

**BEFORE THE HEARINGS PANEL  
FOR THE QUEENSTOWN LAKES PROPOSED DISTRICT PLAN**

**IN THE MATTER** of the Resource  
Management Act 1991

**AND**

**IN THE MATTER** of Hearing Stream 14:  
Wakatipu Basin  
hearing and  
transferred Stage 1  
submissions related to  
Arrowtown and Lake  
Hayes

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**SUPPLEMENTARY REBUTTAL EVIDENCE OF MARCUS HAYDEN LANGMAN  
ON BEHALF OF QUEENSTOWN LAKES DISTRICT COUNCIL**

**PLANNING: WAKATIPU BASIN – REZONING SUBMISSIONS**

**#2400 Banco Trustees Limited and Ors  
#2386 Boxer Hill Trust**

**29 June 2018**

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## INTRODUCTION

- 1.1 My full name is Marcus Hayden Langman. I am a private planning consultant engaged by the Queenstown Lakes District Council (**QLDC** or **Council**) to provide planning evidence on behalf of the Council on submissions for rezoning in the Wakatipu Basin (excluding Arrowtown and Ladies Mile).
- 1.2 My qualifications and experience are set out in my s42A Report dated 30 May 2018.
- 1.3 I confirm that I have read the Code of Conduct for Expert Witnesses contained in the Environment Court Practice Note 2014 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

- 2.1 My supplementary rebuttal evidence is provided in response to the following evidence filed on behalf of various submitters:
- (a) Mr Jeffrey Brown for Boxer Hill Trust (**Boxer Hills**) (#2386);  
and
  - (b) Mr Nicholas Geddes for Banco Trustees Limited and Ors (**Banco and Ors**) (#2400)
- 2.2 I also confirm that I have read the following statements of evidence filed for these submitters, and consider that no response is needed, or that the matter is covered by the rebuttal of another expert witness:
- (a) Mrs Yvonne Pflüger, Mr Anthony Penny and Mr James Hadley for Boxer Hill Trust (#2386); and
  - (b) Mr Stephen Skelton for Banco Trustees Limited and Ors (#2400).

**3. JEFFREY BROWN FOR BOXER HILLS TRUST (#2386) AND NICHOLAS GEDDES FOR BANCO TRUSTEES LIMITED AND ORS (#2400)**

**3.1** The submissions were addressed initially in my supplementary statement of evidence dated 1 June 2018.

**3.2** I have addressed the submissions together as the matters that apply to both sites on McDonnell Road are essentially the same, however the evidence from Mr Brown and Mr Geddes does differ. Mr Brown has filed planning evidence on behalf of Boxer Hills (#2386) and Mr Geddes has filed planning evidence on behalf of Banco and Ors (#2400).

**Landscape**

**3.3** Mr Skelton and Ms Pflüger have provided landscape evidence in relation to the submissions seeking Wakatipu Basin Lifestyle Precinct (**Precinct**) for the respective sites. Ms Gilbert does not oppose the evidence of Ms Pflüger for the Banco Trustees' site. She does, however, comment on Mr Skelton's argument in relation to the Boxer Hills Trust site that rural residential areas can be upzoned successfully to accommodate urban development at a future date. Ms Gilbert considers that in her experience, this requires a deliberate rural residential planning strategy that flags the need to consider future urban access, connectivity, open space and infrastructure requirements to ensure that any interim rural residential layout does not stymie intensification.

**3.4** I accept Ms Gilbert's evidence and concur with it, for the reasons set out in my evidence in chief. Fractured ownership can cause considerable problems when dealing with urban expansion, due to the need to locate infrastructure (such as stormwater ponds, roading, etc) where this might compromise a land owners ability to develop. In addition to this, there will be existing investment in home and lifestyle block curtilage, which can result in long term opposition to urbanisation.

- 3.5** By retaining land in a larger block, this enables it to *potentially* be efficiently developed at a future date. This was recognised in the section 32 report for the Variation, which states:<sup>1</sup>

*The WB Study recommended consideration be given to a similar urban parkland type precinct in the vicinity of Arrowtown (Arrowtown Precinct), together with the integration of defensible edges and the implementation of a structure plan process to address amenity, landscape and infrastructure issues.*

*The Council have no current plans to develop the Arrowtown Golf Course for urban development and since the WB Study was prepared the Arrowtown area has not been subject to any structure planning process. The Golf Course itself is identified as Open Space and Recreation: Community Purpose Golf Course Zone and other areas have been included in the WBRAZ, to reflect that it is also part of the wider WB amenity landscape, and it is appropriate to apply the WBRAZ at this time. Any provision for subdivision or development beyond that provided for in the WBRAZ should require a comprehensive structure plan process to be completed and incorporated in a future Variation or Plan Change. This also includes the small triangular parcel at the far eastern end of the Millbrook LCU bordered by Arrowtown-Lake Hayes and McDonnell Roads.*

[footnotes removed]

### **Boxer Hill (#2386) – future urban zoning**

- 3.6** Mr Brown has put forward a proposition in his evidence that a future urban zone should be considered for the Boxer Hill site. I have concerns as to scope; the submitter asked for Precinct with some amendments to the provisions. The amended Precinct would not be an urban zoning, and there is no suggestion within the submission that that extent of relief was contemplated. No person who might potentially be affected by the urban zoning (such as residents in Arrowtown who might seek to retain a small compact village) could possibly have anticipated a future urban zoning out of a relatively straightforward

<sup>1</sup> Section 32 Evaluation Report, Chapter 24 Wakatipu Basin at Page 27.

request for Precinct. Notwithstanding this, I will make some comments on the use of future urban zonings.

- 3.7** In my view, it is difficult to get future urban zonings 'right'. My experience in Auckland, where future urban zonings were identified in Waitakere and Rodney, was that this had the impact of driving up the price of land (due to its identification for a higher and more intense use), which in turn put pressure on owners to develop. Very often, the land would be subject to non-complying activity consents by individual landowners, resulting in less than ideal planning outcomes (ie. no through roads and cul de sac development) as structure planning had not taken place to ensure a cohesive and efficient outcome.
- 3.8** From the version of the provisions that Mr Brown has attached to his evidence, it appears that this risk may be somewhat addressed through a very tight set of objectives and policies. However it could create issues if a decision-maker considered that any adverse effects would only be minor in nature, which could lead to sub-optimal decision-making, albeit with minor effects.
- 3.9** In my experience, future urban zonings also have the impact of placing pressure on the Council to develop infrastructure and bring it forward prior to when it is planned through long term plan processes, driven by developers who are keen to release the value in the land. This can come at a cost to the development of other land, or other capital works in better locations.
- 3.10** In Mr Place's evidence in chief at paragraphs 10.7 – 10.23, he sets out the background for Urban Growth Boundaries in relation to Arrowtown. I refer to that assessment as the same principles apply. It is my opinion that, although not required, careful structure planning would need to take place in relation to the western side of McDonnell Road to determine future growth areas for Arrowtown, if any, accompanied by consultation.
- 3.11** In addition, I note the approach of Mr Place in relation to the submission of Feeley and Ors (#2397) in his evidence in chief (further to the north along McDonnell Road, at the corner of McDonnell and Arrowtown-

Lake Hayes Road).<sup>2</sup> One of the reasons for Mr Place's opposition to the request to rezone the triangle of Amenity zone **[to Precinct or something else?]** is because the land is separate and distinct from existing development along McDonnell Road. With the exception of the Special Housing Area (**SHA**), the same applies to the Banco and Boxer Hill sites.

- 3.12** In summary, there is no strategic integrated approach that would justify any future urban zoning, and it is my view that such an approach is not within scope.

### **Precinct zoning of Boxer Hill (#2386) and Banco (#2400) sites**

- 3.13** In relation to the Precinct zoning requested for the sites, the evidence of Mr Geddes and Mr Brown does not, in my view, address the long term potential of the land to be used for future urban use. Mr Geddes considers that the review should provide a future zoning that is appropriate to the intended lifetime of the plan. When I refer to a timeframe (i.e. long term), I refer to a timeframe that could be between 5-50 years. That means it may not occur in the lifetime of the PDP once it becomes operative.
- 3.14** While there are opportunity costs involved in retaining the Amenity Zone rather than Precinct, this, in my view, is outweighed by the public benefits of having well designed and integrated urban form that could last indefinitely (if it is to occur). I disagree with Mr Brown's statement that Amenity zone is inherently inefficient as compared to Precinct; on the contrary I consider it the opposite, albeit over a longer time frame.
- 3.15** Given my comments above, I do not support withdrawing the land from the Variation or initiating a new Variation (noting both are decisions for full Council). That, in my view, would be premature. In addition, I retain

<sup>2</sup> At section 12.

my position in relation to both submissions that Amenity Zone remains the most appropriate for the subject sites.

A handwritten signature in blue ink, appearing to read 'Marcus Langman', with a long horizontal flourish extending to the right.

**Marcus Langman**

**29 June 2018**