happen.

- 9 Policy 3.2.1.1.1 I focuses on providing a planning framework for the central business areas that enables quality development and enhancement of the centres as the key commercial hubs of the District. In my opinion, the PDP successfully does this through the QTCZ and to a lesser extent through the BMUZ. I say to a lesser extent as the BMUZ zone is complementary to the QTCZ in a commercial sense. I therefore disagree with Ms. Devlin that the requested BMUZ is inconsistent with Policy 3.2.1.1.1.
- 10 With respect to policy 3.2.1.1.2 I reassert that the BMUZ is not commercial zone that would fundamentally undermine the Queenstown central business area as a primary focus for the district. The purpose of the BMUZ is "complementary" commercial, business, retail and residential uses that supplement the activities and services provided by town centres. The proposal is therefore, in my view, consistent with policy 3.2.1.1.2. I therefore disagree with Ms. Devlin that the requested BMUZ is inconsistent with Policy 3.2.1.1.2.
- 11 Ms. Devlin also states that the requested BMUZ would not meet Policy 12.2.4.2 which seeks to ensure that the QTC remains compact and easily walkable by avoiding outward expansion of the QTCZ. With respect, Policy 12.2.4.2 relates to the outward expansion of the QTCZ. The requested BMUZ is not the QTCZ and as such this policy, in my opinion, is not relevant to the BMUZ.
- 12 At paragraph 14.4 Ms. Devlin investigates the current uses of the site and at paragraph 14.5 states the site contains a mix of commercial, visitor accommodation and residential activities. Ms. Devlin further states that she does not consider these existing uses to form a logical expansion of the BMUZ at the corner of Robins and Gorge Roads. With respect, in my view the activities described by Ms. Devlin on the subject site fit perfectly within the purpose of the BMUZ (possibly a better fit than the corner of Gorge and Robins Road which was approved as a commercial development).
- 13 For the reasons set out in this summary I do not resile from the conclusions set out in Part 8 my EIC.

Carey Vivian

21 August 2017

