

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

IN THE MATTER of the Resource
Management Act 1991

AND

IN THE MATTER of re-notified Stage 1
submissions: Gertrude's
Saddlery Limited and
Larchmont
Developments Limited,
at Arthurs Point

**REPLY EVIDENCE OF RUTH EVANS
ON BEHALF OF QUEENSTOWN LAKES DISTRICT COUNCIL**

PLANNING

24 March 2023

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1. INTRODUCTION

1.1 My full name is Ruth Christine Cameron Evans. I prepared a statement of evidence in chief¹ (**EiC**) and a statement of rebuttal² in relation to the Arthurs Point renotification hearing, which concerns the rezoning relief sought by Gertrude's Saddlery Ltd (**Gertrudes Saddlery**) and Larchmont Developments Ltd (**Larchmont**).³ My qualifications and experience are set out at section 1 of my EiC.

1.2 I attended the hearing on 1 – 3 February 2023. During the hearing, the Panel asked me to cover a number of matters in my reply. In addition to addressing these matters, I provide a response to the revised provisions and structure plan that were filed by the submitters on 16 February 2023.

1.3 This reply evidence therefore addresses the following issues:

- (a) The minimum lot size for the proposed Large Lot Residential B Zone (**LLRB**);
- (b) The Lower Density Suburban Residential Zone (**LDSR**) boundary;
- (c) A landscape buffer for the LDSR boundary;
- (d) LDSR yield;
- (e) Frequency of bus services; and
- (f) The submitters' revised (February 2023) LLRB provisions.

1.4 In preparing this reply evidence I continue to rely on the technical evidence filed and presented for the Council, in particular the replies from Ms Mellsop and Mr Smith.

2. MINIMUM LOT SIZE FOR THE PROPOSED LLRB

2.1 While I continue to recommend rejection of any LLRB, I made a number of observations / recommendations on the provisions being advanced by the submitters, were the Panel to accept LLRB zoning.

1 Dated 18 October 2022.

2 Dated 20 December 2022.

3 Submissions #494 and #527.

2.2 More specifically, the Commissioners queried whether the 4,000m² minimum lot size for the Arthurs Point LLRB recommended by Ms Mellsop⁴ and myself would work in conjunction with the submitters' proposed structure plan that shows all of the LLRB lots smaller than 4,000m². The structure plan has been designed to comply with the submitters' proposed minimum lot size of 2,000m².⁵ If the Panel were to include the 4,000m² minimum lot size recommended by the Council, this would require a redesign of the structure plan to comply with that standard.

3. LOWER DENSITY SUBURBAN RESIDENTIAL ZONE BOUNDARY

3.1 At paragraph 8 of my summary statement, presented at the hearing on 1 February 2023, I noted that I rely on Ms Mellsop as to the appropriate Outstanding Natural Landscape (**ONL**) boundary, and that I support the extension of the LDSR proposed by the submitters. To clarify, these two boundaries are not one and the same.

3.2 Ms Mellsop recommended an ONL boundary in her evidence in chief (which she continues to support through her rebuttal and reply evidence)⁶ and at the same time advised she could support LDSR out to this boundary (albeit with some mitigation).

3.3 The submitters have since proposed a slightly smaller area of LDSR than Ms Mellsop was able to support in her evidence in chief.

3.4 My support for Ms Mellsop's ONL boundary and the submitter's LDSR is therefore consistent, in that the extent of the submitters' LDSR is entirely outside of the ONL, based on Ms Mellsop's recommended ONL boundary.

3.5 Taking into account Ms Mellsop's evidence in chief and that she can support a LDSR boundary that aligns with her recommended ONL

⁴ Ms Mellsop Rebuttal Evidence dated 20 December 2022 at paragraph 3.12(a).

⁵ I note that a minimum average of 2500m² has been referred to by the submitters, for example in Mr J Brown's evidence in chief paragraph 4.18(c), however a minimum average is not included in the submitters' proposed provisions.

⁶ Ms Mellsop Rebuttal Evidence dated 20 December 2022 at paragraph 3.15; Reply Evidence dated 24 March 2023 at paragraph 2.1.

boundary, my preference is for the LDSR boundary to follow Ms Mellsop's recommended ONL boundary (i.e. to be one and the same).

4. LDSR LANDSCAPE BUFFER

4.1 Ms Mellsop was asked by the Panel how the landscape buffer would work in terms of planning provisions. In my view this would comprise a mix of bespoke provisions in Chapter 7, including a rule or standard that creates this requirement for the relevant part of the LDSR, as well as a notation on the planning maps to alert plan users to the rule / standard – similar to how building restriction areas are currently mapped / work in the Proposed District Plan (**PDP**).

4.2 In my view the bespoke provisions are required in this instance to implement Ms Mellsop's recommended zone boundary to one that aligns with existing topography and landscape elements, while protecting the landscape values of the wider ONL and Kimiākau Shotover Outstanding Natural Feature (**ONF**).⁷

4.3 If the Panel accept Ms Mellsop's recommended LDSR zone boundary, my recommended drafting is as follows:

(a) Add planning map notation:

'Arthurs Point South'

This notation covers the land subject to the extension recommended by Ms Mellsop in her Evidence in Chief Appendix D and shown in pink Figure 1 below.

⁷ Ms Mellsop Evidence in Chief dated 18 October 2022 paragraph 9.5.

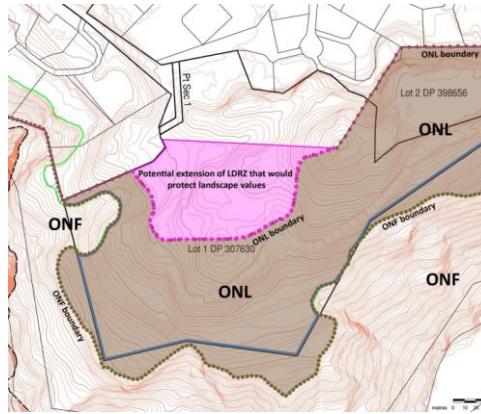


Figure 1: Recommended LDSR extension shown in pink. ‘Arthurs Point South’ notation to cover this area

(b) Insert a new objective and policy 7.2.9 and 7.2.9.1 as follows:

7.2.9 Objective – Residential development on the southern end of Arthurs Point is screened to protect the landscape values of the Outstanding Natural Landscape and Outstanding Natural Feature.

Policy

7.2.9.1 Require that a landscape buffer, with associated planting, is implemented and maintained in perpetuity along the western and southern boundaries of the zone at Arthurs Point within the area shown as ‘Arthurs Point South’ on the planning maps.

(c) Insert a new standard in Table 7.5 as follows:

7.5.24	<p>Arthurs Point Landscape Buffer</p> <p>No residential unit shall be constructed within the area shown on the planning maps as ‘Arthurs Point South’ prior to:</p> <p>(a) the establishment of a minimum 5m wide landscape buffer along the western and southern edges of the zone;</p>	NC
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	<p>(b) the planting of this landscape buffer with mountain beech (<i>Fuscopsora cliffortioides</i>) at a spacing of 1.5m and at a minimum planting size of Lannen 35F; and</p> <p>(c) the establishment of legal mechanisms to ensure the maintenance of the landscape buffer in perpetuity.</p>	
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5. YIELD FROM LDSR OPTIONS

- 5.1** During the hearing the Chair asked about the potential yield from the LDSR expansion. The submitters' masterplan shows 10 lots in the LDSR expanded area, however these are larger than the LDSR minimum lot size of 450m² so this is not necessarily representative of the maximum number of lots that could potentially be developed, given the masterplan will not form part of the PDP (rather, the submitters intend the structure plan will, which does not cover the LDSR).
- 5.2** The LDSR proposed by the submitters' is approximately 0.808 hectares. The LDSR recommended by Ms Mellsop is approximately 1.06 hectares.
- 5.3** Using the Council's standard approach of 68% of the site being available for residential lot development⁸ there could theoretically be 16 lots on the LDSR recommended by Ms Mellsop in her evidence in chief.
- 5.4** Under the LDSR extension that the submitters' propose, there could be 12 lots (total 29 lots including 17 lots on the LLRB part of the site).
- 5.5** I have conferred with Mr Smith (from a transport perspective), and Mr Powell (from an infrastructure perspective) regarding the potential yield of 33 lots if Ms Mellsop's LDSR zoning recommendation boundary was adopted, and if the submitters' LLRB zone (noting that the LLRB yield

⁸ During the hearing, Mr Giddens for Arthurs Point Outstanding Natural Landscape Society outlined his view that 68% is too low for this site. I have checked with Council's policy and strategic planning team who advised that 68% remains the standard approach, noting that it will sometimes be higher and sometimes lower.

may change if the LDSR) was extended. Both Mr Smith and Mr Powell have advised that 33 lots (as opposed to 27 (being the 17 LLRB and 10 LDSR as per the masterplan presented at the hearing)) would not change their advice.

6. FREQUENCY OF BUS SERVICES

6.1 The Panel requested details on the frequency of existing and planned bus services to and from Arthurs Point. I have contacted the transport department at Otago Regional Council (**ORC**) on this point. ORC's response was that the frequency of the service that runs from Arthurs Point to Frankton and then to Arrowtown, is currently on a reduced timetable, due to driver shortages. When the full service returns the frequency will be hourly, with a 30 minute frequency at morning and evening peaks. Under the reduced timetable the service is hourly only.

6.2 With regard to future services, ORC advised that there is a comprehensive study on future public transport needs underway, due for completion in August. The purpose of this study is to plan for the next 30 years of public transport provision in Queenstown. ORC were unable to advise at this stage what the future service for Arthurs Point would include.

7. THE SUBMITTERS' REVISED (FEBRUARY 2023) PROVISIONS

7.1 Setting aside my overall opposition to the LLRB, I make the following comments on the package of provisions dated 16 February 2023, should the Panel be of a view to recommend approving the LLRB zoning and structure plan:

- (a) I agree with the inclusion of the reference to the addition of the word 'public' in relation to the walkway and cycleway access in proposed Policy 27.3.XX.4 and on the structure plan.
- (b) At paragraph 7 of the submitters' 16 February 2023 memorandum it is stated that the public link from the Department of Conservation land, shown in the snip in paragraph 7, is not in the vicinity of further submitters Wolt

and Hazeldine. I note that there is an indicative public trail link shown north of the LLRB zoning which is in the vicinity of these further submitters.

- (c) I agree with the addition of provisions that require the upgrade of the road prior to further subdivision of the LLRB zoning (Policy 27.3.XX.6 and Rule 27.7.XX.3), however I recommend some refinement to Rule 27.7.XX.3 as follows to provide certainty as to the standard of access required (recommended amendments shown in red text):

Any subdivision (other than a subdivision to separate the Arthurs Point LLRBZ land from the adjoining LDSRZ land) prior to the upgrade of access to the boundary of the Arthurs Point LLRBZ ~~that accounts for the traffic generation of the Arthurs Point LLRB Zone.~~ to E12 Road Design Standard (as set out in the Land Development and Subdivision Code of Practice 2020) with the following exceptions:

- Minimum road reserve width: 9.5m
- Pedestrians: 1.5m one side only
- Movement lane (excluding shoulder): 5.5m.

- (d) I have checked with Ms Mellsop who is comfortable with the species listed in Schedule 1.⁹
- (e) I am comfortable with the amendments to proposed Policies 11.2.4.1 and 27.3.XX.5.¹⁰
- (f) I do not support the edits¹¹ to 27.7.XX.1 Information requirement 1(b) to undo the wording suggested in my rebuttal evidence, for the reasons outlined in that evidence.



Ruth Evans

24 March 2023

⁹ Note that this change was first introduced in the submitters' proposed provisions contained in Appendix E of their legal submissions dated 26 January 2023 (blue text).

¹⁰ Note that this change was first introduced in the submitters' proposed provisions contained in Appendix E of their legal submissions dated 26 January 2023 (blue text).

¹¹ Note that these edits were made in the submitters' proposed provisions contained in Appendix E of their legal submissions dated 26 January 2023 (blue text).