

PROPOSED TE PŪTAHI LADIES MILE PLAN VARIATION

RESPONSE OF ROBIN ALEXANDER KEITH MILLER ON BEHALF OF THE QUEENSTOWN LAKES DISTRICT COUNCIL

- 1 My full name is Robin Alexander Keith Miller. I am the Director of Origin Consultants Ltd.
- 2 I have prepared the following documents with regards to Te Pūtahi Ladies Mile Plan Variation (**TPLM Variation**):
 - (a) Statement of evidence on behalf of Queenstown Lakes District Council (**QLDC or Council**) dated 29 September 2023;
 - (b) Rebuttal evidence on behalf of QLDC dated 10 November 2023;
 - (c) Written answers to questions from submitters dated 5 December 2023;
 - (d) Summary of evidence dated 5 December 2023.

Response to matters raised during the Hearing

Glenpanel Homestead driveway

At the hearing the Panel discussed the existing Driveway to Glenpanel Homestead. Werner Murray recommended amending Assessment Matter 49.7.1 (iii) “integrates with, protects and enhances the character and heritage values of the Glenpanel Precinct and wider setting with specific regard given to the homestead grounds, and driveway”. The following comments on appropriateness of including full driveway in the assessment matters, and also whether it should be shown on the Structure Plan.

- 3 The Structure Plan shows the existing Glenpanel Homestead driveway marked as an area where existing trees are to be retained but currently there is no public walking or cycling access proposed within this area. In my view, the existing driveway provides an opportunity to utilise a historic circulation path to the Glenpanel Homestead as part of the proposed active travel network. It would help retain an understanding of the grandeur and importance of Glenpanel Homestead and an historic sense of place. These outcomes will assist in protecting the heritage values of the Homestead and will help them endure the major changes to the area that the TPLM Variation will bring.
- 4 The retention of the full driveway alignment is desirable, notwithstanding that I accept that Collector Road Type A will cut through it towards its northern end. The part of the driveway close to the Homestead is also important for the view it provides of the historic approach to the Homestead and for the historic ‘turning circle’ for vehicles/carriages which is an element of the Homestead’s setting.
- 5 Mr Murray recommends an access Local Type E Road leading to the Glenpanel Homestead with the flexibility to be able to move the precise location at subdivision stage. Whilst this new road may assist in making the Homestead more visible if the viewshaft is centred on the building, and in wayfinding, it will not add to the heritage values of the Homestead itself. I also do not consider that the new road’s precise location should be variable as this would allow the visibility of the Homestead to be diminished if the viewshaft is moved off-centre. I would still like to see the original drive as part of the active travel network as this is an authentic component of the Homestead’s heritage value and of its setting and, should in my view, remain so. I refer again to my comments in paragraphs 3 & 4 above.
- 6 In his Summary of Evidence dated 11 December 2023, Mr Murray recommended amending Assessment Matter 49.7.1(a)(iii). I agree with Mr Murray’s

recommendation and suggest tweaking the wording slightly, shown in underline so that the Homestead and its grounds are each recognised as being protected:

(iii) integrates with, protects and enhances the character and heritage values of the Glenpanel Precinct and wider setting with specific regard given to the homestead, its grounds, and the existing driveway.

Glenpanel Precinct controls

At the Hearing the Panel queried whether there need to be controls other than height (e.g. colours)?

- 7 My understanding is that the intention of the Glenpanel Precinct is to create an area of commercial and community activities, centred around the historic Homestead, as set out in the TPLM Zone Purpose text. Accordingly, I consider that development within the Glenpanel Precinct should complement the character of the Homestead to create a unified area that is representative of a 'precinct.' As referred to in my evidence, this could be implemented by the creation of a Precinct Plan for the Glenpanel Precinct with design controls for development within the Precinct. To clarify, by the term 'Precinct Plan', I mean written and sketched Precinct Guidelines rather than an actual drawn structure plan. This is something that Mr Weir and I discussed, and agreed when conferencing on heritage issues, in our Joint Witness Statement (**JWS**).¹
- 8 As mentioned whilst presenting my evidence (and agreed, as above, in the JWS), design controls should be related to the architectural design and materials of the Homestead and should include matters such as external design of new buildings (for example, roof forms and window size/type) and heritage sensitive materials and a colour palette. A Precinct Plan should also clearly set out the key characteristics and features of the Glenpanel Precinct as this information is currently missing from the TPLM Variation.
- 9 Heritage Precinct Plans or Guidelines are commonly associated with District Plan Heritage Chapters. The largest and most comprehensive one associated with the QLDC District Plan is the 'Arrowtown Design Guidelines 2016', a document incorporated by reference in the QLDC Proposed District Plan. Similarly, Central Otago District Council has also prepared heritage precinct guidance for its towns as part of Plan Change 20 – Heritage. The Plan or Guidelines for the Glenpanel Precinct need not be as expansive as the examples I have given, but they should still cover the same basic principles and elements. While Glenpanel Precinct Plan guidelines have not yet been developed, I would support inclusion of references to the Glenpanel Precinct Plan or guidelines, to the extent that this can be achieved in the planning framework.

Assessment matters

The Panel also queried whether the particular heritage values should be reflected in the provisions?

- 10 No, I do not think that the identification of specified heritage values of the Homestead is required within the TPLM Variation provisions. This is not the approach adopted by other developments involving heritage buildings in the Proposed District Plan (**PDP**). A more appropriate and consistent approach would be for QLDC to undertake or commission a heritage values assessment for the Glenpanel Homestead in accordance with the assessment criteria in section 26.6.1 of the PDP, which would then form the basis for future resource consent applications affecting the Homestead

¹ Joint Witness Statement on Heritage dated 5 December 2023 at page 4. Refer to issue "Design criteria for development within the Glenpanel precinct".

and its setting and inform the development of the Glenpanel Precinct Plan. As discussed at the hearing, this approach will provide useful information for both the developer and the Council planner during the consent process and will limit the risk of heritage experts not being able to agree on what those values are.

- 11 Heritage values are also fluid and change over time. A heritage values assessment provides a reflection of the value of a place at a specific point in time and within its current context. There would be limited benefit in codifying specified heritage values that may no longer be accurate with the ongoing development of the area. As I stated at the hearing, any currently existing heritage values assessment will no longer be accurate as the TPLM Variation provisions will considerably affect the present environment of the Homestead and its setting. Following the completion of the development, the heritage values of the Homestead and its setting may change again, for example, improved community association and esteem for the Homestead due to increased public access.
- 12 Some clarity is required in the TPLM Variation provisions, which have been updated to refer to effects on the “heritage values of the Glenpanel Precinct.” Confusingly, the provisions also refer to effects on the “heritage values of the Glenpanel Homestead.” The use of two different phrases suggests each has a different meaning and set of values. The proposed new Glenpanel Precinct itself would not have heritage value as defined in section 26.6.1 of the PDP – it is the historic Homestead site, and its historic components, that have heritage value. As such, I believe this is an error in the text of the TPLM Variation and this wording should be amended to refer to the “effects on the heritage values of the Glenpanel Homestead.” The components of the Homestead (e.g. built structures, setting, existing drive, turning circle, etc) would then be defined in the heritage values assessment.

Further amendments to Glenpanel Precinct

- 13 Since presenting my evidence at the hearing, Mr Werner Murray has proposed further amendments to the Glenpanel Precinct in relation to building height.² In particular, Mr Murray recommends heights in the Glenpanel Precinct between 8-17 metres provided there is a setback of 40 metres from the Glenpanel Homestead, where this will be via a discretionary consenting pathway to allow for heritage matters to be considered. I comment on Mr Murray’s recommended amendments as follows.

Recommended amendments to provisions

- 14 Mr Murray’s recommended amendments to policy 49.2.4.2 are shown in underline as follows:

49.2.4.2 a) Require development within the Glenpanel Precinct to protect the historic heritage values of the Glenpanel Homestead and its setting (including the established homestead grounds) and manage adverse effects of development on the historic heritage values of Glenpanel Homestead and its setting.

b) Enabling additional building height provided such intensification is undertaken in accordance with best practice urban design principles and adverse effects on heritage and character attributes of the Glenpanel homestead and gardens are avoided or satisfactorily mitigated.

- 15 Mr Murray also recommends:

² As set out in the Memorandum of counsel on behalf of the Anna Hutchinson Family Trust providing further information and responses to Panel questions dated 18 December 2023 at Appendix B – recommended amended provisions and assessment of provisions.

- (a) Deleting discretionary activity rule 49.5.41.2; which provides that building heights in the Glenpanel Precinct shall not exceed 8m; and
- (b) Amending the setbacks rule in the Glenpanel Precinct as follows (recommended amendments shown in underline):

49.5.42	<p>Setbacks in the Glenpanel Precinct</p> <p><u>a.</u> Buildings shall be setback at least 3m from a boundary with a residential precinct or a public open space.</p> <p><u>b.</u> <u>Buildings shall be setback at least 40 metres from the Glenpanel Homestead where buildings higher than 8 but up to 17 metres are proposed.</u></p>	<p>RD</p> <p>Discretion is restricted to:</p> <p>a. the visual effects of the height, scale, location and appearance of the building, in terms of</p> <p>i. dominance;</p> <p>ii. loss of privacy on adjoining sites; and</p> <p>iii. any resultant shading effects.</p> <p><u>D</u></p>
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- 16 I have one primary concern about these proposed amendments concerning the ability to construct buildings up to 17m high just 40m from the Glenpanel Homestead. When I engaged in conferencing with Mr. Weir the proposal was for a 100m setback on one side of the Homestead and 80m on the other³ for buildings up to 17m. The extent of these setbacks has since been severely eroded and reduced to just 40m.
- 17 My view remains that the Homestead’s setting should include a generous area of its current grounds, the turning circle and the existing drive. I support the principle of a setback around the building but not the seemingly permissive proposal of buildings up to 17m only 40m from the Homestead. More specifically, I can support an amended version of the original proposed setback with a split as follows:
 - (a) First 40m around the building – clear space/no new buildings/structures
 - (b) Remainder of the 80m to the east and 100m to the west setback (as originally proposed) – new buildings up to 8m in height subject to discretion restricted to 49.5.42 (as above) and rule 26.5.9.
- 18 Outside of this wider setback area, but still within the Precinct, I can support buildings up to 17m in height, but again subject to 49.5.42 and rule 26.5.9.

³ As recommended in Tony Milne Statement of Evidence dated 25 October 2023 at paragraph 74(b).

- 19 I also remain strongly of the view that the preparation by QLDC of a Glenpanel Precinct Plan is essential to guide future development within the precinct (and these setback areas) and avoid unnecessary future disagreement.

Robin Alexander Keith Miller

26 January 2024