

**BEFORE THE HEARINGS PANEL
FOR THE QUEENSTOWN LAKES PROPOSED DISTRICT PLAN**

IN THE MATTER of the Resource
Management Act 1991

AND

IN THE MATTER of Hearing Stream 14:
Wakatipu Basin hearing
and transferred Stage 1
submissions related to
Arrowtown and Lake
Hayes

**SUPPLEMENTARY STATEMENT OF EVIDENCE OF MARCUS HAYDEN LANGMAN
ON BEHALF OF QUEENSTOWN LAKES DISTRICT COUNCIL**

PLANNING: WAKATIPU BASIN – REZONING SUBMISSIONS

Primary submitters:
Spruce Grove Trust (2513)
Boxer Hill Trust (2386)
Banco Trustees (2400)

1 June 2018

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1. INTRODUCTION

- 1.1 My name is Marcus Hayden Langman. I am an independent planning consultant engaged by Queenstown Lakes District Council (**QLDC**) to prepare the planning report under s 42A of the Resource Management Act 1991 (**RMA** or **the Act**) for proposals for re-zonings as part of Stage 2 of the Proposed District Plan (**PDP**), located in the Wakatipu Basin (**Basin**).
- 1.2 My relevant expertise and experience is set out as **Appendix 1** to my evidence-in-chief dated 30 May 2018. In my evidence in chief, I have also set out the evidence I have relied on, and those matters that are relevant for the consideration of the following submissions. I adopt that here.
- 1.3 I confirm that I have read the Code of Conduct for Expert Witness contained in the Environment Court Practice Note and that I agree to comply with it. I confirm that I have considered all the material facts that I am aware of that might alter or detract from the opinions that I express, and that this evidence is within my area of expertise, except where I state that I am relying on the evidence of another person.
- 1.4 This evidence provides a supplementary statement on the following three rezoning requests not addressed directly in the evidence-in-chief filed on 30 May 2018:
- (a) Spruce Grove Trust submission (2513), relating to land on the south side of Malaghans Road adjacent Millbrook Resort; and
 - (b) Boxer Hill Trust (2386) or Banco Trustees (2400), both relating to land in South Arrowtown
- 1.5 The recommendations on these three rezoning requests were included in Appendix 3 of my evidence in chief, and do not change as a consequence of this supplementary evidence.
- 1.6 In the same way as my evidence in chief, I refer to the following versions of the PDP text, as follows:

- (a) Provision X.2.1: to refer to the notified version of a Stage 2 provision (i.e. Objective 31.2.1); and
- (b) S42A Provision X.2.1: to refer to the recommended version of a Stage 2 provision as included in Appendix 1 in Mr Craig Barr's s42A report. (i.e. S42A Objective 31.2.1)

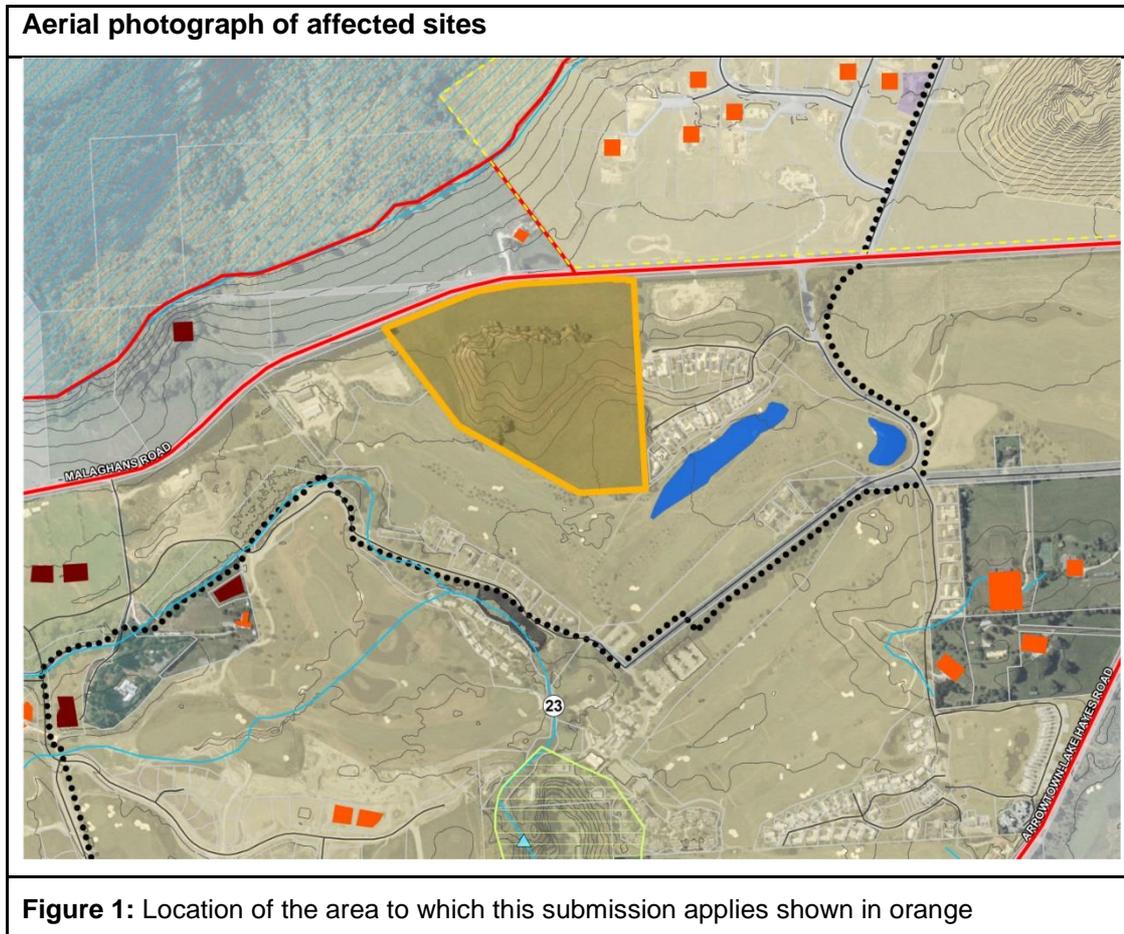
1.7 When referring to the Stage 1 PDP provisions, I am referring to the Council's Decisions Version notified on 5 May 2018, (i.e. Decisions Objective 3.2.1).

2. SPRUCE GROVE TRUST - MALAGHANS ROAD (#2513)

Overall Recommendation	
Recommendation	Reject
Summary	The proposal in its current form is not consistent with the purpose, objectives and policy of the Millbrook Resort Zone.

Property and submission information	
Further Submitters	FS2773 – Millbrook Country Club - Oppose
Land area/request referred to as	1124 Malaghans Road
Stage 1: PDP Zone and Mapping annotations (replaced)	Rural
Stage 1: Zone and mapping annotations requested	Millbrook Resort Zone (#558)
Stage 2: PDP Zone and Mapping annotations	Wakatipu Basin Amenity Zone (Amenity Zone)
Stage 2: Zone and mapping annotations requested	Millbrook Resort Zone
Supporting technical Information or reports	None
Legal Description	Section 11 SO 447314
Area	9.1681 ha
QLDC Property ID	28226
QLDC Hazard Register	Liquefaction Risk LIC 1 (P)

Summary of Council assessments and recommendations	
Ecology	Not opposed
Infrastructure	Not addressed
Traffic	Opposed
Landscape	Not opposed in part



- 2.1** Further intensification in the basin was generally opposed in the transport planning evidence of Mr Smith. No specific traffic reports have been provided as part of the submission. As such, no site specific evidence has been provided. In relation to infrastructure, no indication has been given as to how the sites will be served for water, wastewater and stormwater. The submitter will need to demonstrate as part of its evidence how this is to occur, and the Council will be able to respond accordingly.
- 2.2** The submitter seeks that the land that is the subject of the submission is rezoned Millbrook Resort Zone. Ms Gilbert has assessed the submission and her evidence can be summarised as follows:

- (a) the approved rural residential development on the southern portion of the submitter's land suggests the property could be integrated as part of the MRZ without compromising the landscape character and visual amenities of the wider Basin;
- (b) such development should be confined to the flat land on the south side of the knoll landform; and
- (c) the submission anticipates urban residential development over the entire site, this would generate significant adverse landscape character and visual effects.

2.3 On that basis, Ms Gilbert does not oppose the application of MRZ to the land, subject to confinement of development to the south side of the knoll landform on the property.

Planning analysis

2.4 The submitter has sought that Millbrook Resort Zone is extended over the subject site at 1124 Malaghans Road. This would be done by including a new R20 residential activity area in the Structure Plan in Chapter 43, incorporating an area for residential activity, and golf course and open space as set out in Figure 5 of the submission.¹ No reports regarding landscape have been included with the proposal, nor is there any indication as to the yield. The site is the subject of an Environment Court decision, granting 4 residential building platforms.² The location of the consented building platforms are included in the evidence of Ms Gilbert.

2.5 In principle, I do not oppose the inclusion of the site within the Millbrook Resort Zone. This must, however, be tempered by the form of proposed development and how it is to be integrated with both landform and existing development in the Millbrook Resort Zone. I understand that the Millbrook Resort Zone was developed on a basis that development of the sites is offset by the open space elements of the golf course, resulting in an overall density of approximately 1 residential site or visitor unit per hectare. I consider that in a rural

¹ Submission point #2513.1

² *Spruce Grove Trust v Queenstown Lakes District Council* ENV-2009-CHC-55 [2011] NZEnvC147.

context, this principle is relevant to those parties seeking to be included in the Millbrook Resort Zone and importantly the structure plan.

- 2.6** I consider that allowing development at levels greater than that will undermine the purpose of the resort zone set out in Decisions Chapter 43,³ which is to provide for development enclaves in open rural countryside. Instead, the overall density of development will be above that carefully provided in the Millbrook Zone and structure plan. This challenges the integrity of the PDP in terms of resort activities taking place in a rural area. In my view, this also lacks the integration with the visitor, residential and recreational activities that the objective for Chapter 43 seeks to achieve.
- 2.7** In combination with this are concerns that are raised by Ms Gilbert in relation to the site itself, and development taking place on the 'knoll'.
- 2.8** Turning to the amendments to Chapter 43 provisions sought by the submitter, they seek a significantly intense level of development, including sites with an average density down to 500m², building coverage up to 50%, and exclusion from the overall Millbrook site maximum. This is a significant departure from the approved resource consent for the site, and is inconsistent with development being integrated with the remainder of the Millbrook Resort. It is my opinion that this is likely to have significant adverse effects on the amenity enjoyed by the existing Millbrook sites, over and above that provided for in relation to the consented environment.
- 2.9** As the site was notified as Amenity Zone, the relevant objectives and policies in relation to this request are s42A Objectives 24.2.1 and 24.2.5; and associated policies 24.2.1.3, 24.2.1.5, 24.2.1.8, 24.2.1.9, 24.2.5.1. These objectives and policies seek to protect, maintain and enhance landscape and visual amenity values, including providing for activities where they protect, maintain or enhance landscape values of the landscape character units in Schedule 24.8. In relation to the Millbrook Zone, the relevant Objective is Objective 43.2.1 and associated policies 43.2.1.1. The relevant parts of the objective and policy seek that development is undertaken in an integrated manner

3 Decisions Resort Zone Purpose 43.1.1-3

with regard to landscape, and to prevent inappropriate development of sensitive parts of the site. In addition to this, Strategic objectives 3.2.1.8 and 3.2.5.2 provide for diversification of land use beyond rural activities, as long as rural character and amenity are maintained. Policy 3.3.24 provides that cumulative effects of new subdivision and development for the purposes of rural living does not result in the alteration of the character of the rural environment to the point where the area is no longer rural in character. In this circumstance, I do not consider that the policies are met by the proposal included with the submission.

2.10 For the reasons set out above, at this stage I recommend the request to be rezoned Millbrook Resort Zone is rejected. It is my view that of the two options indicated at present, retaining the Amenity Zone as notified is more appropriate.

3. Boxer Hill Trust (#2386) and Banco Trustees Limited and Ors (#2400)

Overall Recommendation	
Recommendation	Reject
Summary	In the context of the land surrounding Arrowtown, in LCU 24, retention of it as Amenity Zone is more appropriate to retain the ability for efficient potential future development of it as greenfield urban land. Fragmenting that land by providing for Precinct development will lead to sub-optimal planning outcomes in the future and is not sound resource management practice.

Property and submission information	
Further Submitters	<p>#2386</p> <ul style="list-style-type: none"> FS2769.28 – Arrowtown Retirement Village Joint Venture – Support <p>#2400</p> <ul style="list-style-type: none"> FS2795.70 – Boxer Hills Trust – Support FS2796.69 – Trojan Helmet Limited - Support
Land area/request referred to as	<p>#2386</p> <ul style="list-style-type: none"> Lot 2 DP392663 <p>#2400</p> <ul style="list-style-type: none"> 112 and 116 McDonnell Road
Stage 1: PDP Zone and Mapping annotations (replaced)	Rural
Stage 1: Zone and mapping annotations requested	Rural Residential for 112 and 116 McDonnell Road (#403.3)
Stage 2: PDP Zone and Mapping annotations	Amenity
Stage 2: Zone and mapping annotations requested	Precinct
Supporting technical Information or reports	<p>#2386</p> <ul style="list-style-type: none"> Wakatipu Basin Lifestyle Precinct Area B McDonnell Road, prepared by Boffa Miskell, dated February 2018 <p>#2400</p> <ul style="list-style-type: none"> None
Legal Description	<p>#2386</p> <ul style="list-style-type: none"> Lot 2 DP392663 <p>#2400</p> <ul style="list-style-type: none"> Part Section 1 SO 23541
Area	<p>#2386</p> <ul style="list-style-type: none"> 7.02 (estimated from QLDC GIS) <p>#2400</p> <ul style="list-style-type: none"> 6.55 (estimated from QLDC GIS)

QLDC Property ID	#2386 <ul style="list-style-type: none"> • 25676 #2400 <ul style="list-style-type: none"> • 24088
QLDC Hazard Register	None

Summary of Council assessments and recommendations	
Ecology	Not opposed
Infrastructure	Not addressed
Traffic	Opposed
Landscape	Not opposed

Aerial photograph of affected sites



Figure 2: Area of Boxer Hills Trust Submission

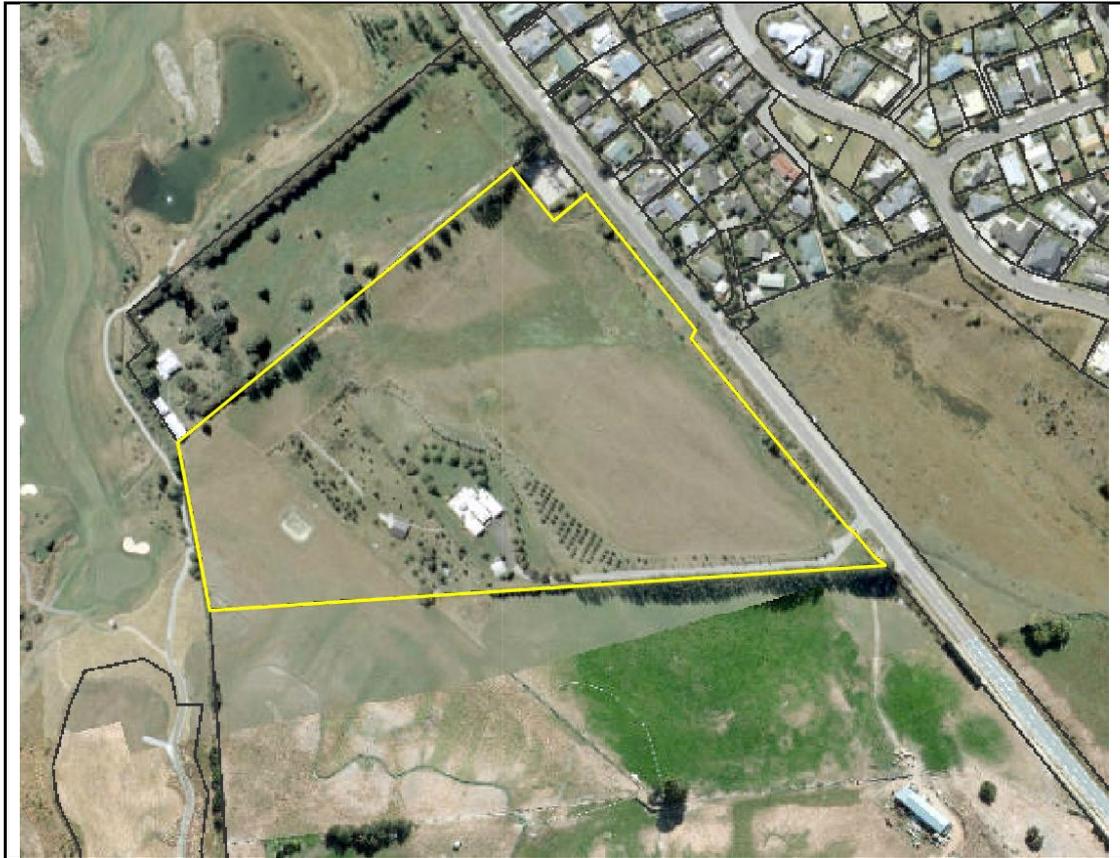


Figure 3: Area showing Banco Trustee & Ors submission

3.1 The following submissions were received in relation to LU24 South Arrowtown. Banco Trustees Limited & Ors sought provision for Precinct over its site on McDonnell Road, with a minimum average site size of 4000m².⁴ No supporting information was included with the Banco submission. The submitter has not indicated how the sites are proposed to be served for water, wastewater or stormwater.

3.2 Boxer Hill Trust seeks that its site, located next to the Arrowtown Lifestyle Retirement Village, is rezoned from Amenity to Precinct, however with provision for a 1ha minimum average site size, and a minimum site size of 2500m².⁵ A landscape report was filed in support of Boxer Hill Trust, prepared by Boffa Miskell Limited.⁶ No other technical reports were provided with the Boxer Hill Trust submission.

4 Submission point #2400.3 (noting that the notified summary incorrectly describes the relief sought as seeking Amenity zone, whereas the submission seeks Precinct zone)

5 Submission point #2386.1

6 Wakatipu Basin Lifestyle Precinct Area B McDonnell Road, prepared by Boffa Miskell, dated February 2018

- 3.3** The Council has not called landscape evidence on these two submissions. The application of Amenity Zone in this area is addressed in paras 62.2 - 62.8 of my evidence in chief. I refer to and adopt that same evidence in relation to the Banco Trustees Limited and Boxer Hill Trust submissions.
- 3.4** Given that I oppose the revised Precinct zone that these submitters are pursuing, I have not addressed the matter of the minimum lot size. Minimum and minimum average lot sizes are addressed generally in relation to the Precinct in the evidence of Mr Barr.
- 3.5** It is my opinion that the most appropriate zone to implement the objectives of the plan, in particular Decision Objectives 3.2.2 and Policy 3.2.2.1, is Amenity Zone.



Marcus Langman

1 June 2018