

**BEFORE THE QUEENSTOWN LAKES DISTRICT COUNCIL
INDEPENDENT HEARINGS PANEL**

IN THE MATTER of the Resource Management Act 1991

AND

IN THE MATTER of submissions to the Stage 1B Proposed
Queenstown Lakes District Council Plan by
W & M Grant – Queenstown Mapping
Annotations and Rezoning Requests

**STATEMENT OF EVIDENCE OF LUCY JANE MILLTON
ON BEHALF OF W & M GRANT**

**(SUBMITTER 455)
STREAM 13**

9 JUNE 2017

1.0 Introduction

- 1.1 My name is Lucy Jane Millton. I have the qualification of Bachelor of Resource Studies from Lincoln University (2007).
- 1.2 I am a Director of L M Consulting Ltd. In addition to providing planning services to my own clients, I provide planning services on a contract basis to Brown & Company Planning Group. Previously I worked for Lakes Environmental Limited (later Queenstown Lakes District Council) (2007-2013), and Canterbury Regional Council (2006 - 2007). Prior to that I worked overseas in various roles.
- 1.2 **Attachment A** contains a more detailed description of my work and recent experience.
- 1.3 I have complied with the Code of Conduct for Expert Witnesses contained in the Environment Court Consolidated Practice Note 2014. This evidence is within my area of expertise, except where I state that I am relying on another person, and I have not omitted to consider any material facts known to me that might alter or detract from the opinions I express.
- 1.4 This evidence is in relation to W J & M M Grants (the submitter) submission (submission 455).
- 1.5 I prepared the submitters original submission in relation to Stage 1B of the Proposed District Plan Review.
- 1.6 I have read the Section 42A report prepared by Kimberly Banks dated 25 May 2017, and the Strategic Overview and common themes evidence by Kimberly Banks also dated 25 May 2017. I have also read the relevant parts from other experts in terms of relevant information (landscape, infrastructure etc.) that relate to this submission.
- 1.7 My evidence covers the following sections:
- (2) Overview of the submission
 - (3) Background to the Site
 - (4) The submission
 - (5) Relevant parts of the 42A report
 - (6) Conclusion

2.0 Overview of the Submission

- 2.1 The submission concerns land on Hansen Road / Frankton-Ladies Mile Highway, Frankton, legally described as Lot 1 DP 355881 Secs 22 27-28 30 BLK XXI & sec 125 BLK I Shotover SD, valuation 2907148703 ("the subject site").

- 2.2 The original submission supports the subject site being included within the Queenstown – Frankton Urban Growth Boundary.
- 2.3 The submission seeks to modify the PDP to rezone the subject site from Rural Zone to explore alternative options for future development to include either a Medium Density Zone with a Visitor Accommodation Overlay, or a zone to allow for commercial activities.
- 2.4 The submission seeks to remove the reference to the protected tree #206 from the planning maps of the PDP. This has been accepted.
- 2.5 The intention of the submission was to allow for the subject site to be utilised in manner which is more permissive, and to prevent land from being zoned which was inconsistent with the surrounding area and development opportunities.
- 2.6 In addition, the location of the UGB in its proposed location would allow for development to occur.

3.0 Background to the Site

- 3.1 The subject site is owned by the submitters W J & M M Grant, and has been in the Grant family for five generations. The Grant family historically farmed the wider Frankton Flats area, until the early 2000's when the Queenstown Airport Corporation acquired that land, and then later on sold it to developers who have subsequently established the Frankton Flats Special Zones. The land in question formed part of the more productive flat land paddocks of the wider farming unit.
- 3.2 The Grant Family still own pockets of land on either sides of Frankton Ladies Mile Highway, including the Grants residence on the southern side of that road, the subject site, and the south eastern slopes of Queenstown Hill (**Attachment B**).
- 3.3 The subject site is a 2.246 hectare triangular parcel of land, with three boundaries, which includes two road boundaries. The eastern boundary is immediately adjacent to the existing Dart Engineering site, the west boundary adjoins Hansen Road and is located on the opposite side of the road to the City Impact Church/daycare facility, and the Frankton – Ladies Mile/SH6 highway on the southern boundary.
- 3.4 The subject site contains an existing residential dwelling and a number of existing farm buildings, some of which are used for storage, and some of which contain approved retail¹ and

¹ RM130236 – W & M Grant – Undertake retail sales from the site, to establish two free standing signs on road frontages, and two wall signs on an existing barn.

commercial activities², (**Attachments C and D**). The existing residential dwelling is the home of Mrs Grant, who with her late husband owned much of the surrounding land (including the Frankton Flats area). Mrs Grant has resided in the existing dwelling on site since 1976.

- 3.5 The site contains three existing vehicle crossings onto Hansen Road and onto Frankton – Ladies Mile/ SH6, one to the existing dwelling on site, and one to the existing farm buildings, and one located at the south east corner of the site onto Frankton – Ladies Mile/SH6.

4.0 The Submission

- 4.1 Within the submission, the submitter sought to rezone the subject site to Medium Density Residential, with a Visitor Accommodation overlay, or to Commercial to allow for the land to be utilised more efficiently than what it can currently be under the Rural zone.
- 4.2 Given the recent changes to the surrounding environment, and the proposed change to rezone the land to the immediate west of the subject site (LSCZ), it is considered inconsistent for Council to leave a parcel of Rural land which is not compatible with other surrounding land uses.

5.0 Relevant parts of the 42A report

- 5.1 Ms Banks³ states that Mr Glasner notes that the property is serviced by water but not by wastewater, and it may be difficult to provide a gravity connection due to the low lying nature of the site. Fire fighting pressure constraints were also identified. For these reasons Mr Glasner states that he opposes the rezoning of that land as it is unclear how the site can be serviced. Councils GIS map shows an existing 50mm wastewater pipe along Hansen Road (servicing the Impact Church). The submitter has indicated that they will be flexible with Councils requirements to provide a solution to this servicing constraint, and accept that further development of this site will require a further engineering feasibility assessment, which may include upgrading the existing line back to the BP round about to a 100mm pipe⁴.
- 5.2 In terms of fire fighting, the submitter suggests an option could be to install a tank farm on the hill behind the site to provide the required firefighting pressure until a 355mm water main, running along the SH6 boundary, is upgraded to meet pressure requirement. This is a

² RM160860 – W & M Grant – To replace part of an existing farm shed to accommodate a commercial honey facility with associated café & retail activity, to replace an existing shed with a smaller building that will provide toilet facilities, and to establish on the site associated signs, car parking and landscaping.

³ Kimberly Banks, Section 42A Report/Statement of Evidence Group 1B Queenstown Urban – Frankton and South, 25 May 2017, Page 27, Paragraph 6.2

⁴ Source: Bruce Grant – Graduate Surveyor, design and fieldwork specialist – Aurum Survey Consultants

possible solution, but I agree that a suitably qualified engineer would need to provide a further design and assessment of this system.

- 5.3 Referring to Ms W Banks expert advice, Ms Banks⁵ states that two key issues need to be addressed if the site is to be rezoned Medium Density Residential (MDR) with a Visitor Accommodation (VA) overlay. These concerns are with respect to the lack of pedestrian safety, and the reconfiguration of the Hansen Road intersection.
- 5.4 Firstly pedestrian safety; it is acknowledged that the original submission did not include a specific proposal or feasibility study of how the subject site could provide pedestrian access to the surrounding commercial areas. This is because at this time there is no specific development proposed for the site, other than the submitter wanting to simply future proof the land to ensure that it does not become an isolated parcel of Rural land, with significant development restrictions in the future. However, based on the Councils Proposed District Plan, it is clear that Council seek to rezone the adjacent land to the west (on the opposite side of Hansen Road) to Local Shopping Centres Zone (LSCZ). Providing this rezoning is accepted, it is expected that pedestrian and cycle access to Terrace Junction, the Frankton Village and the Events Centre (using the pedestrian crossing to the south of the Frankton round about) would be required to be provided at such time it is developed⁶. Additionally, as part of any residential subdivision on the subject site, Council would require pedestrian and cycle linkages to be included in the overall design.
- 5.5 The second key issue which Ms Banks raised related to the reconfiguration of Hansen Road/SH6 intersection. The submitter recognises that any development is likely to require the upgrade of this intersection to a possible left in, left out arrangement. To help facilitate this, the submitter would be flexible to work with NZTA to provide a solution to the access constraints. This is likely to involve making an area of land available to NZTA to allow for the reconfiguration and the widen off the adjacent SH6.
- 5.6 Additionally, the submitter would also support the creation of a new road which would link the mid part of Hansen Road to the Hawthorne Road round about.

⁵ Kimberly Banks, Section 42A Report/Statement of Evidence Group 1B Queenstown Urban – Frankton and South, 25 May 2017, Page 27, Paragraph 6.4

⁶ Queenstown Lakes District Council Proposed District Plan – Chapter 15 – Local Shopping Centres, Rule 15.4.3.2 (a) (i) “The Development of 1 Hansen Road” where the rules states: “The location, width and design of roads, laneways, footpaths and accessways, which shall include consideration of pedestrian/cycling connectivity and safety as well as the potential for vehicular access to and from the Local Shopping Centre Zone land to the west of the Frankton Cemetery”;

- 5.7 Ms Banks⁷ confirms that Dr Read has indicated that she does not oppose the rezoning of the land providing it remains outside of the ONL. The small area of land within the ONL will not affect the overall development of the subject site, as the area proposed is relatively small.
- 5.8 Ms Banks⁸ summarises by saying that urban development is not the most appropriate approach for the subject site, based on “*the benefits and costs of urbanising the land in terms of environmental, economic, social and cultural effects including infrastructure and traffic effects, landscape effects, economic growth and employment, urban development of this land is not the most appropriate approach*”. It would be irresponsible of Council to allow an isolated area of Rural land within such close proximity to other commercial areas. By keeping the land zoned as Rural, the Council run the risk of only allowing permitted activities being able to occur on the site without the need to apply for resource consent. This would result in highly incompatible activities occurring within the vicinity of existing and proposed commercial areas. Such activities which would be permitted, and could be productively viable given the small area of land, may include vegetable growing, (which may result in chemical spraying), break-fencing winter feed crops to cattle⁹, or outdoor pig farming. These activities would not require any additional buildings, and therefore would be permitted activities within the Rural zone. I consider that these activities would have a far greater effect on the environment, economic, social and cultural effects to those surrounding commercial businesses and adjacent recreational grounds than rezoning the land to residential or commercial.
- 5.9 Furthermore, the location of the Airport Outer Control Boundary (AOCB) essentially prohibits any building development from occurring in future if the subject site was to remain within the Rural zone. This further confirms that the site would be left vacant with the only possible opportunity of that land to be utilised by permitted activities, i.e. those farming activities identified above. It is noted that the adjacent proposed LSCZ is also located within the AOCB, but has been deemed that development is appropriate. This further supports the reasons why the subject site should not remain within the Rural zone.
- 5.10 Ms Banks¹⁰ does conclude that the submission is being opposed on the grounds of the infrastructure, traffic and landscape effects issues raised, but acknowledges that there are limitations for productive rural use of the site, but states that the land is considered inappropriate for residential or visitor accommodation activity. Subject to further feasibility studies, the site could be utilised in a far more effective manner which would be for the benefit

⁷ Kimberly Banks, Section 42A Report/Statement of Evidence Group 1B Queenstown Urban – Frankton and South, 25 May 2017, Page 27, Paragraph 6.5

⁸ Kimberly Banks, Section 42A Report/Statement of Evidence Group 1B Queenstown Urban – Frankton and South, 25 May 2017, Page 28, Paragraph 6.6

⁹ Example: Area of Crop (1.5 hectares) x kg dry matter (kgdm) yielded (18 tn Kale/hectare) = 27 tonne of dry matter. Assume cow eats 10kg x 40 cows = 400 Kgdm per day. 27000/400 gives 67.5 days. Could add hay 2 kg per day/cow to bring up to 12 kgdm (Source: Ben Millton – Farmer Clarence Bridge).

¹⁰ Kimberly Banks, Section 42A Report/Statement of Evidence Group 1B Queenstown Urban – Frankton and South, 25 May 2017, Page 28, Paragraph 6.7

of Council. Establishing residential activities would prevent the additional spread of housing developments into unsuitable locations throughout the District. The close proximity to existing places of work (adjacent commercial areas) could avoid additional vehicle demand on existing roads, infrastructure, including bridges and would encourage pedestrian and cycle links (subject to further development on adjoining sites and a more comprehensive design of the subject site). I consider these options to be more proactive approach than just leaving the site in its current Rural zone.

6.0 Conclusion

- 6.1 The submitter seeks to rezone the area of land located between Hansen Road and Frankton – Ladies Mile/SH6 from Rural to a more enabling zone which would allow for future development which is consistent with other surrounding land uses. Within Ms Banks Section 42A report, she had concerns regarding future development of the site, specifically related to pedestrian access, servicing and the reconfiguration of the intersection at Hansen Road and Frankton – Ladies Mile/SH6.
- 6.2 I acknowledge that further feasibility assessment will be required to be undertaken in order to determine the level of servicing required for future development of the site, however the submitter has confirmed that they will be flexible to work with Council to provide a solution to the servicing constraints within the site and surrounding areas.
- 6.3 Additionally, the submitter has accepted that they be flexible with NZTA to work together on a new intersection arrangement at the Hansen Road corner, but consider, subject to further expert traffic advice, that a left in, left out arrangement may work. They are willing to provide the necessary land to enable this upgrade to occur.
- 6.4 The location of the AOCB will prevent any development from occurring while the site remains within the Rural zone.
- 6.5 Based on the information above, I consider it important that Council reconsider the zoning of the subject site to avoid being left with an isolated parcel of Rural zoned land which is unable to be utilised efficiently, and where the land could be used to Councils advance to avoid the spread of inappropriate development within the District.

Lucy Millton

9 June 2017