

**BEFORE THE INDEPENDENT HEARING PANEL
FOR THE QUEENSTOWN LAKES PROPOSED DISTRICT PLAN**

Under the	Resource Management Act 1991
In the matter	of the Urban Intensification Variation to the proposed Queenstown Lakes District Plan

**REBUTTAL EVIDENCE OF RACHEL GRACE MORGAN
ON BEHALF OF QUEENSTOWN LAKES DISTRICT COUNCIL**

REZONING REQUESTS FOR THE RESIDENTIAL ZONES

25 July 2025



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1. QUALIFICATIONS AND EXPERIENCE

- 1.1** My full name is Rachel Grace Morgan. I hold the position of Director and Planner at Barker & Associates.
- 1.2** I prepared the Section 42A Report on rezoning request for residential zones for Queenstown Lakes District Council (**QLDC** or **Council**) dated 6 June 2025 (**s42A Report**) on the Urban Intensification Variation (**UIV** or **Variation**).
- 1.3** My qualifications and experience are set out in my s42A Report at paragraphs 1.1 to 1.2.
- 1.4** Although this is a Council hearing, I confirm that I have read the Code of Conduct for Expert Witnesses contained in the Environment Court Practice Note 2023 and that I agree to comply with it. I confirm that I have considered all the material facts that I am aware of that might alter or detract from the opinions that I express, and that this evidence is within my area of expertise, except where I state that I am relying on the evidence of another person.

2. SCOPE OF REBUTTAL EVIDENCE

- 2.1** My Rebuttal Evidence is provided in response to the following evidence or statements filed on behalf of various submitters:
- (a) Tim Williams for Willowridge Developments, Orchard Road Holdings & Three Parks Properties (948);
 - (b) Charlotte Clouston for Coherent Hotel Limited (773 and 1351), S Haines and M Spencer (FS1348), D and M Columb FS1349) and S and R Millar (FS1350);
 - (c) Bill Hewat for Bill Hewat (78);
 - (d) Scott Edgar for Scott & Jocelyn O'Donnell (641, 657, 1358);
 - (e) Roland Harland for Alistair Hey (281), Carl Smiley (581), Barbara Jarry (651), Duncan & Teija Boscoe (13811) - in support of 281;
 - (f) Scott Freeman for Tepar Limited (652), Park Lake Limited (653) & Earnslaw Lodge Limited (654) & RF Corval NZQ PTY Limited (853); and

- (g) Neil Thomas for John O'Shea, Helen Russell, John Russell and Mary-Louise Stiasny (198).

2.2 I have also read and considered the following statements of evidence and have taken them into account in preparing my rebuttal evidence, but consider no specific response is necessary:

- (a) Jared Baronian for Queenstown Commercial Ltd (404);
- (b) Charlotte Clouston for MacFarlane Investments Ltd and J Thompson (767);
- (c) Kent Potter for Kent Potter(1250); and
- (d) John Edmonds for Millennium & Copthorne Hotels NZ Ltd (1344) and Hospitality Group Ltd (1345).

2.3 Where I do not respond to a particular evidence statement, or general theme, this does not mean I have not considered the subject matter, but that I have nothing further to add and my views remain as expressed in my S42A Report.

2.4 The "Rebuttal Recommended Provisions", as recommended across Council's rebuttal, is included at Appendix A to Ms Bowbyes' Rebuttal Evidence.

2.5 I have made some changes to recommendations on submissions in this rebuttal evidence. I understand that Council is not filing an updated Recommended Decisions on Submissions table with rebuttal evidence, but that will be filed with Council's reply.

3. EXECUTIVE SUMMARY

3.1 In response to submitter evidence, I make the following further recommendations for changes to the notified UIV residential zoning, the reasons for which are set out in the body of my evidence below:

- (a) Amend the zoning of the land to the east of Sir Tim Wallis Drive, Wānaka, from LDSRZ to MDRZ as shown in **Figure 1** below, in response to matters raised by Mr Williams on behalf of Willowridge Developments, Orchard

Road Holdings and Three Parks Properties, subject to making subdivision a restricted discretionary activity in this location;

- (b) Amend the zoning of land at the western end of Thompson Street, Queenstown, from MDRZ to HDRZ in response to the matters raised by Ms Clouston on behalf of Coherent Hotel Limited, S Haines, M Spencer, D and M Columb and S and R Millar; and
- (c) Amend the zoning of 15 properties on the northern side of Peregrine Place/Star Lane/Sunset Lane from MDRZ to LDSRZ in response to the matters raised by Mr Harland on behalf of Alistair Hey, Carl Smiley, Barbara Jarry, Duncan & Teija Boscoe.

3.2 I do not recommend any changes in response to the other evidence addressed below.

4. THREE PARKS: WILLOWRIDGE DEVELOPMENTS, ORCHARD ROAD HOLDINGS & THREE PARKS PROPERTIES (948)

4.1 Mr Williams has filed evidence on behalf of Willowridge Developments, Orchard Road Holdings and Three Parks Properties in support of their request to rezone the eastern portion of Three Parks from LDSRZ to MDRZ.

4.2 In my EIC I supported partial rezoning of the land to the east of Sir Tim Wallis Drive to MDRZ, based on the evidence available, noting that further evidence would be helpful regarding the interface conditions and whether amendments to the indicative roading and open space network shown in the Three Parks Structure Plan are necessary.

4.3 Mr Williams has helpfully provided evidence addressing both of these issues. In respect of the interface condition, Mr Williams now proposes to retain a 40m wide strip of LDSRZ adjoining Riverbank Road as illustrated in **Figure 1** below.¹ I acknowledge that Mr William's proposal will ensure an appropriate transition to the lower density rural residential environment on Riverbank Road and provide for a built form that integrates with its surrounding urban environment (as per SO

1 Tim Williams paragraph 24.

3.2.3.2). Equally, I acknowledge that this transition could potentially be achieved in alternative ways with appropriate design, without necessarily constraining the density of development through zoning.

4.4 Regarding the Three Parks Structure Plan, the plan at Appendix 1 to Mr William's evidence shows the structure plan roads and consented road locations, pointing out the road alignment with the Active Sport and Recreation zone at 101 Ballantyne Road. Mr Williams is of the view that the existing subdivision provisions and subdivision design guideline provide a suitable framework to support the proposed zoning framework, without necessitating further amendment to the existing Three Parks Structure Plan. I agree with this to an extent, however, I note that subdivision complying with the Three Parks Structure Plan is a controlled activity via rule 27.7.1 and 27.7.15 of the PDP. This activity status does limit the Council's ability to assess qualitative design matters, including road and lot layout, which would be particularly important for this large block of MDRZ land. In my opinion, restricted discretionary activity status would be more appropriate for a site of this size and significance for Wānaka, if no amendments are proposed to the Three Parks Structure Plan.

4.5 On the basis of the above, I support the rezoning at Three Parks as proposed by Mr Williams to MDRZ, but with a restricted discretionary activity status for subdivision rather than controlled. In the context of increased residential demand in Wānaka as expressed by Ms Fairgray in her EIC, I agree that the extended MDRZ would contribute efficiently to meeting that demand. There is limited supply of serviced greenfield land in Wānaka and in my opinion it is appropriate to enable that land to be used efficiently where the effects can be managed. While the site does not currently have a high level of accessibility it has the potential to do so once the roading network connecting to the Three Parks Commercial and Business Mixed Use Zones is established. The surrounding sites are generally less sensitive to the visual change associated with a change of zoning, being generally large rural residential blocks, greenfield sites.

4.6 While I agree that matters of subdivision layout and design can be managed through the resource consent process, this would more effectively achieve the

relevant design related objectives through the use of restricted discretionary activity status.

- 4.7** In summary, I support the rezoning sought by Mr Williams as shown in **Figure 1** below (which is all of the MDRZ area shown in beige apricot), subject to making subdivision a restricted discretionary activity across all of the area, if no changes are made to the Three Parks Structure Plan.

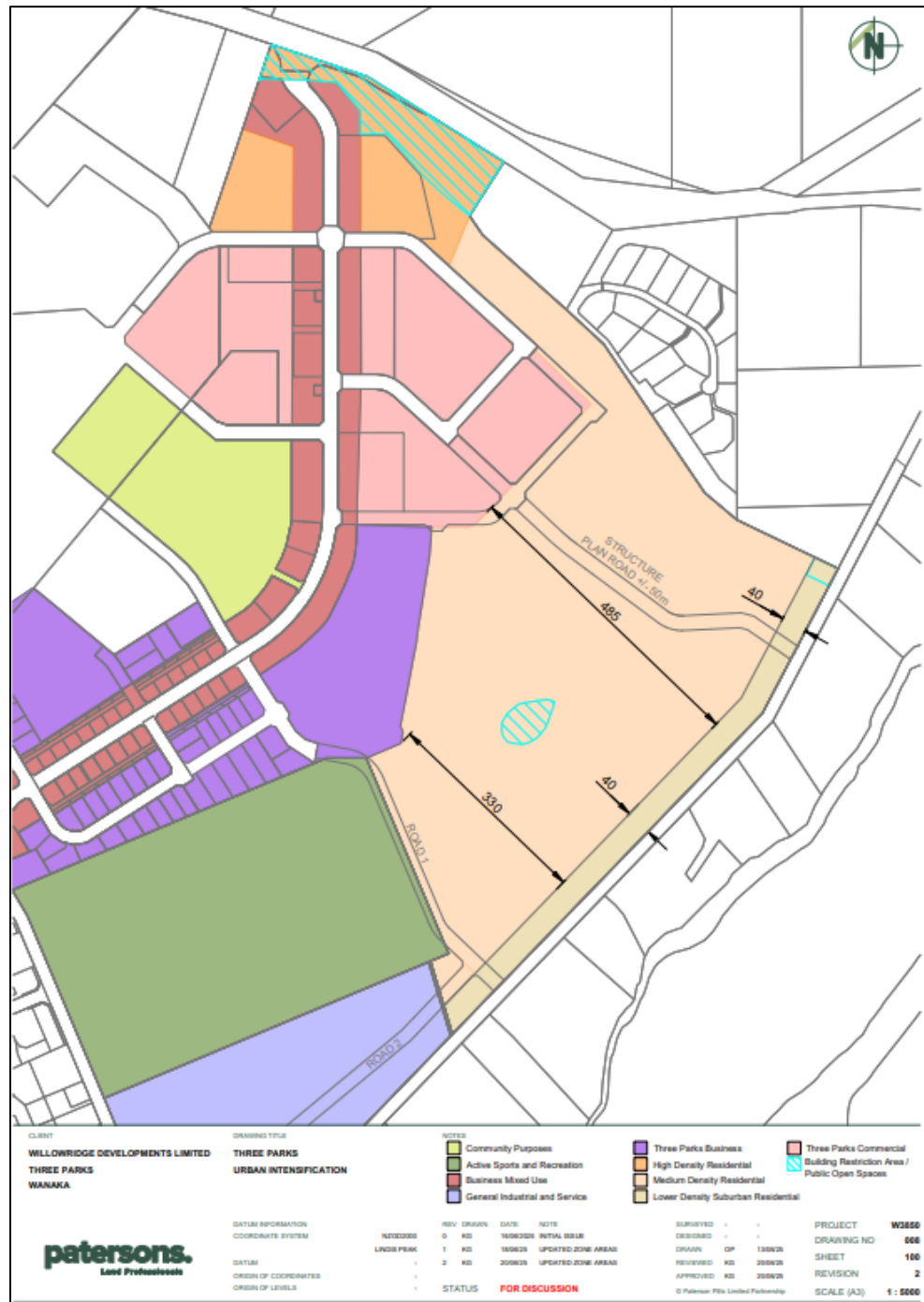


Figure 1: Proposed Rezoning of Three Parks Source: EIC Tim Williams

5. THOMPSON STREET: COHERENT HOTEL LIMITED (773 AND FS1351), S HAINES AND M SPENCER (FS1348), D AND M COLUMB (FS1349) AND S AND R MILLAR (FS1350)

5.1 Ms Clouston has filed planning evidence in support of submissions made by Coherent Hotel Limited and further submissions made by S Haines, M Spencer, D

and M Columb and S and R Millar. In particular, Ms Clouston supports rezoning the MDRZ land on Thompson Street to HDRZ.² No rezonings were proposed for Thompson Street or surrounds through the notified UIV, and the area is currently zoned MDRZ. Ms Clouston has prepared her evidence on the basis that the rezoning request is within the scope of the UIV with legal submissions to address scope at the hearing.³



Figure 2: 90, 92, 04, 98, 101, 108A and 110 Thompson Road Source: Emaps (showing the submitter's land).

5.2 Ms Clouston is of the view that height and density should be increased for the western ends of Thompson Street and Lomond Crescent, to be commensurate to the level of accessibility in this area.⁴ In particular, Ms Clouston notes that the further submitters' land at Thompson Street is near the town centre and to walking and cycling access to Fernhill through the One Mile Creek Reserve trail network. Ms Clouston points out that Accessibility and Demand Analysis Method Statement (Appendix 3 of the section 32 report) indicates at [7.11] that the western ends of

² EIC Charlotte Clouston for Coherent Hotel Limited (773 And 1351), S Haines and M Spencer (Fs1348), D and M Columb Fs1349) and S And R Millar (Fs1350) paragraph 25.

³ EIC Charlotte Clouston for Coherent Hotel Limited (773 And 1351), S Haines and M Spencer (Fs1348), D and M Columb Fs1349) and S And R Millar (Fs1350) paragraphs 19-20.

⁴ EIC Charlotte Clouston for Coherent Hotel Limited (773 And 1351), S Haines and M Spencer (Fs1348), D and M Columb Fs1349) and S And R Millar (Fs1350) paragraph 31.

Thompson Street and Lomond Crescent should be considered an area of higher accessibility.⁵

5.3 My EIC did not specifically address the zoning of this area as there is no specific primary submission seeking rezoning of the Thompson Street addresses referred to in the further submissions,⁶ rather the further submissions rely on relief included in the Waka Kotahi submission, which is that “all areas within walking distance of the Queenstown Town Centre should be up-zoned to High Density Residential unless constrained by other factors” (200.16).

5.4 I agree with the comments made by Ms Clouston regarding the HDRZ being more commensurate to the level of accessibility in this area. As observed by Mr Wallace, the sites currently perform moderately from an accessibility perspective, however its performance would improve over time as and when build-out of the PC50 area commences / advances (which at its closest lies approximately 250m east of the existing MDRZ). Furthermore, I acknowledge that the extension of the HDRZ along Thompson Street will result in a more consistent zoning pattern. On this basis I support the rezoning of the MRDZ properties on Thompson Street and Lomond Crescent to HDRZ, as shown in **Figure 3** below.



Figure 3: Recommended area of MDRZ to be rezoned HDRZ on Thompson Street and Lomond Crescent.

5 EIC Charlotte Clouston for Coherent Hotel Limited (773 And 1351), S Haines and M Spencer (Fs1348), D and M Columb Fs1349) and S And R Millar (Fs1350) paragraph 30.

6 Collectively, 98, 101, 108A and 110 Thompson Street, and ‘the surrounding MDRZ at the end of the cul-de-sac of Thompson Street.

5.5 For the recommended changes I make the following comments with respect to section 32AA matters, which summarise the analysis already undertaken above, and in Ms Clouston's evidence:

- (a) The recommended amendments to the zoning will more efficiently and effectively achieve the relevant objectives of the PDP, particularly Objective 3.2.3.2 as it will provide for built form that integrates with the adjoining and adjacent sites;
- (b) The benefits are considered to outweigh the costs. The recommended zoning would support a more consistent and integrated urban form in the future;
- (c) There is no need to assess the risk of acting or not acting as there is sufficient information available to make a decision on this matter; and
- (d) For these reasons, I consider that the recommended amendments are more appropriate in achieving the purpose of the RMA than the notified PDP zoning in this location.

6. 217, 221 AND 225 FRANKTON ROAD: BILL HEWAT (78)

6.1 Mr Hewat submits in opposition to 16.5m high development at 217, 221 and 225 Frankton Road and seeks that the existing 7m height limit is retained.⁷ Mr Hewat is concerned that the properties are subject to a covenant to future proof lake views which restricts "building height and setbacks from internal boundaries" to the rules in the Operative District Plan. Mr Hewat is also concerned about impacts on the serviceability of the wastewater pipes that run through the lower part of the section, increased traffic on Frankton Road and increased water run-off from Queenstown Hill.

7 Bill Hewat pg 7.

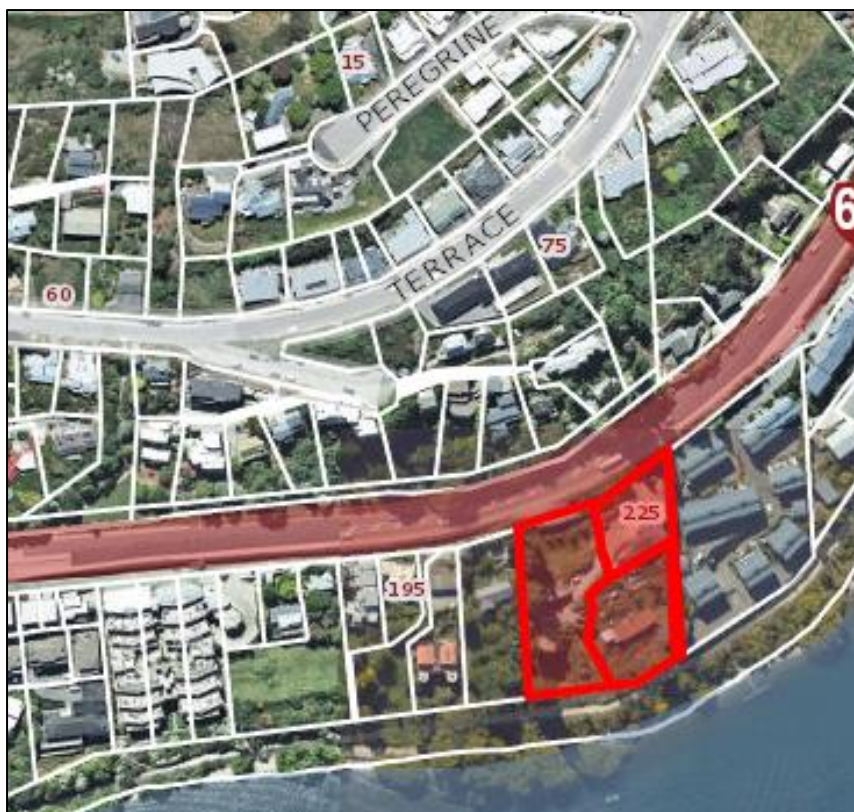


Figure 3: 217, 221 and 225 Frankton Road Source: Emaps

6.2 Given that Mr Hewat has identified that there is a private covenant that applies to 217, 221 and 225 Frankton Road restricting the height of development I do not understand his concerns regarding the proposed 16.5m height limit within the UIV. I have reviewed the covenant applying to the site and confirm that it requires development on the sites to comply with the building height and setback from internal boundary rules in the Operative District Plan that applied in 2013 when the covenant was registered. Unless removed, the private covenant will continue to override the current PDP provisions, or the proposed UIV provisions. This will prevent the scale of development that the submitter is concerned about. I do not therefore recommend any further changes.

7. PANORAMA TERRACE AND PANORAMA PLACE: SCOTT & JOCELYN O'DONNELL (641, 657, 1358)

7.1 Mr Edgar has filed evidence on behalf of Scott & Jocelyn O'Donnell in support of their submissions opposing the upzoning of land on Panorama Terrace and Panorama Place, Queenstown from LDSRZ to a combination of HDRZ and MDRZ.

7.2 Mr Edgar's evidence is focused on concerns with the HDRZ provisions relating to visitor accommodation, infrastructure capacity and amenity values. Mr Edgar does not raise anything further in his evidence to address the application of the HDRZ and MDRZ to Panorama Terrace and Panorama Place specifically, and the zoning outcome he is seeking is unclear. Issues relating to visitor accommodation are addressed in the EIC and Rebuttal of Ms Bowbyes and I have addressed visitor accommodation matters in relation to specific rezoning requests in my EIC. I have also addressed amenity values relating to rezoning in my EIC. Matters of infrastructure capacity are addressed in the EIC of Mr Powell.

7.3 I do not recommend any changes in response to Mr Edgar's evidence and I continue to support the recommendations set out in paragraph 12.9 of my EIC.

8. STAR LANE, PEREGRINE PLACE & HENSMAN ROAD: ALISTAIR HEY (281), CARL SMILEY (581), BARBARA JARRY (651), DUNCAN & TEIJA BOSCOE (13811)

8.1 Mr Harland has been engaged by Alistair Hey, Carl Smiley, Barbara Jarry, Duncan & Teija Boscoe to provide urban design evidence in respect of their submissions. The submitters' land is located within the LDSRZ and is not proposed to be changed by the UIV. The submitters are seeking that the block of land bound by Star Lane, Peregrine Place and Hensman Road to the south of their landholdings is downzoned from MDRZ to LDSRZ, or a more nuanced approach to the interface between the submitters' land and the MDRZ land on Star Lane and Peregrin Place is applied.

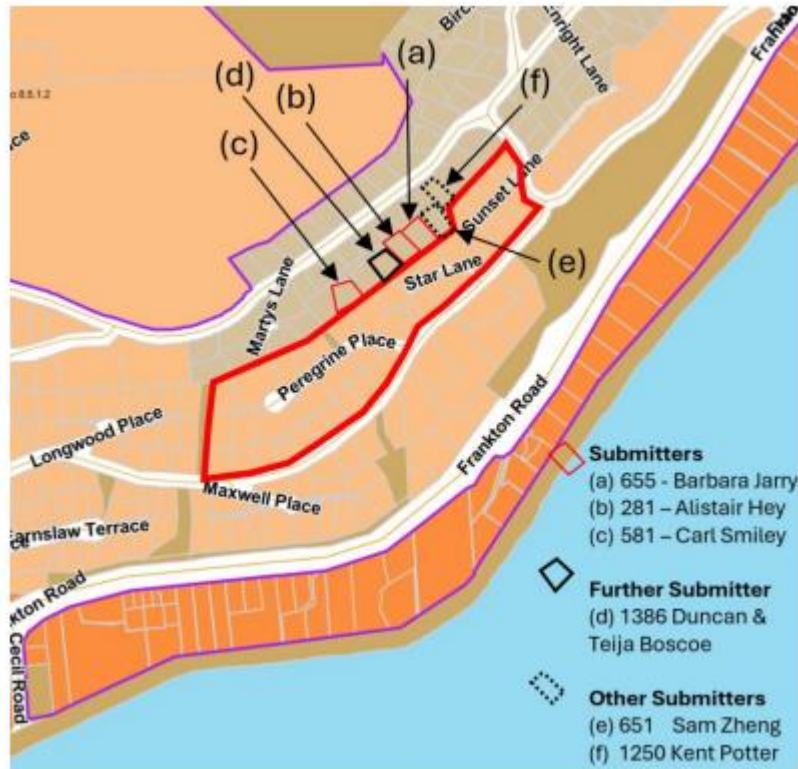


Figure 4: Area subject to downzoning request and submitter properties (red outline).

8.2 Within his evidence Mr Harland has focussed on the Council's Accessibility and Relative Demand Bivariate Mapping Analysis. From this he concludes that the subject area has the lowest accessibility ranking and is identified as having relative low demand with the exception of a small number of sites that front directly onto Panorama Terrace, refer to **Figure 5 and 6** below.

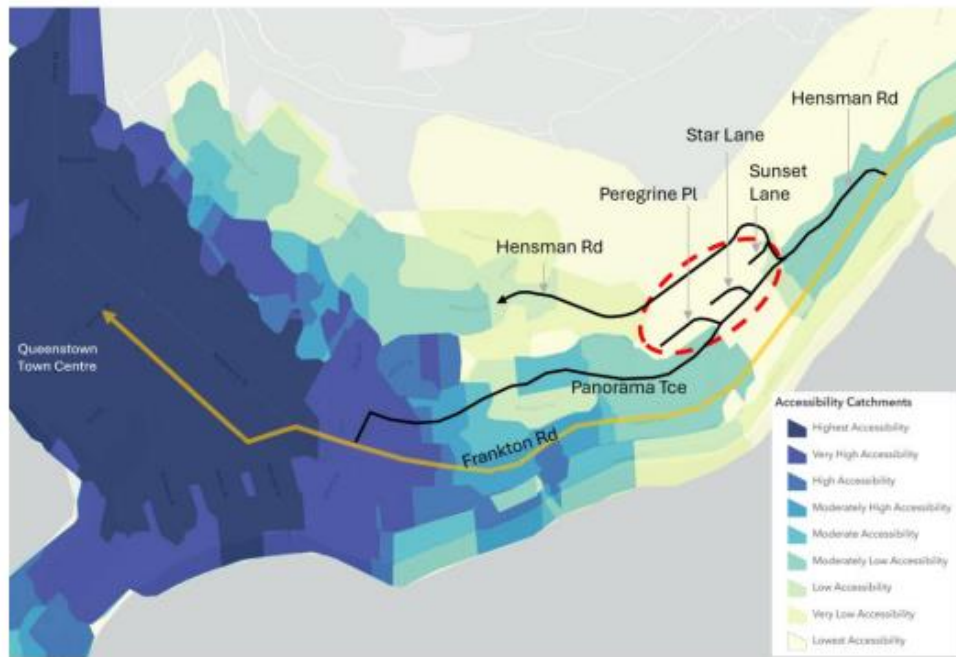


Figure 5: Image from Bruce Harland’s Evidence – zoomed in accessibility mapping.



Figure 6: Image from Bruce Harland’s Evidence – zoomed in Relative Demand Bivariate mapping.

8.3 I note that the Accessibility and Relative Demand Bivariate Mapping Analysis maps are not intended to be applied on a property by property basis. Instead, these maps provide a high-level indication of an area’s accessibility and relative demand. As I have set out in paragraph 4.6 of my EIC these maps are among a range of matters that informed the notified boundaries of the MDRZ including planning judgement as to how this mapping is applied depending on the site and environmental context.

- 8.4** On the issue of demand I disagree with Mr Harland’s interpretation of the demand analysis that has informed the appropriate level of zoning in this area. I note that in addition to the Relative Demand Bivariate Mapping Analysis Ms Fairgray also assesses the matter of relative demand in her EiC, although does not apply/map this spatially. Ms Fairgray in her EiC supported the MDRZ extent within this area on the basis that this zoning corresponds to the level of relative demand experienced across this area. Furthermore, Ms Fairgray was of the opinion that lower density land uses would result in an inefficient use of land.
- 8.5** Mr Wallace has commented on matters of accessibility in his rebuttal evidence for QLDC. He outlines that the mapping he has undertaken was never intended to produce a clear “in” or “out” answer as to the spatial extent of zoning (and associated heights and densities) that would apply. I agree, and this reflects that a range of considerations are at play when determining zone extents. However, demand and accessibility are key considerations. There is some flexibility in exactly where zone boundaries are drawn to respond to particular opportunities or the context of specific sites and areas, particularly at the edges or transitions between zones, as it the case here.
- 8.6** Mr Wallace supports the alternative relief sought by Mr Harland as shown in **Figure 7** below. This would retain the LDRZ for the approximately 15 sites on the northern side of Peregrine Place/Star Lane/Sunset Lane. This zoning change is likely to have a very limited impact on development capacity given its scale, and its location on the edge of the MDRZ means that the change would achieve a logical and integrated zone boundary. I note the area does not perform particularly well from an accessibility perspective, which is agreed by Mr Wallace. On balance, I agree that this modest amendment to the zoning would more efficiently and effectively achieve the relevant objectives.
- 8.7** For the recommended changes I make the following comments with respect to Section 32AA matters, which summarise the analysis already undertaken:
- (a) The recommended amendments to the zoning will more efficiently and effectively achieve the relevant objectives of the PDP, particularly

Objective 3.2.3.2 as it will provide for built form that integrates with the adjoining and adjacent sites;

- (b) The benefits are considered to outweigh the costs. The recommended zoning would support a more consistent and integrated urban form in the future;
- (c) There is no need to assess the risk of acting or not acting as there is sufficient information available to make a decision on this matter; and
- (d) For these reasons, I consider that the recommended amendments are more appropriate in achieving the purpose of the RMA than the notified PDP zoning in this location.



Figure 7: Showing the alternative zoning relief sought by Mr Harland.

9. JOHN O'SHEA, HELEN RUSSELL, JOHN RUSSELL AND MARY-LOUISE STIASSNY (198)

- 9.1** Mr Russell has provided a statement on behalf of himself and John O'Shea, Helen Russell, John Russell and Mary-Louise Stiassny (198). Mr Russell provides information on the groundwater issues in the vicinity of the Warren Street properties in Wānaka with reference to the experience of development and consenting for the Belvedere Apartments. I have addressed this submission in paragraphs 13.8 and 13.9 of my EIC. Ms Frischknecht has also addressed the issue in her EIC. Mr Russell seeks to apply a 7m height limit to the Warren Street properties in response to these issues given the more intensive foundation

requirements of taller buildings and the consequent effects on groundwater in proximity to Bullock Creek.

- 9.2** In my experience the presence of a high groundwater table does have the potential to impact foundation design and the feasibility of taller buildings. However, I maintain that effects on groundwater are a matter for the Otago Regional Council to regulate through the Regional Plan. The earthworks rules in the District Plan provide an advice note (25.3.3.1(a)) that alert plan users to the requirements of the Otago Regional Plan where earthworks involve the diversion of groundwater. This can be supplemented with early advice to Applicants on these requirements when land use and subdivision consents are sought under the District Plan. A range of building typologies and densities are enabled by the MDRZ that could be designed to manage effects on groundwater with appropriate foundation design. I therefore do not recommend any changes to the zoning of the Warren Street properties.

10. OTHER MATTERS

- 10.1** Mr Freeman has filed planning evidence on behalf of Tepar Limited, Park Lake Limited & Earnslaw Lodge Limited in support of the proposed application of HDRZ from Park Street to Cecil Road. Mr Freeman has also filed planning evidence on behalf of RF Corval NZQ Pty Limited in support of the proposed upzoning of the land at 554 Frankton Road from LDSRZ to the MDRZ. These areas are shown in Figures 8 and 9 below. I agree with the conclusions of Mr Freeman regarding these sites.



Figure 8: Image showing the sites subject to submissions 652, 653 and 654.



Figure 9: Image showing the sites subject to submissions 835.

Rachel Morgan

25 July 2025