

Before the Queenstown Lakes District Council

In the matter of The Resource Management Act 1991

And The Queenstown Lakes District proposed District Plan Topic 13
Queenstown Mapping (Group 2 – Rural)

SUMMARY STATEMENT OF EVIDENCE OF CHRISTOPHER FERGUSON FOR

Mount Christina Limited (#764)

Dated 31 August 2017

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**anderson
lloyd.**

SUMMARY EVIDENCE

- 1 My name is Christopher Bruce Ferguson. I hold the position of Senior Principal with the environmental consultancy firm Boffa Miskell Limited. I hold the qualification of a Bachelor of Resource and Environmental Planning (Hons) from Massey University, have 20 years' experience as a planning practitioner and am based in Queenstown.
- 2 The full details of my experience and qualifications are set out in my Evidence in Chief, dated 29 February 2016.
- 3 Following preparation of my Statement of Evidence ('EIC') dated 12 June 2017, I have reviewed the following statements:
 - (a) Rebuttal Evidence prepared by Robert Buxton dated 7 July 2017
 - (b) Rebuttal Evidence prepared by Dr Marion Read dated 7 July 2017
- 4 Based on these latest statements, the scope of matters not in agreement with the Council has narrowed considerably.
- 5 My EIC supports the amendment to the Rural Residential Zone at Camp Hill to better align the zone with topography and to recognise an appropriate area of development as established through prior subdivision. My EIC proposes that the realignment of the zone boundary be subject to additional controls to manage the effects of future subdivision and development, including a restriction on the maximum development potential for the zone of 36 lots, restricting maximum building height to 5.5m and imposing a 20m building setback from the zone boundaries.
- 6 The rebuttal evidence for the Council now supports the amended zone boundary, the intent of a 20m setback for buildings from the zone boundary / terrace escarpment edge, and the 5.5m height restriction. The outstanding matters from the Council's rebuttal evidence relate to the intensity of development within the zone (36 versus 26 lots) and the management of the building setback from the top of the western terrace escarpment.
- 7 One further submission (#1015) has been made against the Mount Christina Submission by Bernie Napp for Straterra. This does not oppose the adjustments to the boundaries of the zone and no evidence has been filed in relation to this hearing.

Setback from edge of the escarpment

- 8 The Rebuttal Evidence by Dr Read considers that having a 20m setback from the top of the terrace escarpments would be necessary to ensure that

development did not adversely affect these landforms or views from public places. This finding is based on Dr Read's consideration that the site boundaries and terrace escarpments are only approximately related along the western boundaries.

- 9 The proposed 20m zone boundary setback over the entire site is intended to provide a setback from the edge of the terrace escarpment, however based on the plans attached to the EIC I can understand how that that might not be clear. The submitter has prepared an additional plan showing the proposed Rural Residential Zone boundary overlaid on contours, including the identified top of terrace. This plan shows the Zone boundary as being aligned either along or slightly inside the top of the terrace escarpment. The 20m zone boundary setback proposed in my EIC will therefore provide for the necessary protection of visual amenity with the same status as the Building Restriction Area proposed in the Rebuttal Evidence by Mr Buxton (i.e. where a breach is a non-complying activity).
- 10 If the Zone boundary is related to the top of the terrace escarpment, then a zone setback is just as effective/efficient to incorporate into the zone rules and has the benefit of not requiring the formulation of an additional overlay on the planning maps.

Intensity of Development

- 11 The Councils position set out in the Rebuttal Evidence of Mr Buxton and Dr Read is that the maximum yield for the zone should be restricted to 26 lots, not 36 as sought in the revised relief contained within my EIC. Mr Buxton considers that the consent granted for 36 lots resulted in a level of development that was 'very condensed' for the remote location of the site.
- 12 The landscape evidence by Dr Read also supports the view that the zone should provide for an overall yield of 26 lots rather than 36 as requested in the submission, as it would have the effect of reducing density of development and potential allow for clustering. Dr Read also records Council's allowance for roading and infrastructure as allowing for a realistic yield of 0.68% (of the gross site area) which over 15ha of RRZ as notified would equate to 26 allotments.
- 13 From a planning perspective, I see things slightly differently. In particular:
- (a) That a 0.68% yield estimate is not appropriate within a rural residential environment. A 32% reduction for open space and vehicle access is a standard normally applied to urban development. ;

- (b) Increasing the size for the zone from 15ha to 28ha with the same yield will further lower the intensity of development and create much more opportunity for open space within and between lots;
- (c) Objective 3.2.5.4 (revised proposal) provides that the finite capacity of rural areas to absorb residential development is considered so as to protect the qualities of our landscapes. The evidence for the Council does not challenge the location and shape of the zone as being appropriate for the qualities of the landscape. The greater the reduction of the development potential, the less capable residential development will factor the finite capacity of this resource; and
- (d) In achieving the purpose of the Act, s.7(b) requires particular regard to the efficient use and development of natural and physical resources. A limitation of the development capacity to 36 lots provides for a more efficient use of the available (and finite) land resource while also having regard to the values of the surrounding landscape through the ability to create open space within and between lots. As identified within my EIC a yield of 36 lots across 28ha of this land provides an average lots size of 7,000m².

14 Based on these matters I consider the amended zone with development capacity limited to 36 dwellings will better achieve the relevant objectives of the PDP and of the purpose of the Act than 26.

Traffic

15 The initial concerns raised in the traffic evidence by Mr Mander relating to the potential for the zoning to create an addition 25 lots (whether that means 26+25=51 or 36+25=61 lots is unclear) are not explored further in his statement of Rebuttal Evidence (dated 7 July 2017) in relating to the revised proposal to restrict development capacity to 36 lots.

16 Relevant to traffic impacts, I also note that:

- (a) The revised proposal would not result in any further traffic than could be anticipated from a compliant subdivision being undertaken in accordance with the current ODP Zone ;
- (b) The Council levies contributions for transportation infrastructure under its policy on Financial and Development Contributions under the Local Government Act 2002. The purpose of this network wide charge is to provide a framework for imposing contributions on any further investment in Council's assets brought about by growth;

- (c) Any upgrades required to the Glenorchy Paradise Road as a result of subdivision within this zone can be provided for through either the above LGA regime or as part of any condition imposed through subdivision. I note that the matters of discretion over subdivision within Chapter 27 (revised proposal) include roading and access. Any condition imposed on subdivision under sections 108 and s.220 of the Act can require works within an adjoining road network if that is necessary to mitigate the effects of the proposed activity. Because of these mechanisms there is no need to introduce any further rules relating to the zone; and
- (d) This approach also has the benefit of ensuring that the subdivision pays or mitigates the effects attributed to that activity and does not include wider upgrades that might be necessary to the road network brought about by existing traffic flows.

Dated this 31st day of August 2017

Chris Ferguson