

QUEENSTOWN LAKES PROPOSED DISTRICT PLAN
S0655 – BRIDESDALE – T14 – DUTHIE J – EVIDENCE
PLANNING EVIDENCE IN SUPPORT OF SUBMISSION BY BRIDESDALE FARM
DEVELOPMENTS LIMITED
RESIDENTIAL ZONING AND OUTSTANDING NATURAL LANDSCAPE CLASSIFICATION
EVIDENCE BY JOHN DUTHIE
13 June 2018

Introduction

1. My name is John Robert Duthie. I hold a Bachelor of Town Planning degree. I am a member of the New Zealand Planning Institute. I have 40 years planning experience in both local government and the private sector. I am currently a director of Tattico, a specialist strategic and resource management planning company established in 2010.
2. I provide planning advice to Bridesdale Farm Developments Limited (BFDL).
3. I have prepared and present this evidence in accordance with the Code of Practice issued by the Environment Court for professional expert evidence.
4. I have read the relevant submissions and evidence affecting Bridesdale. I have read the Council's section 42A report and the original decision granting the SHA and the subsequent qualifying development consent. I have read the relevant background material to this site. I am familiar with the site.

Requested changes to the Proposed District Plan

5. The BFDL submission relates to the approximately 24ha of land known as Bridesdale. The submission breaks down into four parts.

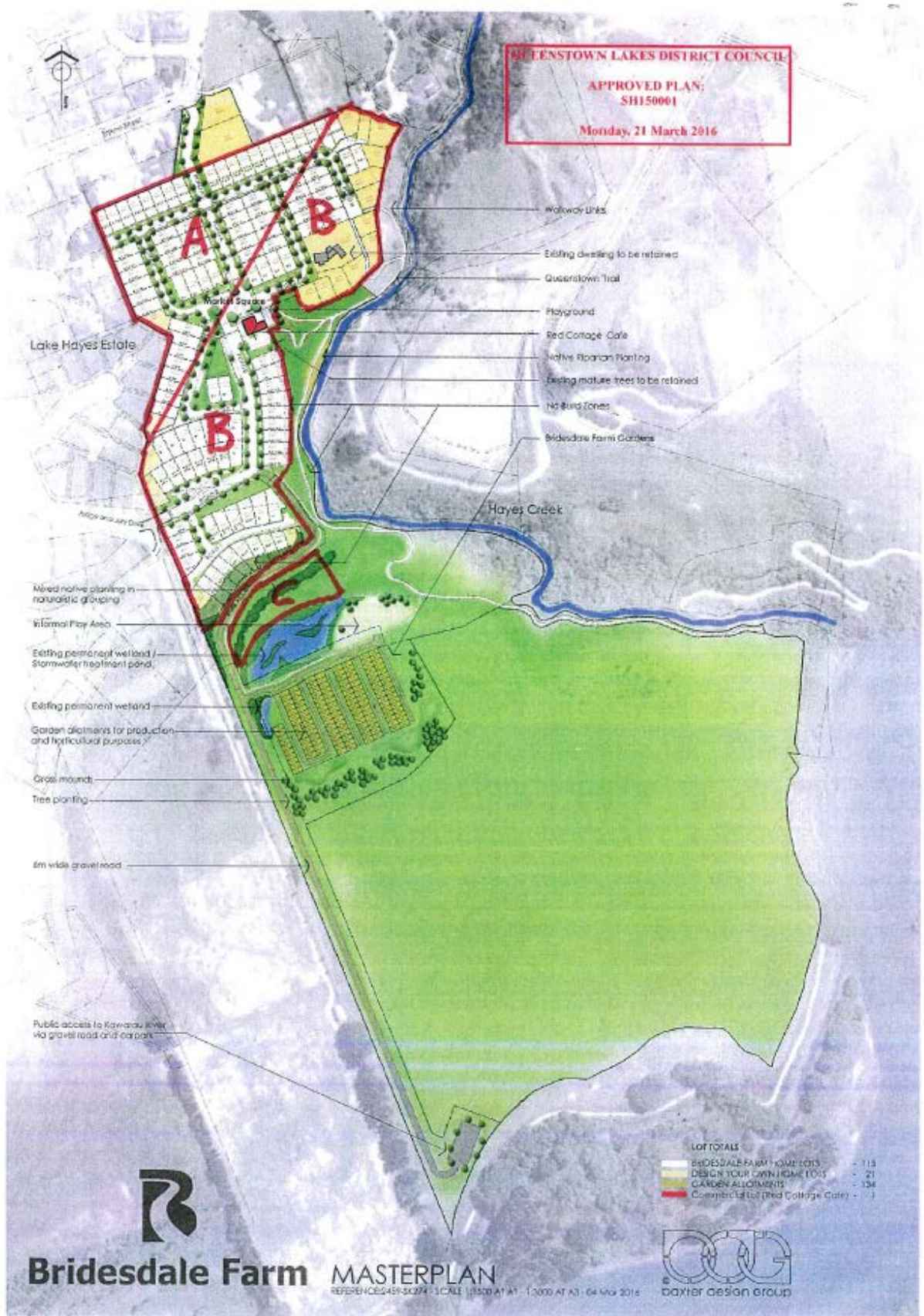
- (a) To shift the boundary of the Outstanding Natural Landscape (ONL) from its current position to an alignment closer to Kawarau River, recognising that the remainder of the gravel flats would still be subject to a Rural Character Landscape classification (RCL).

 - (b) To rezone the existing approved residential subdivision at Bridesdale from low density housing to medium density housing, to reflect the level of intensity approved under the existing consent and SHA (Area A on Diagram 1).

 - (c) To rezone part of the Bridesdale subdivision at the south-eastern portion of the residential block which is approved for subdivision and housing under the 21 March 2016 (SH150001) consent, and is being developed for housing; from rural and rural residential to medium density residential (Area B on Diagram 1).

 - (d) To rezone a portion of the embankment between the main Bridesdale subdivision and the flood plain from rural to medium density residential. This realignment of the zone boundary is intended to create approximately ten additional residential sites (Area C on Diagram 1).
6. I address each of these in turn through this evidence.
7. Diagram 1 identifies these four areas subject to requested changes.

Diagram 1: Area subject to request



Bridesdale development

8. Bridesdale is a medium intensity masterplanned residential development. Much of it faces the stunning ONL of the Remarkables. It is west of the Kawarau River rising from the gravel flats of the flood plain to the “middle terrace” and residential area of the Lake Hayes Estate. It borders Hayes Creek.
9. Bridesdale is a 32ha, residential open space and rural development. The land is currently under development. In fact, almost the entire subdivision is built or under construction.
10. The land was declared a Special Housing Area in June 2015 under the Housing Accord and Special Housing Areas Act 2013. This was in recognition of the significant growth pressure within the Queenstown Lakes District area and in the Wakatipu Basin in particular, and the need to provide additional opportunity for housing. BFDL then undertook a detailed masterplanning of the site. This provided for:
 - A range of housing typologies but predominantly of medium density housing.
 - The provision of a local centre for shops, food and beverage.
 - Open space area including a park.
 - Retention of the flood plain for rural, recreation and infrastructure purposes. Within the flood plain a series of garden plots have been created. This community garden is a key feature and attribute of Bridesdale. Other areas provide access to the Queenstown walkway network. This includes a carpark.
 - Stormwater management including a created wetland adjacent to the flood plain.
 - Walking and cycling trails have been created along Hayes Creek.
11. In March 2016 the development obtained a qualifying development (resource consent) giving approval of the development generally in accordance with the masterplan, but with some refinements and subject to a number of conditions. Diagram 2 shows the approved resource consent.

Diagram 2: Approved resource consent



12. The critical point is that the SHA, masterplan, and resource consent approved an integrated planning solution. What BDFL is now requesting at this hearing is to bring down a set of planning controls that reflect that integrated approach of this area. I address this later in this evidence.

13. Development at Bridesdale has proceeded at pace. Of the 136 residential sections over 120 are built or under various stages of construction.

Outstanding Natural Landscape (ONL) Boundary

14. The original masterplan included an additional 11 sites below and along the easternmost road of the development overlooking the flood plain. These sites were within the ONL. In the final analysis as part of that consent, these sites were excluded from the approved resource consent.

15. My planning evidence, which follows, relies on Mr Skelton's opinion that a small extension of MDR zoning to the edge of the flood plain will not adversely affect the landscape and visual amenity values of the Remarkables ONL, regardless of the location of the ONL boundary.

Approach to determining the appropriate zoning and associated plan provisions

16. I believe there is a critical decision making path which should be applied in determining the appropriate zoning and associated planning provisions for Bridesdale.

(a) The first question to be determined is the appropriate zoning of the Bridesdale land, particularly given the context that this land has recently been through an extensive planning landscape, urban design and infrastructure analysis (among other things) to determine major qualifying development consents for Bridesdale under HAASHA.

(b) The second question is where should the zone boundary be located between the zones finally determined under question (a). Of particular relevance to this

consideration is where is the appropriate boundary between the residential development and the rural development.

- (c) The third question is what particular site specific provisions should be incorporated into the Proposed District Plan to achieve the desired planning outcomes for Bridesdale. The Bridesdale development embodied a sophisticated consent and set of conditions which took a finally agreed masterplan and extracted from this and other evidence presented at the hearing a suite of conditions designed to deliver a certain planning outcome. This warrants an area specific planning response in the Proposed District Plan.

I address each of these in turn through this evidence.

Existing residentially zoned land

17. Approximately one third of the Bridesdale block is zoned low density residential. This land has been approved through resource consents for medium density residential development, and development is nearing completion.

18. In my view it is appropriate that this land be zoned medium density residential to reflect its actual use. In one sense this is not necessary as all development sites have been subdivided and the construction of a house on each site is a permitted activity. However it is sound planning practice for the District Plan to reflect the form and scale of approved development. The appropriate development for Bridesdale has been through an extensive masterplanning, SHA consideration, and resource consent application process. All that work has confirmed the appropriateness of medium density housing. It is sound planning practice and logical that the zoning of this land be changed.

19. The approved sites within the development are typically 280m²-325m² net site area.

20. The Proposed District Plan (decision version) states the purpose of the Medium Density Residential zone as:

“The Medium Density Residential Zone has the purpose of providing land for residential development at greater density than the Lower Density Suburban Residential Zone. In conjunction with the High Density Residential Zone and Lower Density Suburban Residential Zone, this zone will play a key role in minimising urban sprawl and increasing housing supply. The zone will primarily accommodate residential land uses, but may also support limited non-residential activities where these enhance residential amenity or support an adjoining Town Centre, and do not impact on the primary role of the zone to provide housing supply.

The zone is situated in locations in Queenstown, Frankton, Arrowtown and Wanaka that are within identified urban growth boundaries, and easily accessible to local shopping zones, town centres or schools by public transport, cycling or walking. The Medium Density Residential Zone provides for an increased density of housing in locations that are supported by adequate existing or planned infrastructure.

The zone will enable a greater supply of diverse housing options for the District. The main forms of residential development anticipated are terrace housing, semi-detached housing and detached townhouses on small sites of 250m² or greater. The zone will undergo changes to existing densities and built form characteristics over time to provide for the social, economic, cultural and environmental wellbeing of the District’s community. In particular, the zone will provide a greater diversity of housing options for smaller households including single persons, couples, small young families and older people seeking to downsize. It will also enable more rental accommodation for the growing population of transient workers in the District.

While providing for a higher density of development than is anticipated in the Lower Density Suburban Residential Zone, the zone incorporates development controls to ensure that the reasonable maintenance of amenity values is maintained. Building height will be generally two storeys.

Development will be required to achieve high standards of urban design, providing site responsive built forms and utilising opportunities to create vibrant public spaces and active transport connections (walking and cycling)."

21. The zone description for the Lower Density zone is:

"The Lower Density Suburban Residential Zone is the largest residential zone in the District. The District Plan includes such zoning that is within the urban growth boundaries, and includes land that has already been developed - as well as areas that will continue to be developed over time.

Fundamentally the zone provides for both traditional and modern suburban densities and housing forms. Houses will typically be one to two storeys in height, detached and set on sites between 450 and 1000 square metres in area. In addition, and to help meet the needs of the community, the zone also enables increased density by allowing sites down to 300 square metres in area and larger comprehensively designed developments. In addition, non-subdividable residential flats that can be occupied by an independent household are enabled. The overall range of net household densities (including residential flats) could be as high as 1 unit per 150 square metres or as low as 1 unit per 1,000 square metres (or even less). The zone will help to provide a more diverse and affordable housing stock within the District."

22. Bridesdale meets the description of the Medium Density residential. In particular:

- (a) Demonstrably the level of approved development by the Council more closely reflects the description of the medium density zone. This is also logical given the development pressure within the Wakatipu Basin.
- (b) Land efficiency is an important consideration. To manage Queenstown's growth it is better to take suitable land and zone it for medium density development, rather than what could otherwise be seen as squandering opportunity by holding land at

an unrealistically low density placing pressure for growth on more sensitive land elsewhere.

23. Essentially this is a case where, after the Proposed District Plan was publicly notified, a SHA was declared over the Bridesdale block and resource consent granted for medium density housing. The circumstances of this land have simply overtaken the proposed plan as notified. The planning outcomes should be brought back into alignment and the land zoned medium density residential.

24. I note the Council's section 42A report is largely recommending this land be rezoned to Medium Density Residential.

Rural/Rural Lifestyle zoning of the consented residential development

25. The SHA for Bridesdale and the resource consents associated with that SHA targeted part of the rural/rural lifestyle land for medium density residential development. Through the SHA and consenting process, the land was examined and deemed suitable for medium density residential development. In fact, the provision of housing was seen as an important aspect of helping Queenstown address demonstrable issues of housing demand.

26. Again, the SHA process has overtaken the proposed plan. It is now appropriate to align the zoning to the recently approved development of the land.

27. Demonstrably this land is no longer used or appropriate for rural or rural lifestyle purposes. Residential subdivision roads have been laid out, sections subdivided and sold, and houses are in various stages of construction.

28. This is a case where:

- a. The rural/rural lifestyle zoning was effectively rolled over.

- b. The Council and the government, on request from BFDL, examined this land for its suitability for housing development. It was determined the land was appropriate and a SHA was declared.
 - c. The land was further scrutinised through a detailed subdivision and resource consent process and the appropriate planning outcome deemed to be development of the subject block of land for medium density housing. It is not some oversight or quirk of planning process which has led to this rural/rural lifestyle zoned land being developed for housing. It follows a conscious structured detailed examination.
 - d. Demonstrably this land should be rezoned from rural/rural lifestyle to medium density residential.
29. The Council's section 42A report recommends that part of this land located near Hayes Creek and the southernmost part closest to the Kawarau River retain its Rural/Rural Lifestyle zoning. The description of this zone within the proposed plan is:

"The Rural Lifestyle zone provides for rural living opportunities with an overall density of one residential unit per two hectares across a subdivision. Building platforms are identified at the time of subdivision to manage the sprawl of buildings, manage adverse effects on landscape values and to manage other identified constraints such as natural hazards and servicing. The potential adverse effects of buildings are controlled by height, colour and lighting standards. Many of the Rural Lifestyle zones are located within sensitive parts of the district's distinctive landscapes. While residential development is anticipated within these zones, provisions are included to manage the visual prominence of buildings, control residential density and generally discourage commercial activities. Building location is controlled by the identification of building platforms, bulk and location standards and, where required, design and landscaping controls imposed at the time of subdivision."

30. The description of the rural zone is:

There are four rural zones in the District. The Rural Zone is the most extensive of these. The Gibbston Valley is recognised as a special character area for viticulture production and the management of this area is provided for in Chapter 23: Gibbston Character Zone. Opportunities for rural living activities are provided for in the Rural-Residential and Rural Lifestyle Zones (Chapter 22). The purpose of the Rural Zone is to enable farming activities and provide for appropriate other activities that rely on rural resources while protecting, maintaining and enhancing landscape values, ecosystem services, nature conservation values, the soil and water resource and rural amenity. A wide range of productive activities occur in the Rural Zone and because the majority of the District's distinctive landscapes comprising open spaces, lakes and rivers with high visual quality and cultural value are located in the Rural Zone, there also exists a wide range of living, recreation, commercial and tourism activities and the desire for further opportunities for these activities. Ski Area Sub-Zones are located within the Rural Zone. These Sub-Zones recognise the contribution tourism infrastructure makes to the economic and recreational values of the District. The purpose of the Ski Area Sub-Zones is to enable the continued development of Ski Areas as year round destinations for ski area, tourism and recreational activities within the identified Sub-Zones where the effects of the development are cumulatively minor. In addition, the Rural Industrial Sub-Zone includes established industrial activities that are based on rural resources or support farming and rural productive activities. A substantial proportion of the Outstanding Natural Landscapes of the district comprises private land managed in traditional pastoral farming systems. Rural land values tend to be driven by the high landscape and amenity values in the district. The long term sustainability of pastoral farming will depend upon farmers being able to achieve economic returns from utilising the natural and physical resources of their properties. For this reason, it is important to acknowledge the potential for a range of alternative uses of rural properties that utilise the qualities that make them so valuable. The Rural Zone is divided into two areas. The first being the area for Outstanding Natural Landscapes and Outstanding Natural Features. The second area being the Rural Character Landscape. These areas give effect to Chapter 3 – Strategic Direction: Objectives 3.2.5.1 and 3.2.5.2, and the policies in Chapters 3 and 6 that implement those objectives.

31. In my view, the characteristics of the subject land do not reflect either of these zone descriptions. These zones are intended for properties of substantially lower density than the current development. The zone intent is not consistent with residential homes in a medium density neighbourhood. Properties would effectively have to operate under the existing qualifying development consent and/or existing use rights.
32. The concern and reason the officers are recommending this rural/rural residential zoning is concern at the intensity of development enabled under the MDR zone, especially housing along Hayes Creek, should sites be redeveloped.
33. I understand the issues raised by the officers but believe there is an alternate technique which would bring down the appropriate Medium Density Residential zoning on the site but ensure the carefully masterplanned development approved through the resource consent are enshrined in the new District Plan provisions. I address this later in this evidence.

Lower terrace zoning

34. Diagram 3 shows the land addressed in this section of my evidence. It is highlighted in red on the diagram below. It adjoins the approved residential subdivision road as part of the Bridesdale SHA and resource consent. It is on the lower slopes of the terrace and above the flood plain and gravel flats.

Diagram 3: Additional Land to be Zoned Residential



Landscape - Reference : PA18183 IS02
Scale 1:1500 @ A3



Additional land requested to be rezoned MDR

35. Photograph 1 below illustrates the topography and character of this land. The land is on the lower part of the embankment between the lower and middle terrace. It sits just outside and above the flood plain. A road cuts diagonally down the embankment to connect the main residential part of Bridesdale to the rural flats and then across to the Kawarau River and the recreational walkways. The upper part of the embankment is

developed for housing and associated landscaping. The subject land sits between this road and the stormwater ponds on the periphery of the flood plain.

Photograph 1



36. The land has been highly modified with the creation of the road and then recontouring of the lower part of the embankment.

37. At the north-eastern end of the land is Hayes Creek and a knoll that sits above the creek. In the original 2015 application this knoll was included for residential development. However, the planning and landscape analysis undertaken for this hearing identifies this as an important visual part of the Hayes Creek environment. It is also now developed for the Hayes Creek walkway which was developed by BDFL as part of the Bridesdale

development. This land will remain as open space with the new residential sites starting west of and below the level of the knoll.

38. This land is included within the SHA. It was originally within the masterplan and identified for residential development. The original masterplan would have shown 11 sites, although this area has been reduced to create a larger buffer adjacent to the walking track beside Hayes Creek.

Section 32A analysis of the Additional Land

39. Part 1 of the District Plan review has included determining overall strategy for the Queenstown Lakes district. This has sought to protect the unique and special landscape that covers the vast majority of the district while still providing for growth in appropriate locations.

40. The plan recognises that the Wakatipu Basin is an area most able to provide for urban growth. It also recognises the strong demand for urban activity, particularly housing, and therefore the need to use available residential land efficiently.

41. These policies find the right balance for Queenstown Lakes District in terms to giving effect to purposes and principles of the Resource Management Act. The Panel's previous recommendations to the Council and the Council's adoption of those recommendations outlines the rationale and why, under section 32A, these objectives best give effect to the purpose of the Act.

42. The question here therefore becomes what zoning – rural or residential – will best give effect to the objectives and policies.

43. In my view, a mixed density residential zone will best achieve this.

44. My reasons for this are:

- a. The land is included within the SHA. Fundamentally the SHA is about addressing growth pressures within Queenstown at pace. It is designed to take suitable blocks of land and fast tracked housing on these properties. The primary reason that this land was not consented for residential development as part of the original resource consent is because of the ONL, rather than some intrinsic deficiency with the land itself.
- b. Relying on Mr Skelton's opinion, development of this land will not adversely affect the landscape and visual amenity values of the Remarkables ONL, whether or not the land itself is within the ONL.
- c. The topography makes the land eminently suitable for residential development.
- d. Council officers agree there is adequate infrastructure for some additional homes.
- e. While up to ten homes will not make a substantial difference to housing capacity within Queenstown, nevertheless it will contribute to meeting residential demand and do this in a masterplanned approach.
- f. The floodplain is the logical boundary for the residential zone. It is the logical topographical and functional boundary.

Integrated District Plan provisions

45. Bridesdale was established through a sophisticated resource consent process and suite of conditions designed to achieve comprehensive masterplanned development that provided for different levels of intensity, a retail hub and community focus to service the newly created neighbourhood, a network of walkways and open space integrated with the Kawarau River walkway, quality stormwater treatment, and protection of Hayes Creek.

46. The notified Proposed District Plan and initial zoning pattern preceded this resource consent. Effectively there is now a misalignment between the Proposed Plan with its rural and low density zoning and the development enabled through the resource consent.
47. In my view it is clear that the Council planners in preparing their report have struggled to find the best way to achieve this balance given the structure of the District Plan, and the submissions available to the Council.
48. In an attempt to achieve this balance, the section 42A report recommends the majority of the Bridesdale residential area be rezoned medium density residential. However because of concerns about future additional density and the suggestion of perhaps another 44 dwellings, part of the area already developed for intensive housing is recommended to be zoned part rural and part rural lifestyle.
49. In addition a special Bridesdale fencing control is introduced.
50. In terms of section 32A, in my view this is not the best method to give effect to the objectives and policies of the plan. It gives rise to a very unusual zoning pattern where inappropriate rural and rural lifestyle zoning is retained so as to control the intensity of housing development in an established neighbourhood.
51. I believe there is an alternate approach which gives a far better planning outcome, and which BFDL supports. This is to bring down a medium density zoning on the land but in addition introduce a specific set of Bridesdale rules and assessment criteria which enable and in fact require the key planning outcomes agreed through the Bridesdale resource consent under the HAASHA legislation.
52. In this way the zoning pattern appropriately reflects the form of development that has been consented and is either completed or under construction. At the same time, the concerns the Council officers have raised in their report are addressed, albeit in a different manner to what they have suggested. In my view the net result is a more

comprehensive planning approach that will better achieve the outcomes embodied within the Bridesdale resource consent.

53. Appendix 1 sets out the suggested rezoning and provisions together with an explanation.

However, in summary:

- Most of the existing Bridesdale development is zoned Medium Density: Residential;
- The two larger lots buffering the Lake Hayes subdivision retain a Low Density: Residential zoning;
- The southern land (ten new lots) is zoned Medium Density: Residential;
- The flood plain area retains its Rural zoning, as does the stormwater ponds;
- A set of new Bridesdale specific rules are introduced into the Medium Density: Residential zone referring to a particular plan for Bridesdale which:
 - identifies sites with reduced development potential;
 - zone the vested reserve land recreation and informal;
 - applies special landscaped yards in key locations;
 - the walkway network is identified and protected;
 - the community and retail facilities within the central square are provided for;
 - the fencing controls recommended within the Council officer's report are included.

54. In terms of the test of section 32A and whether this method best meets the objectives and policies, I comment as follows:

- (a) The Medium Density: Residential zoning over the core of the development embraces the existing consent and best meets the objectives and policies set out in Chapter 8 of the Decisions Version of the Proposed Plan. In particular, it provides for the agreed level of development for Bridesdale and is consistent with objective 8.2.2 and the related policies. Objective 8.2.2 is set out below:

“Development contributes to the creation of a new, high quality built character within the zone through quality urban design solutions which positively respond to the site, neighbourhood and wider context”

- (b) The restriction on site size on properties fronting Hayes Creek achieves the appropriate balance that the resource consent achieved between allowing for development to help address Queenstown’s residential growth issues and yet providing a sensitive transition between the environmentally sensitive area of the flood plain and Hayes Creek and the more intensive residential area. This restriction is consistent with objective 8.2.3 which states as follows:

“Development provides high quality living environments for residents and provides reasonable maintenance of amenity values enjoyed on adjoining sites taking into account the changed future character intended within the zone”

- (c) Rezoning the two large sites at the entry to the complex provide a suitable interface between the existing Hayes development and the more intensive development within Bridesdale.
- (d) In this way the theoretical option for 44 additional homes is removed. An additional ten are provided for.
- (e) Important open space buffers are recognised and a site specific control prevents buildings within this area. Again this best meets the landscape objectives by protecting a margin of Hayes Creek which is identified as sensitive, and set-backs from the properties adjoining Hayes Estate.
- (f) The controls which identify and enshrine the walkways best meet the policy relating to creating an integrated walkway network. This network connects the Hayes subdivision generally, and Bridesdale in particular; to the new Bridesdale built walkways along Hayes Creek and then joining on to the Queenstown walkway network along the Kawarau River. This also leaves the Council the opportunity to

connect into the Hayes Creek walkway and take it further up the stream to Lake Hayes itself when that development proceeds.

(g) Key landscaped area are protected through special rules. This includes a buffer to the new MDR zoned area.

(h) The fencing aspects which were important to give effect to the amenity intent of objective 8.2.3, and which were identified through the resource consent process, are included as a rule within the plan (this provision obviously happens under either my proposal or the officer's recommendation).

55. In a couple of places the officer's report refers to the potential for an additional 44 lots if the rezoning requested in the original submission by BDFL is provided. The infrastructure aspect of the report makes it clear that there are no issues with this additional density. The transport section seems to, on balance, agree that this would be acceptable. Where there is concern is that 44 additional lots would be seen to be a significant additional level of housing and somehow undermine the integrity of the original consent.

56. To be clear, BDFL is only seeking an additional maximum 10 lots, not 44; and then only in a specific location, namely the lower portion of the middle terrace embankment. The approach I have outlined takes that 44 down effectively to 10. The large lots which could have been amalgamated and subdivided have a lower density consistent with their current subdivision standard. The residual land originally intended in the resource consent as open space, are protected as open space.

The case for an additional ten lots

57. The original masterplan included an additional 11 lots on the lower portion of the middle terrace embankment. This was inside the ONL and therefore rejected at the time of the resource consent. This plan change request effectively reduces the potential number of

lots from 11 to 10 (by reducing the size of that area) and ensures no lot is created on the knoll above Hayes Creek, because this is an area of particular landscape character.

58. The key points are:

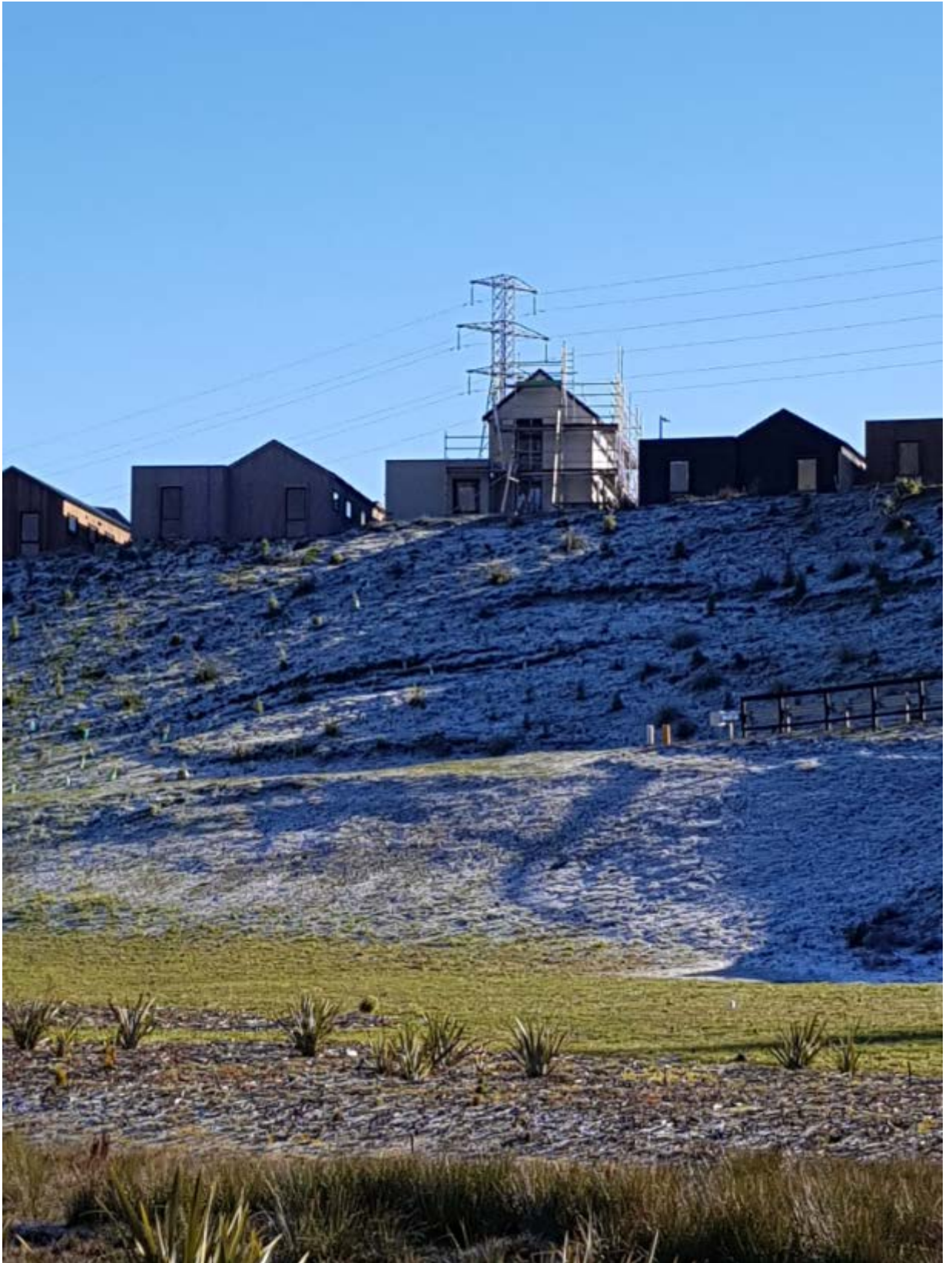
- (a) The infrastructure assessment by the Council confirms that Bridesdale has adequate capacity to deal with the additional ten lots;
- (b) Similarly for transport, because on balance 44 was seen as workable, ten is clearly a significantly smaller increase;
- (c) The landscape and landform analysis identifies that the significant earthworking that has been done on this lower level to form the road down to the Kawarau River, the flood plain including the garden plots and the road and carpark enabling access to the Kawarau walkway network, has changed the character of this landform. In fact, the area where the houses are suggested is significantly earthworked as part of the approved development. The Council 42A report partly notes this.
- (d) Obviously this assists in providing additional housing into Queenstown. It is acknowledged that the Council's view is that its growth projections are met by the proposed rezonings within the Proposed Plan. This Panel has accepted that. However, the small addition proposed as part of this request will assist in managing growth issues.
- (e) The additional population catchment helps reinforce the community centre and the ability to get a community use and café in the "red cottage". This in turn helps create a neighbourhood community feeling. Such uses are sensitive to catchment size, and the additional homes will assist.
- (f) Photographs 2 and 3 illustrate that from the public roads on the middle terrace, the ten additional housing lots are set below sightlines and nestled into the bottom of

the escarpment. Even as you proceed down the road, these buildings will read as only one level.

Photograph 2



Photograph 3



(g) If one is considering the view from the Kawarau River public trail looking back towards Bridesdale, then the ten new buildings will be in the distant foreground, but they are set against a background of housing on the middle flats. This is also not a view of an ONL. The view looking from this location north will be of the sheds and garden plots of the community garden facility, and then of housing on the escarpment. Behind that are distant views of the hills to the north-west of State Highway 6.

59. In my view the proposed package of controls offers a better balance of landscape protection, residential growth and the creation of an important neighbourhood community than either the Proposed District Plan or the recommendations put forward by officers. What this package is doing is carrying over many of the key aspects of the resource consent approval for Bridesdale into this development. It is taking what would otherwise have been additional development opportunity and significantly limiting this but placing it in a different part of the site, namely on the lower slopes of the development.

60. It provides a better interface to Hayes Creek. It also avoids the arbitrariness of placing rural zoning on residential housing areas in an attempt to prevent inappropriate intensification of some sites. In my view this balance achieves superior planning outcomes and better meets the objectives and policies of the plan.

Recommended District Plan Provisions for Bridesdale

61. The Council's section 42A report recommends a mix of Medium Density, Low Density, Rural Lifestyle Block, and Rural zoning applied to the medium density residential Bridesdale development. The section 42A report includes an additional Bridesdale specific control to be added to the Medium Density Residential zone relating to fencing.

62. The Council officer's report, prior to making their recommendations on the appropriate zoning, comments that these recommendations are made in the absence of any proposed Structure Plan or more comprehensive set of specific provisions for

Bridesdale. While in the evidence below I form a strongly different view as to the recommended Rural and Rural Lifestyle zoning of the land above the flood plain, I do acknowledge that what I am suggesting is the very site specific approach which the section 42A report identified. Put simplistically, I think the section 42A report was signalling that there could be a different approach if somebody came up with a more customised set of planning provisions. I agree with that and I am putting forward those customised planning provisions.

63. The specific provisions being recommended are as follows:

- (a) Lots 1 and 3 are two large lots at the entrance to Bridesdale which are developed for a single house. These have the characteristics of the low density residential zone currently applied to the land. The officer's recommendation is that this land remain zoned Low Density Residential. I agree. BDFL is modifying the relief sought within their submission to exclude this land from any rezoning, meaning it will retain its low density residential zone.

- (b) I am recommending the land shown on Diagram 4 below comprising the existing residential and red cottage land plus part of Lot 406 above the flood plain, be zoned Medium Density Residential. I am however suggesting that additional controls be imposed as set out below.

Diagram 4: Requested Zoning



Land to be zoned Low Density Residential



Land to be rezoned Medium Density Residential

(c) The officer's report recommends this land be in part zoned Medium Density Residential, but in part zoned Rural Lifestyle and Rural. The Rural Lifestyle block is

intended to deal with some particular sites with a lower height provided under the resource consent and a lower density than the rest of the Bridesdale estate. These sites border Hayes Creek and were part of the sophisticated controls to achieve an appropriate planning outcome on this important interface. The controls I recommend below deal with density, height, and landscaping. They target the particular planning outcome and will deliver targeted planning rules rather than a generic Rural Lifestyle zone on land which is demonstrably residential.

(d) The officers recommend a Rural zoning of Lots 129 - 138. This is done to protect a particular landscaping approach. The officers say that the property owners should rely on the existing consent. In my view this is a poor planning approach. The zoning should reflect the appropriate use of the land. That use of this land has recently been determined through the SHA and consenting process. It should be zoned appropriately. However I do acknowledge that a critical reason the officers are recommending this zoning is to try and preserve key factors of the current consent. I outline below an alternate approach which will give the appropriate zoning, but still retain the key factors the officers have identified.

(e) Lots 304, 305 and 307 is the open space land which has vested in the Council.

(f) The Council's section 42A report recommends a Bridesdale specific control on fencing within the Medium Density: Residential zone. This is an acknowledgment that a Bridesdale specific control is warranted and appropriate. I support this technique and in fact am recommending that it be expanded to include a range of other issues. I am recommending an additional set of provisions in the Mixed Density Residential zone that would apply to Bridesdale only. These are:

(i) A special density control on Lots 24-27, and 30-38; and 150 fronting Hayes Creek. This sets a minimum net site area of 400m². Effectively this would set densities consistent with the current subdivision. It delivers the same planning outcome identified through the resource consent process of requiring a lower density interface between Hayes Creek and the more

intensive areas of Bridesdale. None of these sites could be subdivided other than Lot 150. This is “Red Cottage” and is protected as a heritage building.

- (iii) A special landscape yard control is applied on Lots 97 – 102 and 129-138. The landscaping of this area was seen as an important part of the original consents. This and the height control on these titles was the reason the section 42A report is recommending Rural / Rural Living zoning on this residential housing area. The approach I have set out achieves the same objective while recognising the existing legitimate residential use of these properties.
- (iv) On the requested additional residential zoned land on part lot 406, I am recommending a landscape yard is applied along the southern edge of this block adjacent to the stormwater management ponds. This is to create an appropriate landscape interface between the rural zone of the flood plain and the activities of the community gardens and stormwater pond and the residential buildings.
- (vi) The fencing condition recommended by officers is applied. The difference in my approach is that this fencing control will now apply to all of the Bridesdale residential properties, rather than exempting those which are zoned Rural and Rural Lifestyle.
- (vii) An additional activity to enable the café within the red cottage and outdoor dining associated with the red cottage is provided for. It also allows the cottage to operate in part as a dairy to service the local neighbourhood. Through the resource consent hearing, protection of this heritage building and its adaptive reuse for a café/restaurant/small convenience store was supported. Other provisions of the plan protect the building itself and the archaeological features that may or may not be within the curtilage. The additional provisions simply provide for the activity within the building. The adaptive reuse of the building itself will trigger the normal resource consents.

64. I agree with the Council's section 42A report that the UGB boundary should follow the finally determined residential boundary

65. In my view, this delivers a more comprehensive, integrated approach than the recommended zoning in the section 42A report. It is better able to address the balance between providing additional affordable housing into the Queenstown area while balancing the environmental sensitivity of the location of this land adjacent to Hayes Creek and the Kawarau River flood plain.

Conclusion

66. The analysis I have undertaken relies on the evidence of Mr Skelton that the ONL should be shifted south to the original river terrace, or even if the ONL is to remain in its current location, then sensitive residential development of ten lots above the flood plain but at the base of the middle terrace would meet the landscape criteria for development within the ONL.

67. Bridesdale has been developed for medium density residential homes. The vast majority of the 136 development sites are already built or under construction. Demonstrably this land is not Rural or Rural Lifestyle and should be zoned Residential.

68. I do agree with the Council's section 42A report that the 2016 consent for Bridesdale set in place some key conditions around the form of development. Some of these elements should be incorporated in site specific controls for Bridesdale.

69. In my view, the correct location of the Residential zone boundary should encompass all the existing residential development. The stormwater management area and the flood plain itself would remain Rural.

SUGGESTED ADDITIONS TO THE MEDIUM DENSITY RESIDENTIAL ZONE

These additions relate to particular provisions recommended in my evidence plus the fencing standard recommended in the Council's section 42A report.

	Additional activities located in the Bridesdale Farm Overlay	Activity status
8.4.27	<p>Retail including café and/or restaurant (including food and beverage) on the site identified as the "Red Cottage" and identified on Diagram 8.5.X.</p> <p>Discretion is restricted to:</p> <ol style="list-style-type: none"> detailed design is consistent with a Heritage Impact Assessment for the building; the impact of any external dining areas or activities in terms of curtilage of the historic building; hours of operation. 	RD

	Additional standard for activities located in the Bridesdale Farm Overlay	Non compliance status
8.5.19	<p>Special density control Bridesdale</p> <p>8.5.19.1 The maximum density of sites within the area identified on Diagram 8.5.X as being subject to this rule shall be one residential unit per 400m² net site area. This rule shall override rule 8.5.5.</p>	D
8.5.20	<p>Special landscape yard</p> <p>8.5.20.1 No building or structure (other than boundary fencing) shall be erected within the special landscape yards identified on Diagram 8.5.X as being subject to this rule.</p> <p>8.5.20.2 The special landscape yard shall comprise landscaped permeable surface.</p>	<p>RD</p> <p>Discretion is restricted to:</p> <ol style="list-style-type: none"> external appearance, location and visual dominance of the building(s) as viewed from Hayes Creek or the Kawarau River and associated walkways; the impact on the embankment above Hayes Creek.
8.5.21	<p>The construction or external alteration of any fencing</p> <p>8.5.21.1 Fencing adjacent to any road boundary shall be a maximum height of 1.2m; and</p> <p>8.5.21.2 Fences between internal boundaries shall be restricted to 1.8m in height except for the first 3m from the road boundary, where the maximum height shall be 1.2m.</p>	<p>RD</p> <p>Discretion is restricted to:</p> <ol style="list-style-type: none"> streetscape character and amenity; and external appearance, location and visual dominance of the fencing when viewed from the street(s) and neighbouring properties.

Diagram 8.5.X: Bridesdale Farm Overlay



Key



Area subject to Rule 8.4.27: Red Cottage retail and/or restaurant



Area subject to Rule 8.5.19: Special density control



Area subject to Rule 8.5.20: Special landscape yard