

BEFORE THE QUEENSTOWN LAKES DISTRICT COUNCIL

IN THE MATTER of the Resource Management Act 1991

AND

IN THE MATTER Plan Change 50 (Queenstown Town Centre Zone
Extension) to the Queenstown Lakes District Plan

EXECUTIVE SUMMARY OF SUPPLEMENTARY EVIDENCE OF JOHN CLIFFORD KYLE

EXECUTIVE SUMMARY

- 0.1 My name is John Kyle. My qualifications and experience are set out in paragraphs 1.1 – 1.5 of my primary evidence.
- 0.2 The plan change request includes some quite lengthy documentation and the Council has called a number of witnesses to give evidence and supplementary evidence in support of it. My supplementary evidence should be read alongside all of that material, as well as the submissions received. I am happy to answer questions of clarification, or elaborate on any matter relevant to my expertise should the Council's Commissioners wish me to.
- 0.3 My supplementary evidence focuses on the issues raised through the hearing process since I presented my primary evidence, and sets out my recommended changes to the Plan Change 50 (PC50) provisions as a result of the hearing and subsequent conferencing processes. Following the circulation of my supplementary evidence, Mr Bryce has drawn to my attention two minor errors in these provisions. The first is found at page 10-36 of the provisions where an errant "7" is included at the end of Site Standard 10.6.5.1 (vi). This "7" should be deleted. The second correction is the referencing of the new building height provision of the Beach Street block, Site Standard 10.6.5.1(xi) (page 10-42). I recommend that the rule reference be changed from a 'bullet point' to "(j)".
- 0.4 In relation to the transportation matters discussed at the hearing, I have reviewed the PC50 provisions and I recommend that changes be made to proposed Policy 3.4 and to the rules to ensure that there are safeguards available to the consent authority to better avoid, remedy or mitigate effects on the transport network as the Lakeview sub-zone land develops. The changes I recommend change the activity status for convention centres, visitor accommodation and commercial activities over 400m² in gross floor area within the Lakeview sub-zone from Controlled Activities to Restricted Discretionary Activities and require these activities to produce an integrated transport assessment as part of the resource consent application.
- 0.5 I note that through conferencing, it was agreed that new visitor accommodation within the Beach Street block would also be subject to consideration against the ITA requirement. The rules within Attachment 1 of my supplementary evidence now make provision for this¹. Amongst other things, this assists to address Mrs Walker's concerns about car parking on the Beach Street block.

¹ Refer Rule 10.6.3.2A iii, page 10-32 of the Provisions attached in Attachment 1.

- 0.6 The submission of Ngai Tahu Tourism Limited raised questions in relation to the possible widening of Thompson Street. This could include easing the bend of Thompson Street before it meets Man Street and the widening of Thompson Street beyond this corner in front of the Lakeview sub-zone. Recognition that this might need to occur has been made in the Lakeview sub-zone provisions, under Site Standard 10.6.5.1 xiii – Lakeview sub-zone Structure Plan. It is important to note that this rules does not authorise the work (that will need to occur under an alternate legislative regime). It simply means that if it does occur then this does not require a consent to breach the Structure Plan.
- 0.7 Glenarm Cottage (located at 50 Camp Street in the Isle Street sub-zone) has a Category 2 listing in the district plan. The Committee asked Mr Cawte various questions about Glenarm Cottage. As I understand part of the discussion, there is a concern that the redevelopment of the sites adjacent to the cottage site could impact upon the heritage qualities of the cottage. In my opinion and subject to there being jurisdiction, I recommend an amendment to Controlled Activity Rule 10.6.3.2 to include a specific matter of control to manage potential adverse effects on the heritage values of Glenarm Cottage.
- 0.8 In terms of PC50's provision for affordable housing, I note that the approach taken to PC50 is aligned with the approach required under the district plan's affordable housing provisions (derived via Plan Change 24). For the zones affected by PC50 (High Density Residential and the Queenstown Town Centre Zones), the affordable housing provisions relate to an assessment matter that applies to non-complying resource consent applications².
- 0.9 There are no zone standards that control building height or coverage in the Lakeview and Isle Street sub-zones (these are site standards). I therefore consider it appropriate to amend the relevant part of Assessment Matter 10.10.2 to ensure that it will apply to the Isle Street sub-zone and the Lakeview sub-zone where the building height, and/or the site coverage standards are exceeded (I note that this amendment was presented in my primary evidence).
- 0.10 A summary of the Queenstown Lakes Housing Accord and the Council Lead Policy: Housing Accords and Special Housing Areas Act 2013 Implementation Guidelines, dated 30 October 2014 and the Accord and the Lead Policy documents is attached to my supplementary evidence.

² Assessment matter 10.10.2(i)(c) requires consideration of the following: "*with regard to proposals that breach one or more zone standard(s), whether and the extent to which the proposal will facilitate the provision of a range of Residential Activity that contributes to housing affordability in the District.*"

- 0.11 A key facet of the Council Lead Policy for implementing the Housing Accord is the establishment of Special Housing Areas, within which affordable housing will be provided. Expressions of Interest for land to qualify as Special Housing Areas have been received by Council and Council are currently in the process of considering these proposals.
- 0.12 Submitters have raised concerns about the extent of the land subject to PC50 and some have suggested the inclusion of a staging method to manage the release of land for subsequent development to accord with demand. I do not support such a method and I concur with the evidence in chief presented by Mr Colegrave in terms of his conclusions regarding staging³. The essence of PC50 is to provide for a range of uses which are corollary to the existing town centre, via its provisioning for a range of tourist (including convention), associated commercial, visitor accommodation and residential uses. On this basis PC50 is expected to complement the existing town centre rather than compete with it.
- 0.13 It is important to recognise that PC50 plans for the future. It does not of itself create any development; rather it enables development to occur over the long term within a structured and controlled framework. In my opinion, embedding a staging mechanism into the district plan is not likely to be an efficient way of managing the rate of release of land within the PC50 area. Determining what process might comprise a sensible staging plan now is dependent on having a comprehensive understanding of what the land market is likely to do in the next 10 to 20 years, with sufficient surety to set clear thresholds for ongoing land release progression. Forecasting the market in this way has obvious inherent difficulties.
- 0.14 In response to the evidence presented by Mr Edmonds (on behalf of Queenstown Gold Limited) in relation to the inclusion of the land on the eastern side of Brecon Street within the plan change, I note that I was incorrect in my response to a question from the panel during the hearing when I stated that this site would be rezoned via the district plan review process. This was initially the case, but it was subsequently removed as the provisions were further developed. In my opinion, the removal of this land from the area to be rezoned via the district plan review is not an optimal planning outcome and I understand that the Council is currently revisiting this matter.
- 0.15 The Isle Street sub-zone provisions have been the subject of further consideration through the hearing and subsequent conferencing process. One option suggested via conferencing was for the two Isle Street blocks to have separate sets of provisions. In my opinion it is undesirable to split the Isle Street sub-zone into two further sub-zones. This

³ Refer paragraphs 5.1 and 5.2 of Mr Colegrave's evidence.

would add complexity to the district plan, which is contrary to the Council's objective to simplify the district plan via the review. Whilst the respective blocks exude differing land use and ownership characteristics, it is my opinion that the outcome set out by the sub-zone provisions will engender a reasonably consistent approach to the redevelopment of these blocks. This will assist with establishing a consistent streetscape and a consistency in urban form.

- 0.16 Via conferencing, agreement was reached between submitters with an interest in the Beach Street block in relation to height limits for that block, and with respect to veranda requirements on Hay Street and Shotover Street. For Lot 1 DP 15307 (which accommodates the existing Crowne Plaza Hotel) the maximum height limit was agreed to reflect the current geometrical shape of this existing building, and the amended rule reflects this by limiting the building dimensions to the building existing on 19 December 2014. For the veranda requirements, the amendment recommended ensures that only works taking place on Lot 1 DP 15307 immediately adjacent to the noted street frontages would trigger this rule.

- 0.17 Mr Freeman proposed an alternative rule framework for the Man Street car park site in his evidence prepared on behalf Man Street Properties Limited. In my opinion the outcomes sought by Mr Freeman for the Man Street car park site would be more appropriately addressed via the resource consent process, rather than inserting such specific provisions into the district plan via a spot zoning.

- 0.18 Further consideration of the height limits for 34 Brecon Street, and of the minimum height that applies to active frontages, has been undertaken by Mr Bird. Given the evidence of Mr Bird, it is my opinion that the current proposed height limit for this site of 12m is appropriate as a rule in the district plan. If a higher building on this site ultimately has merit, this is most appropriately assessed via a resource consent application. Mr Bird supports the reduction of the floor to floor minimum height limit that applies to ground floor buildings adjacent to active frontages from 4.5m to 4m, and I support this recommendation.

- 0.19 With regard to the possible re-alignment of Cemetery Road through 34 Brecon Street, while I fully support this outcome, this re-alignment cannot be promulgated via this plan change as it is reliant on private agreements regarding the transfer of land or a designation. Site Standard 10.6.5.1 xiii Lakeview sub-zone Structure Plan is as far as the plan can go to enable this outcome.

- 0.20 The Committee requested clarification as to why the maximum building height limits for the Lakeview and Isle Street sub-zones are site standards, rather than zone standards.

Activities that breach a site standard in the district plan, and do not breach a zone standard, comprise discretionary activities, and this is the status that applies to buildings proposed to be higher than the height limits provided for the Lakeview and Isle Street subzones.

- 0.21 As a discretionary activity, the Council has full discretion to consider any environmental effects generated by the proposal, and can process the application as either non-notified, limited notified or fully notified. I can see no reason why a breach in a height limit requires a non-complying activity status.
- 0.22 During the hearing and at conferencing, the New Zealand Institute of Architects (Southern Branch) requested that development within the Lakeview sub-zone be reviewed by the Urban Design Panel (the UDP). The Council has a strong preference not to include such a matter in PC50 and is satisfied with the way the UDP is currently engaged and the manner in which it carries out its functions.
- 0.23 The location of the convention centre within the Lakeview sub-zone was discussed during the hearing and further discussed at conferencing. Mr Weir has addressed this in evidence in order to clarify the underpinnings behind the proposed location. I note that the Lakeview sub-zone does not require any proposed convention centre to be located in a particular part of the sub-zone.



J C Kyle

BRP (Hons)

16 January 2015