

**BEFORE THE HEARING COMMISSIONERS
AT QUEENSTOWN**

**IN THE MATTER of the Resource Management
 Act 1991**

AND

**IN THE MATTER Proposed Plan Change 50 to
 the Queenstown Lakes
 District Plan**

**BETWEEN BRECON STREET
 PARTNERSHIP LIMITED**

Submitter No 50/10

**AND QUEENSTOWN LAKES
 DISTRICT COUNCIL**

Applicant

**STATEMENT OF EVIDENCE OF ALEXANDER DAVID GIBBS
FOR BRECON STREET PARTNERSHIP LIMITED**

Dated 23 November 2014

Introduction

1. My name is Alexander David Gibbs. I am an architect and urban designer. I am a Fellow of the New Zealand Institute of Architects and hold a Bachelor of Architecture degree from the University of Auckland. I have 28 years experience as a practitioner in private practice.

2. I am the owner of Construkt Architects Ltd, an urban design and architectural practice specialising in the masterplanning of new residential and mixed-use communities, almost all of them requiring Plan Changes. My practice is responsible for masterplanning Todd Property's 176ha Long Bay Community, Fulton Hogan's 113ha Longhurst community in Christchurch and, in joint venture with Isthmus Group Ltd, responsible for masterplanning Hobsonville Land Company's 167ha Hobsonville Point project. Within these projects our role, in addition to masterplanning work, has included the preparation of zone rules that were subsequently adopted by North Shore City Council, Christchurch City Council and Auckland Council respectively. I was engaged by New Zealand Transport Agency in 2011 to give specialist architectural and urban design evidence to the Board of Inquiry for the Waterview Connection project. Within the last 12 months my practice has been engaged to provide specialist urban design advice to Auckland Council on the development of a city-wide urban design manual. I am Chair of NZIA's Urban Issues Group and on the national committee of the Urban Design Forum. I am leading the active participation of both organisations within the Auckland Unitary Plan process. I am a signatory to The New Zealand Urban Design Protocol.

3. I have read and agree to comply with the Environment Court's Code of Conduct for Expert Witnesses contained in the Environment Court Consolidated Practice Note 2014 ("the **Practice Note**"). I have prepared this evidence to meet my obligations under section 5.2

4. I have been asked to present this evidence in support of the a submission by Brecon Street Partnership Limited (BSPL), submitter No 50/10.

Executive summary

5. My evidence reaches the following conclusions:
 - a) PPC50 is **supported in part** as it is broadly appropriate to provide for the continued strategic development of Queenstown as the centre of the District into the future by way of appropriate intensification on land that is well connected and, in particular, conveniently walkable to the existing centre's core at the lakefront, but also sufficiently set back from that core area that it can accommodate greater development height and intensity without significantly impacting on that successful and intimate character area.
 - b) PC50 has a dual purpose, The first being to provide a suitable zoning to allow a convention centre and associated activities to be constructed, the second being to expand the town centre. My evidence concludes that whilst the western end of the Lakeview Sub Zone may indeed be suitable for the former purpose it will fall to the eastern end of the Lakeview and Isle Street sub zones to effectively meet the need for expansion of the town centre.
 - c) 34 Brecon Street and the Isle St Sub-Zones are exceptionally well suited to extension of the town centre by virtue of proximity, established pedestrian links and to an established pattern of foot traffic to and from the Gondola. PC50 does not appropriately recognise the importance of this area.
 - d) PPC50 is inappropriately restrictive about the development controls that are intended to be applied to the eastern end of the Lakeview subzone and the Isle Street subzone and thereby hampers efficient utilisation of the site.
 - e) PC50 places an inappropriate emphasis on the effect that development of 34 Brecon Street will have on the Cemetery.

Scope of Evidence

6. My evidence in these proceedings includes the following matters:
 - a. The strategic location of the Lakeview and Isle St sub zones relative to the future needs for expansion of the Queenstown Town Centre Zone (QTCZ)
 - b. The strategic location of 34 Brecon St and the Isle St subzones relative to the existing town centre
 - c. My response to the Planners s32 report and AEE
 - d. My response to the Planners section 42A report
 - e. My response to Clinton Bird's urban design peer review
 - f. Cemetery Road realignment
 - g. Recommended development controls for 34 Brecon Street
 - h. A case study of a previously proposed intensive development of 34 Brecon Street

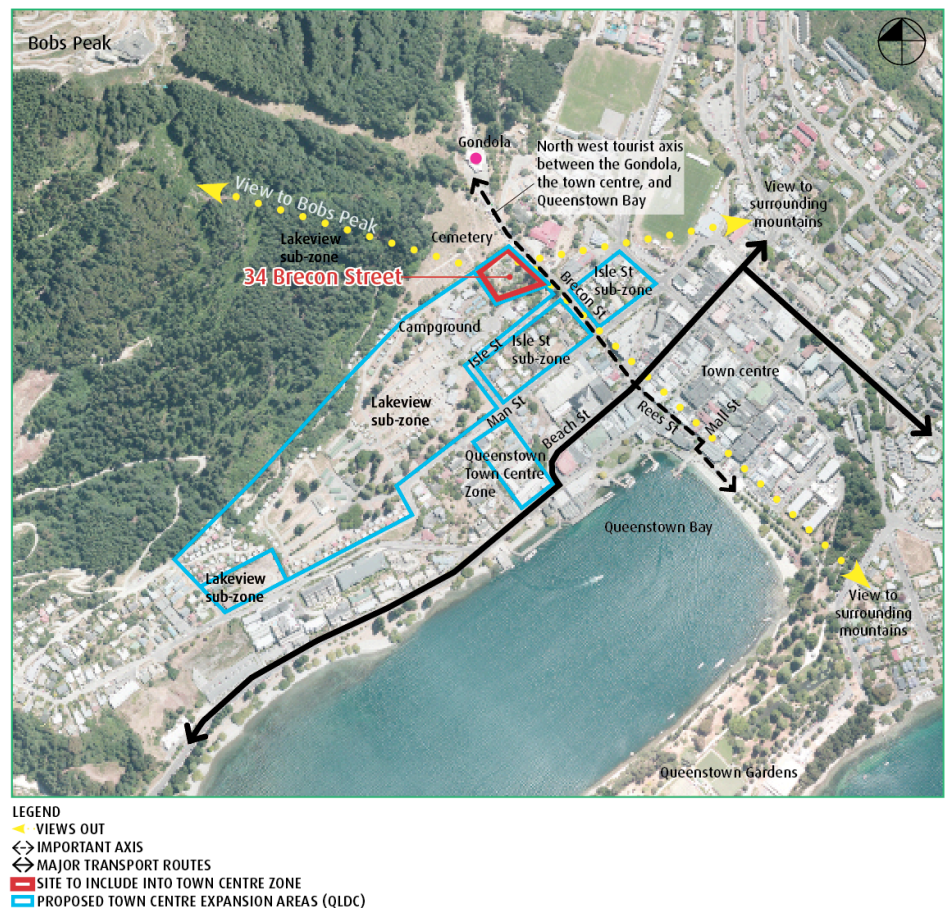
The Strategic Location of the Lakeview and Isle Street Sub Zones

7. I agree with the Applicant and their advisors that the PC50 area is an appropriate location in which to expand the QTCZ and provide for a new convention centre. My support for the basic premise of PC50 is that:
- (a) For the most part, the land is very favourably located adjacent to the existing town centre allowing for good pedestrian connections to most of the site.
 - (b) The large scale of the Ben Lomond reserve allows development to occur without risk of dominance of the landscape.

The Strategic Location of 34 Brecon St and the Isle Street sub-zone

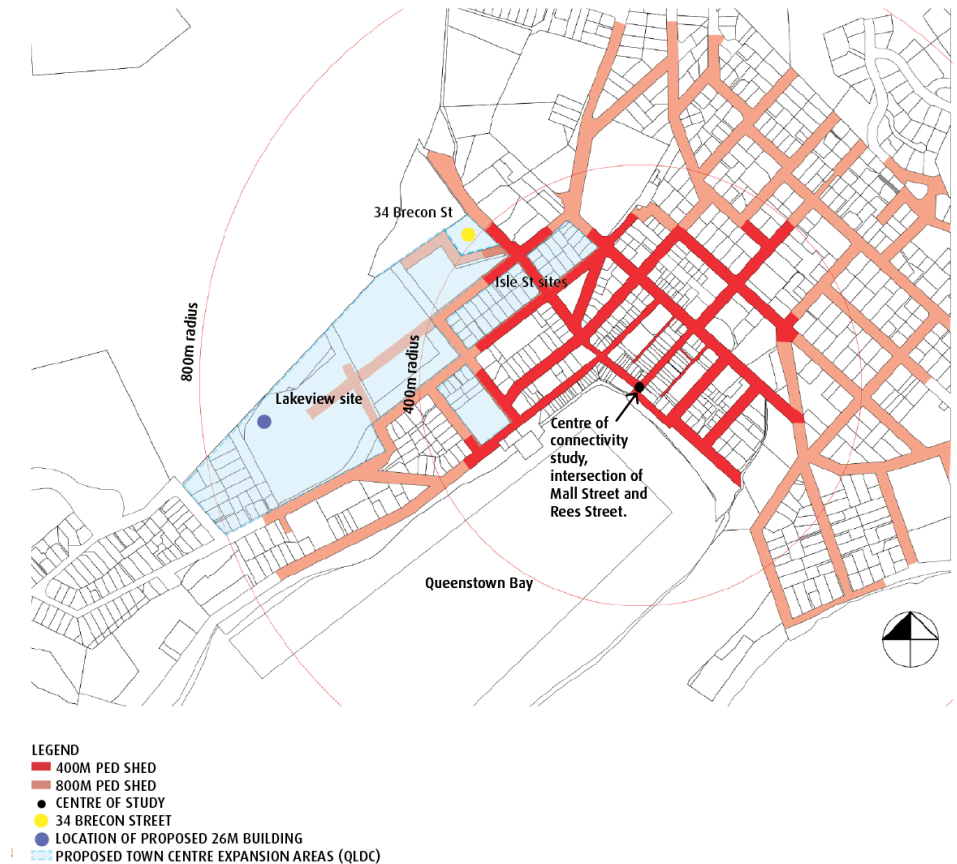
8. 34 Brecon Street and the Isle Street St sub-zones are strategically placed at the eastern end of the PC50 Area, contiguous with the existing QTCZ. Refer to **Figure 1**.

Figure 1: 34 Brecon Street – Site and Context Analysis



9. **Figure 2**, shows that 34 Brecon Street and the Isle Street St sub-zones are within a five minute walk of the junction of the bottom of Queenstown Mall.

Figure 2: Queenstown Town Centre Pedestrian Connectivity Analysis



10. I consider that the importance of the proximity of 34 Brecon Street and the Isle Street St sub-zone has been under-recognised by PC50, both in the role that the land is capable of providing relative to the town centre function and to the level of intensification that is appropriate for these sites that are so strategically placed. **Figure 2** shows that the portion of the Lakeview sub zone that Council propose has the greatest intensity, being the site of their proposed convention centre and possibly a hotel is 11 mins walk from the bottom of Queenstown Mall in comparison to the significantly closer 5 min walk to 34 Brecon St.
11. QLDC had previously recognised that the Brecon Street Area was a prime candidate for “*possible extension of town centre*”

related activities". The QLDC document *Queenstown Town Centre Strategy December 2009*¹, Section 8.12 *Development Capacity* says

"The Brecon Street area² was identified as an area for possible expansion of town centre related activities. The balance of activities along and to the north of Brecon Street has shifted away from residential activities towards commercial and community activities including tourist activities, the medical centre, fire service and childcare."

"Creating a new zone along Brecon Street would reinforce the pedestrian movements linking key tourist attractions at one end and the town centre at the other."

Figure 3: Areas for Possible Expansion of Town Centre from "Queenstown Town Centre Strategy – Dec 2009"



¹ The relevant extract from Queenstown Town Centre Strategy is attached as **Appendix J**.

² The Brecon Street area is shown as the brown shaded area on the left within **Figure 3**. This diagram was originally included in the Queenstown Town Centre Strategy as Figure 6 Areas for Possible Expansion of the Town Centre. One of the two Isle St blocks making up the Isle St sub zone of PC50 is included.

At the time of that study, just five years ago, the Lakeview site was not recognised as a contender for this status. In that context it is difficult to understand the urban planning rationale for PC50 to be initially promoted by QLDC with Lakeview as the prime driver and without the inclusion of either Brecon Street or the Isle Street sub zone. It remains difficult to understand why the strong rationale outlined within the Queenstown Town Centre Strategy for the Brecon Area has been under-played in PC50.

12. I agree with the statement in *Queenstown Town Centre Strategy December 2009, Section 8.12* “it is noted that this area contains some of the few sites large enough for a moderate sized hotel remaining in the proximity of the town centre. This area may be appropriate for tourist related activities and visitor accommodation and is being considered in Council’s study on areas which may have potential for greater development of height.”

My opinion is that this is a well considered point that appears to have been lost in PC50. As an experienced architect familiar with the design of hotels, I consider that the 12m height limit proposed by PC50 for the Brecon St and Isle street areas will preclude the construction of “*moderate size hotels*” because it will be uneconomical to build them that low.

Later in this evidence I have discussed a previous proposal for a mixed use development at 34 Brecon St that I consider exemplifies how this type of activity is ideal for this area.

My Response to the Planner’s s32 report and AEE

13. The report P10 states “*The Gondola is a key commercial tourism activity that draws people from the Queenstown Mall area up Brecon Street, and accordingly the Lakeview site will complement this existing situation by extending the Town Centre zone to the north west of the current zone boundary.* I agree with this statement but note that the report does not recognise that in fact Brecon St and the Isle St sub-zone

currently functions as the gateway to the Gondola and if PC50 proceeds will become the gateway to the Lakeview sub-zone. This factor deserves recognition by allowing more intensive built form than is currently proposed under PC50.

The Queenstown Height Study page 14 says

“There are some advantages in being able to see a landmark building or buildings from the Shotover Street / Brecon Street intersection to draw people up the Brecon Street steps and make the connection to the gondola more legible. Such a building would need to be located near the corner of Man and Brecon Streets.”

I agree with this statement in principle but consider that a landmark building would be equally effective at the junction of Brecon St and Cemetery Road. In either case, PC 50 does not make provision for a landmark building by allowing sufficient height.

14. The report P19 states *“The rezoning of the Lakeview site will enable the efficient development of this land, which, in Queenstown, and in close proximity to the Town Centre is a very scarce physical resource. Retaining the existing zoning at this site with its limitations on density would be a lost opportunity for the community to provide for their social, economic and cultural wellbeing.”*

I agree with this but note that the timid approach to allowable height in all but the Convention Centre/hotel site belies recognition of the scarcity and value of the land.

15. The report P20 states: *“The Ben Lomond scenic reserve to the north of the site is classified as an Outstanding Natural Landscape in the District Plan. This scenic reserve accommodates the Skyline Gondola and associated facilities, mountain bike trails and zipline activities. The plan change area does not encroach into this reserve. However, the plan change proposes additional building height, providing for up to 26m in one location. The additional building height*

proposed is situated towards the rear (north-west boundary) of the Lakeview site, and will be set against the backdrop of this outstanding natural landscape....

..When viewed in the context of the township to the fore and the vast backdrop of the Ben Lomond scenic reserve and mountain range beyond, the proposed increase in building height at the base of the reserve is considered to be appropriate. It is considered that the providing for the intensification of use in this location is appropriate as it consolidates and defines the urban boundary of Queenstown."

I agree that the location of the Lakeview sub-zone at the base of Ben Lomond does allow for development at significant height, however the s32 report and AEE does not develop a cogent argument for why up to 26m is allowable at the north-western end, but only 12m at the eastern end where there are superior connections to the existing QTCZ.

16. The report P26 states *"34 Brecon Street provides a logical extension of the Lakeview sub-zone and will provide future roading alignment improvement options that would be beneficial for Queenstown."*

I agree with this statement. The problem however, is that as much as Council and the experts appear to like the roading alignment improvement options, they have not provided for them within the UDF or shown them on the structure plan. There is a significant degree of procedural unfairness arising from this situation, because the roading alignment that I understand that QLDC and its consultants favour would also provide a significant mitigating factor for other matters that Council is concerned about including the matters discussed in clauses 17 to 22. In my opinion, in light of strong support from its advisors for the roading realignment, it is iniquitous for Council not to have provided for that within the UDF and Structure Plan. I address the advantages that flow from the rationalisation of the roading at the eastern end of the site in

clause 42.

17. The report P37 notes Proposed Policy 3.4 is

“To encourage pedestrian links within and through the Lakeview sub- zone, and to the surrounding public spaces and reserves.”

The AEE states *“Providing pedestrian connections is considered to be an important element of the Lakeview sub-zone. Without pedestrian connections from the sub-zone to the wider environments the viability of development of the site could be compromised.”*

I agree on the importance of pedestrian connections from the existing QTCZ to the proposed Lakeview sub-zone, but note that there is a disconnect between this policy and the intention to provide the most intense development of the site in the location that is the most distant from the existing town centre and to not make provision for appropriate height in the areas best connected to the existing town centre.

18. The report P38 notes Proposed Policy 3.10 is:

“To prescribe a range of building height limits for the Lakeview sub-zone which will maximise views from buildings and appropriately manage built scale to preserve townscape values.”

The AEE states P38 and P44 *“In particular, high buildings, up to 26m high are provided for along the north- western boundary of the site. In this location these buildings which will not affect land uses behind (as it is adjacent to the Ben Lomond Reserve). Further, when viewed from the south (Queenstown Bay and surrounds) the tall buildings will be set against the mountain backdrop of the Ben Lomond scenic reserve.*

The Lakeview sub-zone Height Limit Plan provides well considered height limits across the site which will enable the

efficient use of the site and is intended to ensure high quality development of the Lakeview sub-zone.

As noted in 15 above the s32 report and AEE does not develop a cogent argument for why up to 26m is allowable at the north-western end, but only 12m at the eastern end where there are superior connections to the existing QTCZ. Nor does it explain how the Height Limit Plan addresses either the preservation of townscape values or efficient use of the site.

My opinion is that near identical conditions apply along the northern edge of the Lakeview sub-zone, so it would follow that efficient use of what it already conceded to be a scarce resource would be to provide for intensification towards the eastern end.

I consider that Policy 3.10 is being subverted as far as it relates to the reference to “preserve townscape values”. It is very difficult to see the rationalisation for inhibiting mid-rise development of the eastern end of the lakeview and Isle Street sub-zones. My opinion is that the most effective way to preserve townscape values is to support the town by intensifying close to the heart of the town so that businesses benefit from the agglomeration effect. In contrast PC 50, in effect, promotes a satellite town hub that will likely compete with existing businesses rather than complement them.

My Response to the Planner’s section 42A report

19. The planner’s report states *“Heritage New Zealand (50/20/03) states that the heritage rules are not able to influence the form of development on adjoining sites. **This is a valid concern**, (my emphasis) given that 34 Brecon Street forms part of the Lakeview sub zone, which proposes to increase the scale of development on this site from 8 metres that currently exist under the HDRZ to 12 metres as reflected within the Height Limit Plan supporting this aspect of the plan change.”*

The Planners statement “This is valid concern.” appears to be saying that HNZ have a concern that I do not read them as stating themselves. I note that HNZ’s say their submission is neutral and that their concern appears to be that development of 34 Brecon St is respectful of the heritage value of the cemetery. In my opinion, HNZ’s objective is entirely compatible with BSPL’s position.

20. The planner’s report states on page 68 “*A key issue raised by the rezoning of 34 Brecon Street to QTCZ-Lakeview sub-zone is, in my opinion, that it will increase the scale and massing of the development of this site and do so in a location **which has limited potential to absorb and integrate the building heights sought within the submission.***” My emphasis.

The Planner develops the argument for why 34 Brecon Street has limited potential to absorb and integrate the heights sought on page 69, by reference to the 2009 Height Study ”
...it is separated from the steeply sloping land of Ben Lomond by the cemetery open space and building heights over three or four stories could have significant adverse effects on landscape and heritage values:

- *By dominating and shadowing the cemetery and potentially blocking views out from this important public space to the Remarkables, Cecil Peak, Queenstown Hill and the town;*
- *Visually dominating views from Queenstown Recreation Grounds, Queenstown Primary School playing fields and parts of the town centre;*
- *Potentially obscuring vistas up Brecon St and Camp St to the gondola and Ben Lomond.”*

Looking at that material it is possible to identify five items of concern:

- a) The separation of 34 Brecon St from the steeply sloping land of Ben Lomond makes it less suitable for intensification than the convention centre site

- b) Domination of the cemetery
- c) Shadowing of the cemetery
- d) Blocking views from the cemetery
- e) Visually dominating views from elsewhere

Each of these concerns is addressed individually below:

Separation of 34 Brecon St from Ben Lomond makes it less suitable for intensification than the convention centre site.

21. The assertion made by the Height Study and repeated by the reporting planner, Mr Bird and Dr Read appears to be that buildings of some height are better accommodated when they are located immediately at the base of Ben Lomond. This theory is then extended to say that 34 Brecon St is less able to accommodate height because it is distanced from the foot of Ben Lomond by the depth of the cemetery. There has been no evidence offered that substantiates that contention.

The salient point about this argument is whether the depth of the cemetery has any significance to how development of 34 Brecon St, to the extent BSPL propose, would appear *from a distance*³. **Appendix A** shows Fearon Hay's Perspective 1 Gorge Road⁴ photomontage with the addition of a building at 34 Brecon St shown at 24m high⁵. This shows no significant disconnect between a 24m high building on 34 Brecon St and the base of Ben Lomond can be observed from this view point because of the combined effect of vegetation in front of the site and the strong backdrop of foot of Ben Lomond behind.

22. Mr Speedy's evidence refers to the intention that PC50 provides for residential activities. The claim that buildings of

³ The photomontages used by Fearon Hay are similarly from a distance

⁴ I understand that although FH's drawing says "George Road" they are referring to Gorge Road

⁵ This addition photomontage has been prepared by Fearon Hay.

some height are best sited hard against Ben Lomond in my opinion is in direct contradiction to what most occupants of residential buildings on that site would prefer. Some distance is needed between the foot on Ben Lomond and residences (or for that matter, other accommodation and hospitality activities) in order to get sunlight in from the north. This is particularly important on a site that is as challenged for sunlight as this one is. The location of 34 Brecon St being distanced from the foot of Ben Lomond by the width of the cemetery is a distinct advantage.

Domination of the cemetery

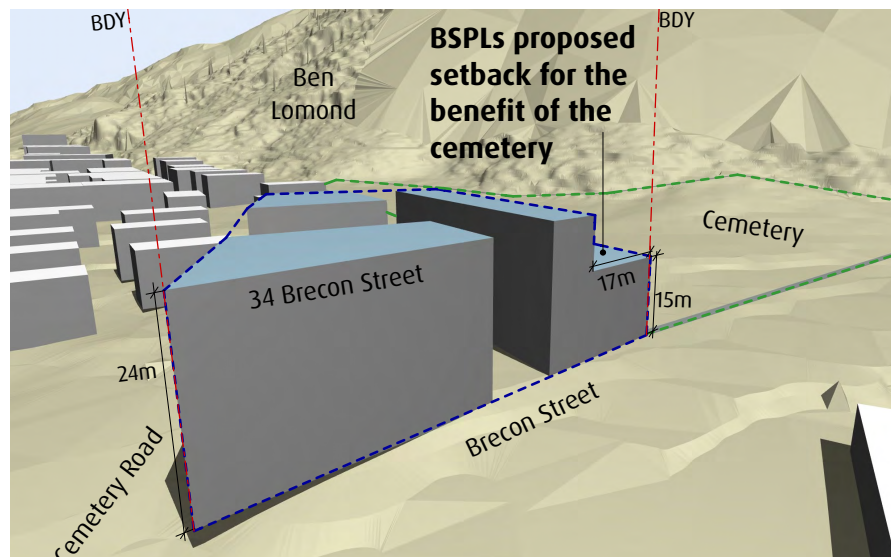
23. The reporting planner states on page 53, *“Heritage New Zealand requests that the effects of adjoining development on the setting of the cemetery should be taken into consideration as part of the change and considers it important that the cemetery is not marginalised by overly dominant buildings and lack of connection to the wider zone. I support the relief sought by the submitter and recommend changes to the provisions supporting the Lakeview sub zone.”*

The reporting Planner then makes a series of recommendations for alterations to policy 3.2, rule 10.6.3.2 (vi), and assessment matter 10.10.2. I consider that in proposing these changes the reporting planner has placed undue weight on the testimony prepared by Dr Read in light of the lack of evidence offered to substantiate effects on the cemetery. The following clauses 24 to 27 provide evidence that addresses these matters.

24. Domination is a function of building mass, height and distance. Each of these elements can be adjusted to provide a solution to a situation in which domination may occur. It appears that the reporting planner is solely considering height and has not given consideration to the other factors of mass and distance. BSPL’s proposals addresses mass, height and distance in combination as explained in *submission numbers 50/10/05, 50/10/06 and 50/10/08. Appendix B* which

compares Fearon Hay's Perspective 2 showing development of Brecon St at 12m plus 2m roof bonus, with my montage⁶ at the bottom of the page that shows development of 24m. In my opinion this illustrates that a 24m high building can sit comfortably in this environment and not dominate the cemetery. Additionally, BSPL have proposed that any building that is on the shared boundary with the cemetery be setback by 17m from a height of 15m above ground level. **Figure 4** below shows the built form setback proposed by BSPL. My opinion is that this control would ensure that development of 34 Brecon St would not dominate the cemetery, irrespective of whether or not Cemetery Road is relocated.

Figure 4: BSPLs Proposed Built-form Setback Diagram



25. I understand that QLDC has recently received a letter from Heritage New Zealand (HNZ) dated 19 November further explaining their position. I believe that letter makes clear that HNZ understand that a solution that involves consideration of building mass, height and distance is appropriate and achievable.

⁶ The drawing at the bottom of the page is based upon Fearon Hay's Perspective 2 modified by extending the building shown to 24m height. Fearon Hay have separately prepared **Appendix I** which shows a block model of the BSPL's 24m high platform on 34 Brecon St. I have used the building bulk they show to calibrate my images to the same height.

26. **Appendix C** shows a selection of cemeteries in Europe and US that have evolved over time to be within the urbanised fabric of villages, towns and cities. It is a natural progression. Probably all of the cemeteries shown will have started on the outskirts of the settlements originally, but over time the need for expansion has seen the settlements surround them. That factor alone does not devalue or disrespect the cemeteries. Indeed an argument can be made that they become a more valued part of a settlement as they become more central to daily life of the residents.
27. The Brecon St cemetery is very unlikely to become as central to Queenstown as some of the examples shown because Ben Lomond is a defensible boundary that should not be urbanised, but in my opinion the cemetery can be improved by the definition and containment that follows urbanisation. In other words, change should not be feared.

Shadowing of the cemetery

28. I understand this concern refers to solar shading of the cemetery. The cemetery is north of 34 Brecon St, so it is very fortunately situated to avoid sun shading. It is of course very effected, as is the whole of the Lakeview sub zone, by sun shading from Ben Lomond at certain times of the year. **Appendix D** shows a sun shading study demonstrating the effect on the cemetery of a development of 34 Brecon St at 24m height and 70% site coverage⁷. It shows that the effect on the cemetery is negligible.

Blocking views from the cemetery

29. Dr Read in clause 7.4 of her evidence says *“The effect of a building of 24m in height on views from the cemetery would be significant.”* She then offers her Appendix 5 as proof of that statement. Appendix 5 is simply a photograph taken from the

⁷ The BSPL proposal is that 24m height is offset by a reduction of site coverage from 80% to 70%

cemetery with 34 Brecon St in the foreground. There is no indication on the photograph of where 24 m in height occurs that would substantiate her testimony.

30. Development of 34 Brecon Street will undoubtedly effect the views that are currently experienced from the cemetery, but I disagree with Dr Read that it is “significant”. Effects will occur even at the 12 metre height proposed by PC50 as demonstrated in Fearon Hay’s Perspective 2 – Cemetery and probably by the status quo of 8m. The question then becomes, is the effect significantly increased if the buildings are 24 metres high?

My opinion is that that the incremental loss is limited to the very small portion of the Remarkables range. Refer to **Appendix B** which compares Fearon Hay’s Perspective 2 showing development of Brecon St at 12m plus 2m roof bonus, with my montage at the bottom of the page that shows development of 24m. In my opinion this illustrates the loss of view as illustrated by the small triangle, is insignificant.

I consider that it is necessary to consider this a very small loss of view in the context of the much greater need to meet Queenstown’s future expansion needs in an area that is highly suitable for that purpose.

Visually Dominating Views From Elsewhere

31. My understanding is that the additional photomontages shown in figures 36, 37 and 38 of ‘*Statement of Evidence of Clinton Bird*’ report were requested by Dr Read specifically to evaluate the Isle Street Sub Zone and the eastern end of the Lakeview Sub Zone. Figure 37 shows all building platforms within that frame at the maximum proposed by PC50 being 12m plus 2m roof bonus. Whilst the two Isle Street blocks have some prominence (not inappropriately so in my opinion), 34 Brecon Street can barely be seen. I sought and obtained from Fearon Hay clarification that 34 Brecon Street is the platform identified as such in **Appendix A**.

My opinion is that, Fearon Hay's Perspective 1 from Gorge Road conclusively demonstrates that the height proposed by PC 50 for 34 Brecon is inappropriately low given the absorptive ability of this site and the future growth needs of Queenstown.

I also note that had Dr Read prepared her equivalent of my **Appendix A**, her evidence would have been considerably more helpful and demonstrably more objective. As it is I am left wondering on what basis she came to her opinion.

32. Dr Read puts forward in her clause 7.3 and Appendix 3 the opinion that a building of 24m height "*would be highly prominent*". "*and would significantly detract from the visual amenity of the mountain slope behind it*". In this case Dr Read illustrates her point with a view from the bottom of the Brecon Street steps looking towards the gondola (her Appendix 3) and claims that this view will be compromised by development of 34 Brecon St. Dissapointingly, again, Dr Read has not taken advantage of Fearon Hay's model to demonstrate her point. If she had done so, she would have seen that from the viewpoint of her Appendix 3, a complying development of the Isle St blocks will be the determining element of what is seen of the mountain slope behind.

Appendix E shows a cross-section based upon data supplied by Clark Fortune McDonald & Associates Surveyors, extending from the the corner of Shotover and Brecon Streets, through the Brecon Street Steps, through one of the Isle Street blocks and up to and beyond 34 Brecon Street to the cemetery. This drawing demonstrates the point made above that a complying 12m high development on the Isle Street block makes it *physically impossible* to see a building on 34 Brecon St at 24 metres high, let alone for it to obscure views of the mountain beyond. A development of the Isle St block to 15.5m height as is proposed to be allowed for sites greater than 2000m² would obscure a building on Brecon St to a height of 33m. I wish to make crystal clear that I do no

support a building of that height on 34 Brecon St, nor is that BSPLs intention to seek that, but it does illustrate the degree to which Dr Read has misrepresented the effects of development of 34 Brecon St to the height proposed by BSPL.

33. **Appendix F** is a further cross section based upon data supplied by Clark Fortune McDonald & Associates Surveyors, extending from the lakefront at Queenstown Bay, through the Mann Street and one of the Isle Street blocks and up to and beyond 34 Brecon Street to the cemetery. This demonstrates that from the Earnslaw Plaza area, development of 34 Brecon Street is obscured by a complying 12m high development on Beach Road in a similar manner as it is from the Brecon Street steps by development of the Isle Street sub-zone.
34. In my opinion the obscuring effect explained above has previously been well understood by QLDC and is enshrined in their policy of encouraging buildings to step up in height as they get closer to Ben Lomond. It is less clear why Council have departed from it own policy when it comes to consideration for 34 Brecon Street, which meets this policy fairly and squarely.
35. Dr Read at clause 6.14 says *"It is views from the Queenstown Foreshore and Botanic Garden that the greatest alteration to the view a and view quality will occur"*. I accept that Dr Read is referring to PC50 as a whole when she makes this statement and that it is not specifically targeted at 34 Brecon St, but I wish to make clear that from viewpoint 6 on the Queenstown's foreshore, Fearon Hay Architects have advised that a development of 34 Brecon St to 24m height *would not be able to be seen*. Their written advice received by email on 20 November is *"We have assessed the Queenstown Bay shot(s), and from these particular angle (Perspective 6) the buildings are obscured by the tree(s) in the foreground"*.

Summary of Planners s42A report

36. In summary, my opinion is that the s42A report accepts Ms Read's evidence at face value and adopts her recommendations without:
- a) seeking evidence to substantiate her conclusions, or
 - b) reconciling them against the higher tests of the Resource Management Act, particularly with respect to the need for efficient management of scarce resources such the land in question.

My response to Clinton Bird's urban design peer review

37. I agree with most of Mr Bird's testimony, the main points of disagreement are his conclusions on the following matters:
- a) that building heights with respect to 34 Brecon St be retained as notified (his clauses 1.9(a) and 10.20).
 - b) The minimum ground floor 4.5m floor-to-floor height be retained
- I prefer Mr Munro's testimony on both matters.
38. With respect to height, Mr Bird says that the increase of height from three to seven habitable storeys in his opinion "*would have adverse shading and visual effects on the adjoining historic Queenstown Cemetery, which is an important public space*". I disagree with Mr Bird's reasoning and have addressed this concern earlier in my evidence at clauses 24 to 30.
39. In my opinion, Mr Bird in defending the height limit for 34 Brecon St (clause 10.21) and the Isle St sub-zone (clause 10.57) does not recognise the distinguishing features of the Brecon St Area (inclusive of Isle Street subzone) that QLDC recognised at the time of preparation of their *Queenstown Town Centre Strategy December 2009* (refer my earlier clause 11).

40. I note that Mr Bird supports that Cemetery Road be (re-) aligned in association with a land swap, (His clause 1.9b)). I agree with Mr Bird on this matter and discuss it in more detail further on in my evidence.

Cemetery Road realignment

41. I note that Mr Bryce, Mr Bird, Dr Read and Heritage New Zealand support the re-alignment of Cemetery Road. I agree with their testimony in that regard.
42. **Appendix G** below shows how the roading pattern in the block bounded by Brecon Street, Isle Street, the proposed extension of Hay St and the cemetery can be rationalised to achieve:
- a) Better utilisation of the land
 - b) Elimination of the problematic junction of Cemetery Road, Isle St and Brecon Street.
 - c) Improved servicing to the rear of the lakeview site
 - d) A potential buffer between 34 Brecon Street and the cemetery

Recommended development controls for 34 Brecon Street

43. Mr Munro in his evidence has thoroughly covered the development controls that BSPL consider should apply to 34 Brecon Street. I agree with BSPLs submissions and Mr Munro's evidence. I do wish to comment on two aspects that appears to have been overlooked by the testimony of Dr Read, Mr Bryce and Mr Bird. The first is that BSPL have recognised in their submission that site coverage of 80% as proposed by PC50 for the Lakeview Sub Zone may in fact be too much if the site were developed to 24m in height. They have proposed that any development over 19m be subject to a maximum site coverage of 70%. The importance of this control is that it will encourage the type of built outcome that

we see illustrated by *The Brecon* as discussed immediately below (see also Appendix H) where the ground floor is very permeable to pedestrian through traffic and responsive to the role of being a gateway to Lakeview.

Secondly, BSPL have also recognised a responsibility to respect the Cemetery. They have proposed that any building that is on the shared boundary with the cemetery be setback by 17m from a height of 15m. As noted earlier in clause 24, this control would ensure that development of 34 Brecon St would not dominate the cemetery. I am concerned that Dr Read, Mr Bryce and Mr Bird may not have taken this important consideration into their view and recommendations.

A case study of a previously proposed intensive development of 34 Brecon Street

44. **Appendix H** is an architectural proposal prepared in May 2007 by Warren and Mahoney Architects for a mixed use development at 34 Brecon Street called “The Brecon”. This development had it proceeded would have had a mixture of residential, retail, commercial and leisure activities. I consider it to be an excellent case study for the site, because:
- a) those activities are still in demand in Queenstown and
 - b) the site is eminently suited to those activities.

It has been influential in helping me arrive at my conclusions for this evidence.

I wish to make it abundantly clear that this evidence is not intended to be some sort of back door resource consent application. But instead is offered as a test case for the development controls that BSPL have proposed in their submission.

45. Warren and Mahoney’s design for the Brecon, is for five semi-independent blocks arranged around a courtyard. The buildings vary in height up to a maximum of 23.5m. Building coverage is slightly less than 70% of the site. As can be seen

from the drawings the building is a very attractive, highly articulated and rich with architectural detail. Importantly it typifies the type of “permeable” ground floor layout that a gateway site such as this needs.

46. BSPL’s submission with respect to proposed development controls picks up on these elements of the Warren and Mahoney design:
 - a) Height (24m)
 - b) Site coverage (70%)
 - c) Use of habitable roof space
 - d) Handling of roof top plant rooms such that they are not visually intrusive

Conclusion

47. PC50 sets out to meet a complex agenda. On the one hand it is seen by Council as a necessary vehicle for achieving their convention centre and associated facilities. On the other hand it seeks to provide expansion for the existing town centre. The problem exists that the site chosen for the convention centre, whilst possibly suitable for that purpose, is not well enough connected to the existing town centre to also function as a legitimate extension of the town centre.
48. Areas brought into PC50 in the latter stages of the formation of PC50 (the Brecon Area, the two Isle Street blocks and the Beach Street block) do have very good connections to the existing town and can legitimately claim to be very good candidates for extension of the town centre. The problems of PC50 seem to arise out of the *combination* of the complex agenda that I refer to.
49. In what I interpret to be a response to expediency and a seeming wish for one-size-fits-all solutions, the separate needs of the convention centre and town centre expansion have been lumped together with unfortunate results.

50. But one of many possible examples of this is the proposition that buildings of some height must be positioned hard against the cliff of Ben Lomond. That may function well enough for a convention centre, but it will not for many of the activities that Queenstown citizens will need in their expanded town centre. It certainly will not suit accomodation or hospitality uses.
51. In my opinion 34 Brecon Street and the Isle St Sub Zone will do the “heavy lifting” when it comes to meeting the real needs of expansion of the town centre function. They are extraordinarily well positioned to meet that need. It does however require that the effects of change on the natural environment get balanced with recognition that sites like these are a very scarce resource. To under-utilise them now can see them underdeveloped in the medium term, forcing other less well positioned sites to take up the slack.
52. As PC50 currently stands the effect percieved by Council’s advisors on the natural and historical environment seems to be tipping the scales and the risk outlined above seems clear.
53. I support the submission made by BSPL and the relief sought.



Alexander David Gibbs, B.Arch, FNZIA, Reg’d Architect,
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