

under: the Resource Management Act 1991

In the matter of: Submissions and Further submissions
on the Queenstown Lakes
Proposed District Plan

and: Urban Intensification Variation

and: Fortune Fountain Group Limited
(Submitter 769)

And

Fortune Fountain Group Limited
(Further Submitter 1333)

1.0 Introduction

- 1.1 My full name is John Bernard Edmonds.
- 1.2 I hold the qualification of a Bachelor of Regional Planning from Massey University. I am a full member of the New Zealand Planning Institute.
- 1.3 I have 34 years' experience in planning and resource management roles, including strategic planning, master planning, urban design, policy development, project management and other resource management consultancy services. I have worked in both local government and private sector roles.
- 1.4 My previous roles include five years at Nelson City Council and six years with the Queenstown Lakes District Council (QLDC), most of that time (1997-2001) as the District Planner.
- 1.5 In January 2001 I went into private consultancy, establishing John Edmonds & Associates. In this role I have managed planners, environmental scientists and more recently surveyors and project managers. I have been personally responsible for master planning, strategic planning, preparing resource consent applications and assessments of effects, and been the principal consultant assisting with planning and environmental issues for a range of significant local developments. I have also presented evidence at Council and Environment Court hearings.
- 1.6 I am familiar with submission 769 on the Proposed Urban Intensification Variation (the *Variation*) to the Queenstown Lakes Proposed District Plan (*PDP*) and its interests in land at 217 and 221 Frankton Road, Queenstown.

2.0 Code of Conduct

- 2.1 Although this is not an Environment Court hearing, I note that in preparing my evidence I have read the Environment Court's Code of Conduct for Expert Witnesses in its Environment Court Practice Note 2023 and I agree to comply with it. My qualifications as an expert are set out above. I confirm that the issues addressed in this brief of evidence are within my area of

expertise. I have not omitted to consider material facts known to me that might alter or detract from the opinions expressed.

3.0 The Submitter and Site Context

- 3.1 Fortune Fountain Group Limited (FFG) owns approximately 4,000m² of land below Frankton Road, adjacent to the first west-bound 50km/h speed sign approaching Queenstown. The land is zoned High Density Residential and that zoning is not proposed to be changed by the Variation.
- 3.2 The site falls steeply below Frankton Road and is accessed from a driveway shared with one other property (WD Hewat).
- 3.3 The submitter has lodged a resource consent to develop the land to 4 blocks of 17 townhouses and an apartment building adjacent to Frankton Track comprising 15 units. The five buildings are of varying heights, mostly between 7 to 10m above ground level.

4.0 The Submission

- 4.1 The submission points are identified in the table below.

Submission #	Summary	S.42a Recommendation
769.1	That the zone purpose is amended to refer to the 'adverse effects of visitor accommodation activity on the residential amenity values of nearby residents is avoided, remedied or mitigated'.	Reject
769.2	That objectives 9.2.1 and 9.2.3 be amended by removing initial reference to 'high density residential' from each objective.	Accept
769.3	That objective 9.2.3 is amended to remove the term 'existing'.	Accept in part
769.4	That the definition of habitable room ' is amended to 'Any room in a residential unit or	Reject

	visitor accommodation unit that exceeds 8m ² , except for a garage, hallway, stairwell or laundry.	
769.5	That a new definition of Principal Habitable Room being 'that habitable room within a residential unit or visitor accommodation unit with the largest floor area	Reject
769.6	That rule 9.5.8 (a) be amended to read 'The Principal habitable room must have an outlook space of with a minimum dimension of 4m in depth and 4m in width.	Reject
769.7	That the Variation, subject to the amendments identified in the submission is supported.	Accept
769.8	That the variation be amended as requested in the submission, together with any alternative, additional, or consequential relief necessary or appropriate to give effect to the matters raised in the submission and/ or the relief requested.	Reject

5.0 Details of Submissions in Contention

5.1 The primary point of this submission in contention is 769.3.

5.2 In respect of the first submission point, which relates to the last paragraph of the Zone Purpose, it is accepted that the suggested additional wording is not necessary. In hindsight this paragraph would however be improved by removing the reference to the location “....near the town centres and within Arthurs Point”, as the explanation of where the HDR's are located is explained in the first paragraph.

5.3 Submission 769.3 requests that Objective 9.2.3 be amended by removing any reference to maintaining 'existing' amenity values. In *Shundi v QLDC* a new hotel was proposed at 53- 65 Frankton Road, and the Court highlighted this objective as requiring that the amenity of long established residents occupying large sections with a single level family home were entitled to expect that their amenity values, which are informed by the degree of privacy, shading, overlooking and access to sunlight, should remain unchanged (ie. Be maintained).

- 5.4 Retaining the term ‘existing’ amenity values conflicts with the proposed zone standards that increase building height and other changes focused on intensification.
- 5.5 Submission points 4, 5 and 67 all relate to the new Outlook Space provision (proposed rule 9.5.8).
- 5.6 The outlook space of a unit will almost always (or should) adjoin the living room, and typically the living room is the largest individual floor space within a unit. The submission suggests codifying that that.
- 5.7 I also note that the current wording of the Habitable Room definition is prone to misinterpretation, by including references to the intended function of a room.

6.0 Further Submissions

- 6.1 The submitter has made two further submissions; one in support and one in opposition.

Original Submission	Further Submission	Support or Opposition
458.1 MLNZ Trust Limited	1333.1	Support
458.2 MLNZ Trust Limited	1333.2	Support
458.3 MLNZ Trust Limited	1333.3	Support
458.4 MLNZ Trust Limited	1333.4	Support
458.5 MLNZ Trust	1333.5	Support
78.1 W D Hewat	1333.6	Oppose

- 6.2 The submission in opposition relates to W D Hewat, owner of the land at 225 Frankton Road, which is located at the top of the driveway that also serves the Fortune Fountain Group land.

- 6.3 The right of way that provides access to both the Heat and FFG properties was reconstructed and widened by the previous landowner suitable to serve both Mr. Hewat's house and residential flat, and the balance land owned by FFG.
- 6.4 A private covenant exists between FFG and Mr. Hewat that amongst other things requires that an affected person approval be provided by Mr. Hewat on request if FFG promote a development that complies with the operative rules relative to the common boundaries.
- 6.5 I recognise that Mr. Hewat is concerned over potential loss of views and increases in traffic. However, the High-Density Plan provisions (existing and proposed) still retain standards that manage the effects of building scale and proportions through coverage, setbacks, building length and minimum landscaping requirements. I also note that NPS- UD has removed the requirement for on-site parking standards from District Plans, and FFG is entitled to utilise the right of way.

8.0 Conclusion

- 8.1 It is my opinion is that the amended objectives, policies and rules that provide for intensification of the High-Density Residential zone are generally appropriate. However, I maintain my opinion that further change is necessary in respect of Objective 9.2.3, and that the rules and definitions surrounding Outlook Spaces could be improved upon.

John Edmonds

Dated 4 July 2025