

QLDC Proposed District Plan
Jeff Brown – summary statement
Wakatipu Basin Lifestyle Precinct – provisions
(Lake Hayes Investments Limited [2291] et al)

1. This is a summary statement of Parts 2 – 7 of my primary evidence dated 13 June 2018. These address the Wakatipu Basin Lifestyle Precinct's (WBLP) objective and policies, subdivision status and assessment matters, and land use rules, standards and assessment matters. I have read Mr Barr's rebuttal evidence.

Objective and policies

2. The purpose of the WBLP is to enable rural living in a way that respects landscape values and visual amenities. My suggested objective 24.2.5 reflects this. The WBLP areas have been identified (in the Wakatipu Basin Land Use Study) as being able to absorb new development. My wording states up front what the Precinct is intended to enable and seeks to manage the effects on landscape character and visual amenities. This is more suitable than the *maintain and enhance* wording because it will provide greater certainty and direction given the Precinct's primary activity is the subdivision and development of rural lifestyle lots.
3. My suggested amendments to the WBLP policies reflects the above reasoning also. This is particularly so for the Council's Policy 24.2.5.1 which includes *protect* which suggests no change. My wording, in Policies 24.2.5.1 and 24.2.5.2, recognise the intended rural living purpose of the Precinct and that this activity should be carried out in a way that recognises the importance of avoiding, remedying or mitigating adverse effects.

Subdivision minimum lot size

4. Except in the legacy Rural Residential Zone areas, I consider that the minimum lot size of 4000m² will provide better subdivision flexibility and innovation, and the restricted discretionary status is appropriate for proposals that breach this minimum. The effects of rural living are already anticipated by the Precinct's identification and the objective and policies, and the effects of some smaller sites, balanced by larger sites in the averaging, and their configuration, is a narrow issue. Design innovation is encouraged by the policies, and therefore the rules should promote flexibility. The assessment matters and standards, along with the right to refuse an application, provide the Council and the community with sufficient safeguards in relation to the potential effects of an innovative proposal.
5. The 22ha Stonebridge development, near the north east end of Domain Road, is a cluster of six small lots (around 2000m² each) surrounded by a large buffer of shared open space and planting.

It is an innovative way of creating character and amenity and has acceptable effects on the area. This sort of innovation should be fostered by the provisions, in my view.

Land use activity rules, standards and assessment matters

6. I have nothing further to add to my primary evidence but I wish to reiterate three matters:
- In Rule 24.4.XA, the identification of a building platform on a site in the legacy Rural Residential Zone should be a controlled activity because there are still undeveloped sites in this legacy zone that do not have a building platform because none is required in that zone;
 - Rule 24.6 should exempt from the need for written approval or notification applications that seek to breach the restricted discretionary standards for building coverage, height of buildings and setbacks from identified landscape features. These matters are, in my view, like building design, between the applicant and the Council and should not necessitate written approvals or notification;
 - The assessment matters for land use and subdivision should not open up the discretion to the higher order objectives and policies because this brings in practically any matter, well beyond the intended restriction on the discretion.

J A Brown
24 July 2018

QLDC Proposed District Plan
Jeff Brown – summary statement
The zoning of the eastern slopes of Lake Hayes
(Lake Hayes Investments Limited [2291] et al)

1. This is a summary statement to Part 8 of my primary evidence dated 13 June 2018 which addresses the zoning of the Rural Residential (RR) and Rural Lifestyle (RL) land on the eastern slopes of Lake Hayes. I have read Mr Langman's rebuttal evidence.
2. The existing environment, long established from rural living zonings and development undertaken because of those zonings, has a rural residential character. Any new zoning should reflect that existing environment.
3. Landowners have made significant capital investments based on the legacy zoning.
4. The Wakatipu Basin Rural Amenity Zone is, in my view, illogical, inappropriate and inefficient. It also fails to give effect to higher order objectives and policies of the PDP.
5. The Wakatipu Basin Lifestyle Precinct, with a 4000m² minimum lot size and no minimum average lot size, reflects the legacy RR Zone development intensity and existing character and is appropriate, in my view, for this area.

J A Brown
24 July 2017

QLDC Proposed District Plan
Jeff Brown – summary statement
The lot size at the north end of Lake Hayes
(United Estates Ranch [2216])

1. This is a summary statement to Part 10 of my primary evidence dated 13 June 2018 which addresses the allotment size of the area at the northern end of Lake Hayes. I have read Mr Langman's rebuttal evidence.
2. The existing rural residential character derives from the legacy Rural Residential zoning, which has an 8000m² minimum average lot size (breach being a restricted discretionary activity) and an absolute 4000m² minimum (breach being non-complying).
3. The average lot size in the area, taking into account recent subdivision and the potential for some larger lots to be subdivided in accordance with the 8000m² average, is around 6800m². Within this, there are many lots that are at or less than 4000m².
4. If the Wakatipu Basin Lifestyle Precinct is applied, this area should have a minimum lot size (for development lots) of 4000m² and, if an average is to apply, this should be 6000m². This is:
 - consistent with the established pattern in this area;
 - will not adversely affect the enclosed and screened character of the area when viewed from both outside and within the area, as addressed in the Landscape Character Unit 12.
5. Mr Langman agrees that the densification of this area is more pronounced than other parts of the Basin but agrees with Ms Gilbert that the area has little further propensity to absorb densification. I disagree with this. A subdivision regime of minimum lot size 4000m² with a 6000m² average would result in the continuation of the established vegetation patterns (including, in the main, boundary planting) and residential density.
6. In my view it is efficient for different areas (subzones) to have different densities, to reflect existing character and potential effects on that character. The north end of Lake Hayes has been in its own subzone for a long period and I can see no effects-based reason for it to now fit into a one-size-fits-all regime that does not reflect the existing pattern and character.

J A Brown
24 July 2017

QLDC Proposed District Plan

Jeff Brown – summary statement

The non-complying v discretionary status of subdivision in the Wakatipu Basin Rural Amenity Zone (WBRAZ)

(Robertson [2321] et al)

1. This is a summary statement to Part 11 of my primary evidence dated 13 June 2018 which addresses the proposed 80ha minimum lot size and non-complying activity status versus the no minimum lot size and discretionary activity status in the WBRAZ. I have read Mr Barr's rebuttal evidence.
2. I consider that the operative tripartite landscape categorisation and the discretionary regime for subdivision and development, largely carried through into Stage 1 of the PDP, has been (with the odd exception) successful in protecting the landscape values of the rural areas of the District by directing any development to those parts of the rural areas with capacity to absorb it.
3. I therefore do not support the 80ha minimum lot size / non-complying subdivision regime promoted for the WBRAZ. I prefer a return to a regime akin to that of the operative plan. Putting aside the Lifestyle Precinct, the Basin has the potential to absorb some additional development at a scale and form that is compatible with the existing character of the landscape and in a way that would not contribute to any perceived actual or cumulative effects on landscape values and rural character. Across the Basin and in many individual properties there is a variety of locational attributes, topographies and degrees of potential visibility.
4. Some properties have potential for additional change, and some may not. The C180/99 case, and subsequent related cases, justify a regulatory approach that is not a one-size-fits-all but demands a detailed and thorough inquiry into the values of the land in question and its wider environs, and the effects of the proposal on those values.

J A Brown

24 July 2017