

Before the Independent Hearing Panel appointed by the
Queenstown Lakes District Council

Under the Resource Management Act 1991 (**RMA**)
In the matter of the Te Pūtahi Ladies Mile Plan Variation in accordance with
section 80B and 80C, and Part 5 of Schedule 1 of the Resource
Management Act 1991.

Statement of Evidence of

Blair Jeffrey Devlin

on behalf of

Koko Ridge Ltd (OS80)

Tim Allan (OS103)

20 October 2023

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INTRODUCTION

- 1 My full name is Blair Jeffrey Devlin. I hold the position of Senior Planner / Director at Vivian and Espie Limited (Vivian+Espie), a Queenstown based resource management and landscape planning consultancy. I have been in this position since September 2018.
- 2 I hold the qualifications of Bachelor of Arts (Geography) and Masters of Regional and Resource Planning (Distinction), both from the University of Otago. I have been a Full Member of the New Zealand Planning Institute since March 2006.
- 3 I have over 22 years' experience as a planner. This experience comprises thirteen years in local government in the United Kingdom and New Zealand (Dunedin City Council and the Queenstown Lakes District Council). I have worked in Central Government for approximately two years as a policy analyst at the Ministry for the Environment. I have worked as a senior consultant planner for over seven years at private consultancies based in Queenstown. I have practised in the Queenstown Lakes district since 2007.
- 4 Prior to my current role with Vivian+Espie, I was employed by the Queenstown Lakes District Council (Council or QLDC) as Manager of Planning Practice. I have also held the role of Acting Planning Policy Manager, Resource Consents Manager, and prior to that, as a Senior Policy Planner during my employment at the Council between 2011 and 2018.

BACKGROUND AND INVOLVEMENT WITH THE LADIES MILE

- 5 Of relevance to this brief of evidence is my background and experience with regard to matters on the Ladies Mile.
- 6 While working at QLDC as Manager of Planning Practice, I was involved in implementing the Housing Accords and Special Housing Areas Act (**HAASHA**). The Council's Lead Policy guided requests for Special Housing Areas (**SHA**). In 2016, the Queenstown Country Club (**QCC**) was approved as a SHA.
- 7 In the resolution approving the QCC SHA, Council sought to provide for a comprehensive approach to the Ladies Mile. In three subsequent agenda items¹ Council considered and added the Ladies Mile area into its Lead Policy for SHAs, and identified it as a Category 2 area where SHAs were

¹ 23 June 2017, 17 August 2017, 26 October 2017

anticipated, subject to further assessment of the design proposed against the Lead Policy.

- 8 In 2019, on behalf of QLDC, I processed two requests for SHAs on the Ladies Mile (Laurel Hills and Flints Park) and took several agenda items up to Full Council for consideration on these proposals. The Laurel Hills SHA request was on the site of Koko Ridge.
- 9 I recommended the Laurel Hills expression of interest for a SHA be approved by Council and recommended to the Minister of Housing and Urban Development. This was because I considered the proposal consistent with the Council's Lead Policy at the time, and considered the land suitable for low / medium density development. The 156 lot proposal for smaller, more affordable low / medium density housing also provided for cycle and pedestrian paths, open spaces and a dedicated bus slip lane onto to State Highway 6, and can be clearly contrasted with the 37 lots possible under the Large Lot Residential (A) zoning.
- 10 These requests for SHAs, along with a third called Glenpanel, ultimately were not recommended by the Council to the Minister to be SHAs.
- 11 I also worked in a QLDC team preparing business case applications to the Housing Infrastructure Fund (**HIF**) to provide funding for infrastructure to service the Ladies Mile area. The HIF applications were approved by the Government.
- 12 I have also prepared and obtained resource consent for various applicants on the Ladies Mile as described below:
 - (a) on behalf of Koko Ridge Ltd for stage 2 of the Koko Ridge site development to subdivide a balance lot into 11 allotments (RM2111276) under the PDP Large Lot Residential (A) zoning.
 - (b) On behalf of Caithness Developments Ltd to subdivide the Kelly property (RM210760) into seven lots in accordance with the Large Lot Residential (A) zoning. The Kelly property is located on the corner of Stalker Road and State Highway 6.
 - (c) On behalf of Shotover Country Ltd, to subdivide a site on the corner of Stalker Road and State Highway 6 into 21 lots, with 18 being residential allotments (RM220624). Consent was granted in July 2023.

- (d) On behalf of Milstead Trust / Glenpanel LP I obtained consent to use the historic Glenpanel Homestead as a café / art gallery with associated access from the State Highway.

BACKGROUND AND INVOLVEMENT WITH THE SUBMISSIONS

- 13 I did not prepare the submission on behalf of Koko Ridge Ltd (**OS80**) or Tim Allan (**OS103**) but did provide some input to legal counsel.
- 14 I have also read the submission (**OS99**) Corona Trust which relates to the Koko Ridge site and Sub-Area H2.

CODE OF CONDUCT

- 15 Whilst this is not an Environment Court hearing, I confirm I have read and agree to comply with the Code of Conduct for Expert Witnesses contained in the Environment Court Practice Note 2023. This evidence is within my area of expertise, except where I state that I am relying on material produced by another person. I have not omitted to consider material facts known to me that might alter or detract from the opinions that I express.

SCOPE OF EVIDENCE

- 16 My evidence covers the following matters:
 - (a) The Koko Ridge land
 - (b) Density provisions for the H2 activity area
 - (c) Flexibility in lot sizes / Car parking maximums / 'Grandfathering'
 - (d) The Corona Trust submission / permitted baseline and Building Restriction Areas (**BRA**)

THE KOKO RIDGE LAND

- 17 The Koko Ridge development area is located to the south of State Highway 6 as shown in Figure 1 below.
- 18 The land is currently zoned Large Lot Residential-A (**LLR-A**) and is being subdivided under RM190553 and RM211276 into 37 residential lots. Plans of these subdivisions are apparent on p.146 of the S42A report.
- 19 Title for stage one, comprising 26 lots has been achieved. Consent for Stage 2 for an additional 11 lots and road to dedicate was approved on 27 October 2022. Figure 1 below shows the site using the more recent Google Earth aerial photography:

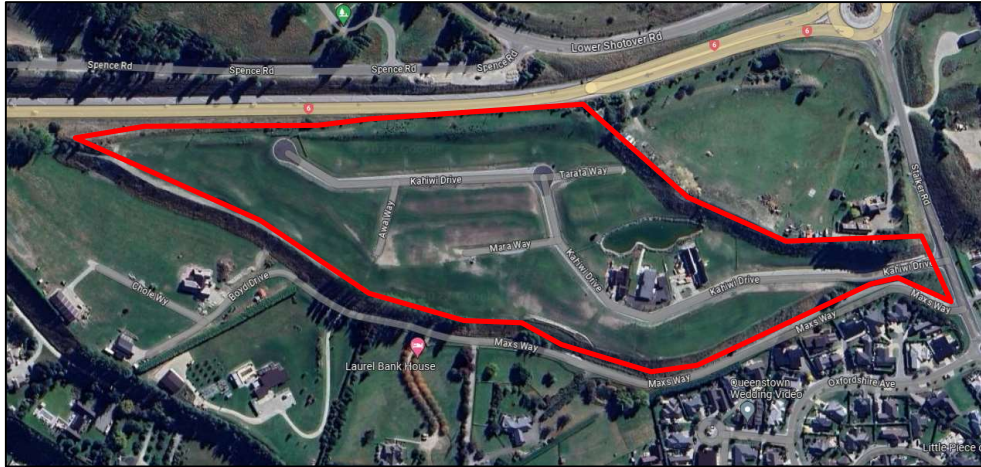


Figure 1: Koko Ridge development area (boundaries approximate only)

- 20 Under the S42A version of the plan change provisions, the site is:
- (a) In the Low Density Residential Precinct
 - (b) Subject to a 25m Building Restriction Area from the State Highway
 - (c) in the H2 activity area,
 - (d) within the Urban Growth Boundary extension area.
- 21 The current yield of the Koko Ridge subdivision (Sub-Area H2) is 37 lots, or just 4.5 residential units per hectare, reflective of the Large Lot Residential (A) zoning. In my opinion this is not an efficient use of scarce land suitable for urban development in the Wakatipu Basin. This has been recognised to some degree through the proposed Low Density Residential Precinct.

CHANGES MADE IN RESPONSE TO THE KOKO RIDGE SUBMISSIONS

- 22 Residential flats are removed from the non-complying activity category in the updated provisions of the S42A report. I support this change for the LDR Precinct as it is consistent with the Low Density Suburban Residential Zone, and recognises that residential flats are included in the PDP definition of 'residential unit'.
- 23 Sub Areas H1 and H2 have been removed from the requirement to provide bus stops and pedestrian crossings to the north side of SH6. I support this change and concur with the S42A report author that Sub-Areas H1 and H2 could be removed from the requirement to provide bus stops and pedestrian crossings to the north side of SH6; but that the requirement for the provision of the active travel link should remain.

- 24 The change in density for the Low Density Residential precinct from 450m² to 300m² is supported, however in the following section I comment on how this relates to the maximum density cap for the H2 Sub-Area.
- 25 In general, from my planning perspective I remain supportive of the master plan led approach to the Ladies Mile area rather than individual landowners undertaking their own consent or plan changes processes.

DENSITY PROVISIONS IN THE H2 SUB-AREA

- 26 The notified and S42A version of provisions include a maximum density of 60 residential units in Sub-Area H2 under Rule 49.5.11:

49.5.11	<p>Maximum number of Residential Units</p> <p>The total number of residential units shall not exceed the maximums in the table below:</p> <table border="1" style="margin-left: auto; margin-right: auto;"> <thead> <tr> <th>Sub-Area (as shown on the Structure Plan)</th> <th>Maximum number of residential units</th> </tr> </thead> <tbody> <tr> <td>Sub-Area H1</td> <td style="text-align: center;">38</td> </tr> <tr> <td>Sub-Area H2</td> <td style="text-align: center;">60</td> </tr> <tr> <td>Sub-Area I</td> <td style="text-align: center;">30</td> </tr> </tbody> </table>	Sub-Area (as shown on the Structure Plan)	Maximum number of residential units	Sub-Area H1	38	Sub-Area H2	60	Sub-Area I	30	NC
Sub-Area (as shown on the Structure Plan)	Maximum number of residential units									
Sub-Area H1	38									
Sub-Area H2	60									
Sub-Area I	30									

- 27 As Mr Allan has explained in his evidence, this appears to be an error, as the yield per hectare for the H2 Sub-Area is wildly different to that provided for Sub-Area H1 and I (which are also in the LDR Precinct).
- 28 The maximum figure of 60 has come from the yield table on page 101 of the Ladies Mile Master Plan, which shows the following for the land south of the State Highway:

Yield Table

Sub-Area	Land Use	Measured Area (m2)	Minimum Density (u/Ha)	Gross Developable Area (Ha)	Minimum number of units	Maximum number of units (max +20%)
				<i>Adjusted to allow for stormwater management</i>	1,868	2,284
TE PŪTAHI LADIES MILE (SOUTH of SH6)						
H1	Resi - Low	30,409.43		3.0	38	38
H2	Resi - Low	82,783.40		8.3	60	60
I1	Resi - Low	23,343.63		2.3	30	30
J1	Resi - Low	7,937.25		0.8	17	26
				14.3 Ha	145	154

<https://www.qldc.govt.nz/media/lslm222/5-appendix-a-te-putahi-final-draft-masterplan-report-pages-72-113.pdf>

- 29 From the table above, dividing the maximum number of units by the gross developable area gives the following densities per hectare:

Sub-Area	Developable Area / maximum # units	Residential density per hectare
H1	3.0 / 38	12.66 residential units per hectare
H2 (Koko Ridge)	8.3 / 60	7.23 residential units per hectare
I1	2.3 / 30	13.04 residential units per hectare
J1	0.8 / 26	32.5 residential units per hectare

- 30 As can be seen, the residential density per hectare for H2 at 7.2 residential units per hectare is considerably lower than for all other areas south of the State Highway, that are also in the LDR Precinct.
- 31 I am not aware of any specific justification for this lower yield figure in the section 32 report². It could be a hangover from earlier versions of the provisions that were put out for consultation that had view shaft corridors across part of the site, however those provisions have been removed and did not form part of the notified plan variation.
- 32 The Appendix D– Masterplan Transport Strategy of the s32 report does mention Sub-Area H2, but Appendix D uses an even lower figure of 38 units

for Sub-Area H2, which is an error as this is the yield figure for Sub-Area H1.

- 33 From my planning perspective, the Koko Ridge land comprises flat terraces mostly below State Highway 6 and is well positioned to support a low to medium density housing development that is visually unobtrusive and sympathetic to the adjacent low density Shotover Country subdivision. It is already zoned for residential development, as the LLR(A) is an urban residential zone just one with a very low density.
- 34 It is less visible than other Sub-Areas such as H1 and that directly adjoin the State Highway yet enable greater density, all within the LDR Precinct.
- 35 In my opinion, the maximum yield number should be increased to reflect the approved and constructed Koko Ridge subdivisions, that have created 37 lots of approximately 2000m² each.
- 36 If each lot were split into four lots of 500m² each, the maximum yield figure would be 148. This is unrealistic due to the lot layout of Koko Ridge, recognising some lots are more easily subdivided than others. In addition, the width of some of the accessways is undersized for that level of development.
- 37 In my opinion a density of 13 residential units per hectare would be consistent with Sub Area H1 (directly adjoining Koko Ridge to the north) and Sub-Area I across Stalker Road.
- 38 A density of 13 residential units per hectare remains consistent with the Low Density Precinct description below:

- The Low Density Residential Precinct, on the south side of State Highway 6, supports integration with the adjoining lower density residential communities of Shotover Country, Lake Hayes Estate and the Queenstown Country Club, while acknowledging the transport limitations;

- 39 The proposed change will still result in the Koko Ridge area integrating well with Shotover Country to the south (which also has a 13 residential units per hectare (+/- 10% i.e 12-14 per hectare) rule in the adjoining Activity Area 1a to the south in Shotover Country, directly south of Koko Ridge) – ODP Rule 12.30.5.1 ix:

ix Density

The density of residential units within each Activity Area shall achieve limits set out in Table 1 plus or minus ten percent (10%).

Table 1:

Activity Area	Density
1a – 1f	13.3 units per hectare
2a	33.3 units per hectare
2b and 2c	22.2 units per hectare
3	22.2 units per hectare
4	4 units per hectare
5a – 5e	Not Applicable

- 40 As Mr Allan notes, with reference to the local physical roading network, this was assessed as having the physical capacity to accommodate additional vehicle movements from the development proposed through the SHAs (in terms of cross section widths and road function, even at peak times).
- 41 The primary reason provided in paragraphs 12.25 – 12.32 of the S42A report to reject any changes to the density provisions for H2 (including a Low Density Suburban Residential zoning) is that:
- [the Koko Ridge sites] are a significant distance from the intended location of community facilities and bus stops, and increasing the number of units on these sites will increase private vehicle use. ⁹Mr Shields does however agree that sub areas H1 and H2 could be removed from the requirement to provide bus stops and pedestrian crossings to the north side of SH6; but that the requirement for the provision of the active travel link should remain.¹⁰ I agree with Mr Shields on this point and note that the requirement for the provision of bus stops and pedestrian crossings of SH6 will still be retained within Sub Area A on the north side of SH6.*
- 42 I do not believe this is correct with regard to bus stops, as Rule 49.5.50 requires “Bus stops on State Highway 6, west of the Stalker Road intersection (one each side of State Highway 6)” prior to development happening in Sub-Area B.
- 43 ‘West of Stalker Road’ is where Koko Ridge is located, so there will be bus stops in close proximity to the Koko Ridge land.
- 44 It is accepted that Koko Ridge is at the western end of the plan change area and approximately an 800m walk (nine-ten minutes) from the end of Kahiwi Drive to the edge of the new Commercial Precinct. However, it is directly adjoining planned and existing active transport connections, and is already in close proximity to the active transport network that goes via Spence Road to the historic Shotover Bridge and the Frankton Flats. Koko Ridge is also in close proximity to the existing Shotover Primary school. The Shotover

Country Special zone provisions also enable as a controlled activity³ 'Neighbourhood Retail activities' such as a dairy, café, restaurant, food takeaway shop of up to 200m² within Activity Areas 2a, 2b and 2c. These activity areas are close to Koko Ridge and wrap around the Primary School.

- 45 At this time there are no shops in Shotover Country, but as with Lake Hayes Estate, where the shop / café / bar arrived only when the area was fully developed, it is not unreasonable to consider neighbourhood retail activities will be provided in Shotover Country.
- 46 In summary, the density provision for the H2 Sub-Area should be increased to align with the other Sub-Areas within the LDR Precinct, and to align with the adjoining Shotover Country Special Zone, and the appropriate density is 13 residential units per hectare, giving a maximum of 108 units in Sub-Area H2.

FLEXIBILITY IN LOT SIZES / CAR PARKING MAXIMUMS / 'GRANDFATHERING'

- 47 Related to the above discussion, as Koko Ridge has already been subdivided, it is recognised that future lot owners will have differing ambitions with regard to their land. Some will be happy to keep their 2000m² lot and others will look to subdivide in accordance with the proposed LDR Precinct provisions.
- 48 This will result in a range of lot sizes, which is considered a positive element, unlike Lake Hayes Estate which is noticeable for having typically one large detached residential unit per site and little else. As Mr Allan notes, the Koko Ridge area can provide for all different life stages in one area, with smaller lots / houses for early and later in life, and larger sized sites and houses for families with children.
- 49 The reduction in minimum lot size to 300m² is supported, provided it sits alongside an increase in the maximum density of Sub-Area H2 to 108 units, as explained in my earlier evidence. The combination would allow a real flexibility in lot size and address the issue of applying the new TPLMZ provisions to the Koko Ridge site which has been subdivided under the LLR(A) provisions.
- 50 While the maximum car parking ratios have been amended to enable a maximum of two spaces for a three bedroom house in the Low Density Residential Precinct, as noted above, the Koko Ridge subdivision is now

³ Rule 12.30.3.2i Shotover Country Special Zone.

completed, Stage 1 title have been issued and Stage 2 titles will issue next year.

- 51 The lots currently all exceed 2000m² and many will remain this size. On these lots it is possible to have a double garage set back from the street with a driveway providing access. This would mean four parking spaces are available, and a restricted discretionary consent is required under Rule 29.5.12A.
- 52 As Mr Allan notes, lot owners who retain their 2000m² lot size will typically have larger homes with more generous setbacks, have more than three bedrooms, may operate a home based business and the occupiers may have boats, caravans and other high value recreation assets.
- 53 The new TPLMZ provisions, which seek to reduce dependence and use of private vehicles, are clashing with the lot layout of a subdivision completed under the Large Lot Residential (A) zone provisions. Provisions for more intensive Low Density Residential urban living have been applied to large lot, low density residential lifestyle lots. The S42A report and provisions do not attempt to reconcile this matter.
- 54 One solution is to 'grandfather' the LLR(A) bulk and location controls, so that they apply to new development on lots over 2000m². This would enable the more spacious setbacks and lower site coverage rules to apply to larger lots. New rules can be added stating:

49.5.X New residential units on sites greater than 2000m² within the H2 Sub-Area shall be subject to the bulk and location controls specified in the Large Lot Residential (A) zone provisions 11.5.1 – 11.5.14.

29.5.12A Add the words to end of rule:

For sites exceeding 2000m² in the LDR Precinct (Sub-Area H2 only) - no maximum parking requirements.

THE CORONA TRUST SUBMISSION, PERMITTED BASELINE AND BUILDING RESTRICTION AREAS

Permitted Baseline

- 55 The Corona Trust submission does not clearly state what the permitted baseline is with regard to development under the Large Lot Residential (A) zoning, and how that might affect the Corona Trust land.

- 56 The LLR(A) provisions provide for a residential unit as a permitted activity⁴ subject to meeting the standards⁵.
- 57 There is a permitted height of 8 metres⁶, a 15% building coverage⁷, and a 4m setback from internal boundaries⁸.
- 58 In summary, built form on the Koko Ridge set back 4m from the site boundary (which as Mr Allan notes, varies in its proximity to the terrace edge) is provided for as a permitted activity under the PDP LLR zoning, and this is not acknowledged in the Corona Trust submission. The private legal instrument is not relevant to a permitted baseline assessment.
- 59 The reason profile poles were put up as part of RM211276 was only due to some of the lots being within the 75m BRA. This is not acknowledged in the Corona Trust submission. In the following section I explain how the 75m BRA came about.

Building Restriction Area Adjacent to the State Highway

- 60 The consented development for Stage 2 of Koko Ridge included lots within the current 75m Building Restriction Area (BRA) that applies to the site.
- 61 With regard to effects on the Corona Trust land, when the subdivision consent was being processed, including the Isthmus peer review of the landscape and visual assessment prepared by DCM Urban, it became apparent the Corona Trust considered the 75m BRA to be in place to protect their private residential amenity values.
- 62 I researched how the 75m BRA came about. It was imposed through the Panel 'decisions on submissions' on Stage 2 of the PDP. In setting the 75m BRA, the Panel referenced the Wakatipu Basin Land Use Study, which was a land use study of the Wakatipu Basin:

⁴ Rule 11.4.1

⁵ Rule 11.5

⁶ Rule 11.5.1.1

⁷ Rule 11.5.2.1

⁸ Rule 11.5.3.1.

45. However, we had some sympathy with the submitters' contention that they were in limbo, particularly as the WB Landscape Study recommended that this land be zoned Ladies Mile Gateway Precinct and considering the time that has elapsed since the notification of Stage 1 of the PDP. The WB Landscape Study identified this area as having a high absorption capability and recommended a planning strategy to provide for residential development at a density of 1:250m² and/or 1:450m² with a 75m building setback from Frankton-Ladies Mile Highway²².
46. We discussed the uncertainty faced by landowners with Ms Vanstone. She acknowledged that there was no surety regarding the timeline to progress the urbanisation of this area and that an

²¹ Legal submissions for submitters 24, 535, 532 and 229

²² WB Landscape Study, Table 1, page 3

63 The relevant map and text extract from the WBLUS is set out below:

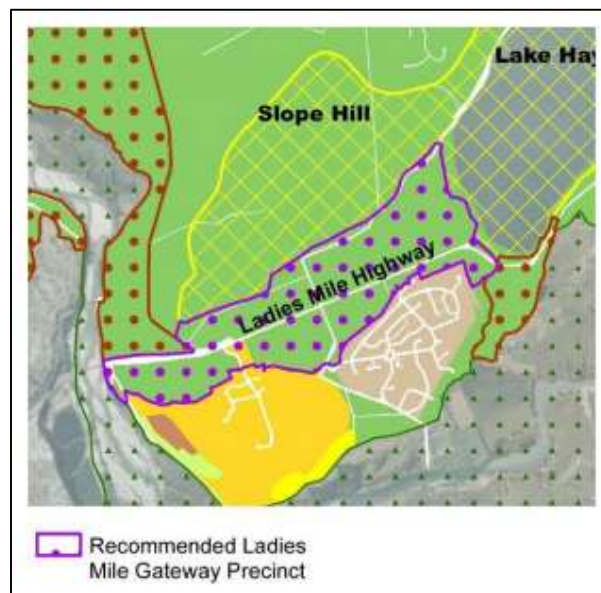


Figure 2: Extract from WBLUS map showing Ladies Mile Gateway Precinct

64 Ultimately the Council did not adopt the recommendation of the WBLUS to create a Ladies Mile Gateway Precinct, within the Wakatipu Basin Rural Amenity Zone, however the WBLUS report does provide some explanation of what the 75m setback seeks to achieve (noting the PDP is totally silent with regard to objectives and policies concerning the 75m setback). In particular, paragraphs 1.26, 6.10, 8.6 and 8.40 provide some context and explanation:

1.26 It is recommended that the following zoning strategy be implemented (refer Figures 3 and 4 below):

- Creation of a primary **Wakatipu Basin Rural Amenity Zone (WBRAZ)** with a specified minimum lot size subdivision regime of 80ha being applied in association with all buildings (whether dwellings or farm buildings) requiring consent as a restricted discretionary activity (RDA).
- **the WBRAZ is then overlaid by (and thus trumped by associated rules as specified):**
 - A **Wakatipu Basin Lifestyle Precinct (WBLP)** replacing the PDP Rural Residential and Rural Lifestyle zones, and containing provisions that ‘trump’ the underlying WBRAZ provisions as and where specified, and including specific objectives, policies, rules and assessment criteria. Minimum lot size: 4,000m² with buildings requiring consent as a restricted discretionary activity.
 - A **Ladies Mile Gateway Precinct (LMGP)** which may achieve a density of development at the same level as the PDP’s Low or Medium Density Residential zones, is subject to a 75m building setback control (from the highway), and assumes an ‘urban parkland’ type development character. The LMGP trumps the underlying WBRAZ provisions. A Structure Plan process will be required to address amenity, landscape and infrastructure issues.

6.10 Building setbacks from sensitive edges such as river cliffs (02 Fitzpatrick Basin, 14 Lake Hayes Terrace), prominent hills/escarpments (06 Wharehuanui Hills, 15 Hogans Gully, 22 The Hills) or scenic routes (17 Morven Ferry, 21 Arrow Junction Rural Residential, 10 Ladies Mile) are recommended to protect the integrity of these important landscape features. A minimum distance of 50m is recommended in relation to the landform features and 75m for scenic routes, as this corresponds to the patterning of existing sympathetic development (although it is acknowledged that in some instances site-specific circumstances, a building may be able to be located closer to the feature without comprising landscape and visual amenity values).

8.6 The precinct provisions should indicate that those areas should be zoned medium density or low density residential or a mix of the two (noting we consider achieving a higher yield is preferable given growth projections) with the requirement for development in the area to be structure planned to achieve an integrated development outcome that addresses matters such as amenity, landscape, infrastructure and roading (for example, the establishment of robust defensible edges at Arrowtown and a 75m building setback at Ladies Mile.)

8.40 The precinct provisions should indicate that those areas should be zoned medium density or low density residential or a mix of the two (noting we consider achieving a higher yield is preferable given growth projections) with the requirement for development in the area to be structure planned to achieve an integrated development outcome that addresses matters such as amenity, landscape, infrastructure and roading. (For example, the establishment of robust defensible edges at Arrowtown and a 75m building setback at Ladies Mile.)

65 In summary, the 75m setback is to:

- (a) Provide for an ‘urban parkland’ type of character (paragraph 1.26)
- (b) Provide for a scenic route and to correspond with patterning of existing sympathetic development (the Queenstown Country Club (paragraph 6.10)
- (c) As part of a structure plan led approach that addresses amenity, landscape, infrastructure and roading (paragraphs 8.6 and 8.40 are identical).

- 66 There is no mention of it being to protect private amenity values of adjoining landowners, rather it related to views from the State Highway.
- 67 These matters were all readily addressed on the Koko Ridge site through the proposal and the reduced setbacks were ultimately approved by QLDC in recognition of this, and the unique nature of the Koko Ridge site which is less visible from the State Highway due to the road cuttings down to the Shotover Bridge.
- 68 In summary, I support the proposed reduction of the BRA from 75m to 25m, along this portion of the State Highway boundary. The proposed change in the S42A version of the provisions to add new rule 49.5.6.5 is not appropriate as the Koko Ridge site boundary is already set back from the terrace edge. I refer to the evidence of Mr Compton-Moen and Mr Allan in this regard.

CONCLUSION

- 69 In conclusion, the proposed TPLM plan variation is supported at a high level, as is the application of a LDR Precinct over the Koko Ridge land, with a 25m BRA. Several of the submission points have been accepted in the S42A version, however some further amendments are necessary to reconcile the situation on the Koko Ridge land where the new zone provisions will come in over the opt of a consented large lot residential subdivision. In particular, the density provided for on the Koko Ridge land is lower than that for other Sub-Areas within the LDR Precinct. Providing for the tension between the consented / completed Koko Ridge subdivision and the new LDR Precinct provisions could be better addressed through grandfathering clauses for those Koko Ridge lot owners who seek to retain a 2000m² or more lot size.

Blair Devlin

20 October 2023