BEFORE THE QUEENSTOWN LAKES DISTRICT COUNCIL

IN THE MATTER	of the Resource Management Act 1991
AND	
IN THE MATTER OF	Queenstown Lakes Proposed District Plan – Chapter 8 – Medium Density Residential Zone & Chapter 9 – High Density Residential Zone

STATEMENT OF EVIDENCE OF TIMOTHY TURLEY WILLIAMS ON BEHALF THE FOLLOWING SUBMITTERS:

150 – Mount Crystal Limited

177 – Universal Developments Limited

30th September 2016

SOUTHERN PLANNING GROUP

RESOURCE MANAGEMENT CONSULTANTS

Introduction

1. My name is Timothy Williams. I hold the qualifications of Bachelor of Resource Studies from Lincoln University and Masters of Urban Design and Development with Distinction from The University of New South Wales. I reside in Queenstown.

2. I have practiced in the planning and urban design field since 2003 and I am currently employed by Southern Planning Group as a resource management planning consultant/urban designer.

3. Since 2003 I have been involved in a wide range of resource management issues both as a Council planner and urban designer and as a consultant. This experience has included of particular relevance to this brief:
   - The subdivision design and development guidelines for several mix density housing projects including the Queenstown Lakes Community Housing Trust development in Arrowtown and Albert Town, and Universal Developments Dungarvon Street development in Wanaka.
   - Review of existing controls for the High Density Residential Zone in conjunction with Jasmax relating to the QLDC District Plan Review.
   - Height controls and urban form outcome considerations in relation to Appeals on Plan Change 50.

4. In addition to the above I have been and continue to be engaged by Universal Developments in relation to the subdivision design, layout and future design controls for Lot 110 DP 347413 commonly known as the 'Scurr Heights' block which the PDP proposes to zone Medium Density Residential.

5. Whilst I acknowledge that this is a Council hearing I confirm that I have read the Code of Conduct for Expert Witnesses outlined in the Environment Court's Consolidated Practice Note 2014 and have complied with it in preparing this evidence.

6. I have read the Section 32 reports and supporting documentation and the Section 42A reports prepared by the Council officers with respect to the Medium Density Residential (MDR) and High Density Residential Chapters (HDR) of the Proposed District Plan ("PDP"). I have considered the facts, opinions and analysis in this documentation when forming my opinions which are expressed in this evidence.

7. I confirm that the matters addressed in this brief of evidence are within my area of expertise and that I have not omitted to consider material facts known to me that might alter or detract from my opinions.

Scope of Evidence

Chapter 8 – MDR Chapter

8. I have been engaged by Universal Developments Limited – Submission # 177 to provide expert planning and urban design evidence.

9. The submitter has sought and had their request granted to defer the consideration of their submission as it relates to the MDR zone in Frankton[1]. Therefore this evidence relates to the broader application of the MDR provision and specifically those that will apply to the submitters land in Wanaka (Lot 110 DP 347413) ('the site') referred to in the s42a report as the MDR zoning adjoining Aubrey Road.

10. Universal Developments Limited sought amongst other things the confirmation of the MDR zoning provisions as notified.

11. My brief of evidence is set out as follows:

a) Comment on proximity of development to Designation 270
b) Comment on Aubrey Road site density & lot size
c) Comment on proximity of garages to road boundaries
d) Summary

Chapter 9 – HDR Chapter

12. I have been engaged by Mount Crystal Limited to provide expert urban design evidence. I note Mr Dent of Southern Planning Group is providing expert planning evidence on behalf of this submitter.

13. My brief of evidence provides comment on the applicable height limits to sloping sites and merits of additional height to encourage greater roof articulation.

Chapter 8 – MDR Chapter

Proximity of development to Designation 270

14. The s42a report recommends two site specific controls that would apply to the submitters land in relation to the proximity of development to the adjoining reserve. These rules are:

[1] Minute Regarding Frankton Flats Medium Density Residential Zone 21/09/16

8.5.1 Building Height

8.5.1.1 Wanaka and Arrowtown: A maximum of 7 metres except for the following:

a. Within 15 metres of Designation 270: Queenstown Lakes District Council recreation reserve where the maximum height if 5.5 metres.

8.5.8 Minimum Boundary Setback

8.5.8.2 All other boundaries: 1.5m except for:

a. Sites adjoining Designation 270: Queenstown Lakes District Council recreation reserve where the minimum setback shall be 6m.

15. A breach of the height rule would require non-complying activity resource consent, a breach of the setback rule would require a discretionary activity resource consent with no provision for accessory buildings within the setback.

16. Figure 1 below illustrates the proximity of Designation 270 to the site. Designation 270 in the context of the site provides for a formed pedestrain path providing a connection between Mataraki Place, Aubrey Road & various streets to the south. From my observations of the reserve land and the path where it adjoins the site due to the topography and linear nature of the reserve its primary purpose appears to be to provide for pedestraion connectivity.

Figure 1: Site & Reserve Proximity

17. Attached to my evidence as **Attachment [A]** are survey plans confirming the existing topography of the site and cross sections illustrating the relationship between the site and reserve/walkway. These plans highlight that the site has a significant variation in topography particularly where the site rises steeply from Aubrey Road and rises toward the reserve and walkway. The cross sections also highlight a varied relationship between the site boundary and walkway.

18. In my view the elevated position of the walkway above the site and the walkways distance from the site are important matters when considering the future built form on the site and its relationship and impact on the reserve/walkway.

19. In terms of the impact of future built form on the walkway in my opinion the elevated nature of the walkway and varied distance from the site will ensure future development is not overly dominant.

20. Given the existing Low Density zoning of the site and MDR provision as recommended in the s42a report the difference in bulk and location controls is not significantly different under a MDR scenario to what might occur and has occurred adjoining the reserve/walkway under the Low Density zone. The key differences are a slight increase in permitted building coverage 40% (LDR) to 45% (MDR) and a slight reduction in building setbacks (2m) (LDR) to 1.5m (MDR). It is my view these changes in built form controls will not result in a form of development enabled by the MDR provisions that is visually more imposing on this walkway.

21. Taking into account the above matters in my view it is unnecessary and inefficient to require specific setback and height controls in relation to the future development of this land. Given the overarching desire to encourage increased density and efficient use of urban land in my opinion to place additional restrictions on this site is not appropriate.

22. In my view the existing topography, varied proximity of the walkway to the site boundary, natural variation in future building form and setbacks between buildings will ensure future development does not dominate or present a wall of development that completely removes views from the walking track.

23. To promote additional restrictions on this land because people have appreciated unobstructed views by virtue of the land not having already been development is not in my opinion appropriate justification to introduce restrictions that would impose a greater level of control than would otherwise result from development of the land under the operative zoning. Particularly as the primary function of the reserve and walkway can be maintained without additional restrictions.

24. Therefore, I do not support the inclusion of site specific rules restricted the height of development and setback from Designation 270.

Aubrey Road Site Density & Lot Size

25. The s42a report recommends two site specific controls that would apply to the submitters land in relation to density of development. These rules are:

8.5.5.2 The minimum site density for the Medium Density Residential zoned land in Frankton adjoining State Highway 6 and in Wanaka adjoining Aubrey Road shall be one residential unit per 400m² net site area.

27.6.1 Maximum Lot Area

The maximum lot area for the Medium Density Residential zoned land in Frankton adjoining State Highway 6 and in Wanaka adjoining Aubrey Road shall be 400m²

26. A breach of the minimum density rule would require discretionary activity resource consent, a breach of the maximum lot size would require a non-complying activity resource consent.

27. It is my view that the application of a minimum density or maximum lot size needs to be carefully considered in terms of its practicality. Site constraints such as varying topography can inhibit a densified development form. As can be seen the existing topography of the site varies considerably particularly where the site adjoins Aubrey Road and Designation 270 (**Attachments [A]**). Through my work assisitng Universal Developments Ltd designing a subdvison layout for this site I have found it particularly challenging achieving an efficient block layout and practical roading network with the inclusion of smaller lots over the steeper parts of the site. Complicating things is the requirements to provide for low impact stormwater deisgn and the space this requires given the varied natures of the soils on site. These issues are less pronounced in the flatter areas of the site where block widths can be reduced and the site naturally lends itself to a more regular block layout and therefore increased density/smaller lot sizes.

28. The s42a report recognises the potential topography constraints, however disregards this concern on the basis of demand for residential dwellings within the District. Whilst I support the rationale for promoting increased densities within existing residential areas I do not think this principle should outweigh the practical constraints when applying a minimum density or maximum lot size rule.

29. I also consider it is important to recognise that the PDP subdivision planning framework specifically addresses the issue of subdivision design and density through the following provisions (as amended in the Subdivision s42a report):

27.2.1 Objective *- Subdivision will create quality environments that ensure the District is a desirable place to live, visit, work and play.*

Policies

27.2.1.3 *Require that allotments are a suitable size and shape, and are able to be serviced and developed to the anticipated land use of the applicable zone.*

27.2.1.4 *Where minimum allotment sizes are not proposed achieved, the extent to which any adverse effects are mitigated or compensated by achieving providing:*

i. desirable urban design outcomes

ii. greater efficiency in the development and use of the land resource

iii. affordable or community housing

Rule 27.5.5: *Restricted Discretionary for all subdivision activities contained within urban areas identified within the District's Urban Growth Boundaries and including the following zones:*

Relevant matters of control for this issue:

• *Lot sizes, averages and dimensions, including whether the lot is of sufficient size and dimensions to effectively fulfil the intended purpose of the land use;*

• *The extent to which the subdivision design achieves the subdivision and urban design principles and outcomes set out in QLDC Subdivision Design Guidelines;*

30. It is my view that subdivision design and the application of density is best considered under the subdivision planning framework outlined above. At subdivision stage an assessment of competing issues around density and site constraints can be more accurately considered. Given this framework and the particular site constraints of this site I don't support the addition of a site specific rule relating to minimum density or maximum lot size (rules 8.5.5.2 and 27.6.1).

Proximity of Garages to Road Boundaries

31. The s42a report recommends changes to Policy 8.2.2.3 and a new rule 8.5.8.1 (b) promoting the avoidance of street frontages being dominated by garages. I agree this is an important consideration for a medium density residential environment however, I consider the wording of this policy is too prescriptive. I also consider that the use of the word 'avoid' is too strong where site constraints such as topography can necessitate the positioning of garages within road setback distances or different street typologies that are designed to accommodate garages directly adjoining the street. In my view the policy should be reworded as follows:

~~*Avoid street frontages dominated by garaging through measures including not locating garages forward of the front elevation of the residential unit, use of two separate doors to break up the visual dominance of double garages or use of tandem garages or locating a second storey over the garage to enhance passive surveillance and street activation.*~~

Manage the potential for garages to dominate the streetscape through consideration of their proximity to the street boundary.

32. It should be noted that I have worked on the rewording of this policy with my colleague Ian Greaves who has presented separate evidence on this matter.

33. Rule 8.5.8.1 (b) as proposed by the s42a report requires garages to be set back 4.5m from the road boundary. It is my view this rule is overly restrictive in the context of a medium density site and does not necessarily ensure garages do not dominate the street.

34. In terms of 'good urban design' outcomes the positioning of the garage relative to the dwelling is the relationship that manages the impact of garages on the streetscape. The principle being the dwellings active frontage and articulation mitigates the presence of the garage.

35. Given the above a more effective and efficient rule would be*:*

Garages shall not protrude forward of the front line of the dwelling.

36. In my opinion a rule of the nature detailed above better relates the desired outcome to the potential adverse effect without overly restricting site layouts which become more constrained within a medium density context.

Summary Chapter 8 – MDR Chapter

37. For these reasons outlined in my evidence I recommend deleting the site specific rules relating Lot 110 DP 347413, the MDR zoning adjoining Aubrey Road, Wanaka.

38. I also recommend the rewording of policies 8.2.2.3 and Rule 8.5.8.1 (b) to simplify the provisions and better relate them to the intended urban design outcomes.

Chapter 9 – HDR Chapter

39. The PDP as notified provided a maximum height limit of 7m on sloping sites with the ability to go to 10m as a restricted discretionary activity.

40. Matters of discretion are identified as:

- *The extent to which the infringement provides for greater articulation of rooflines and visual interest.*
- *The extent to which the infringement adversely affects the amenity values of neighbouring properties, relative to a complying proposal, with particular reference to dominance impacts, views and outlook, and sunlight access to adjacent properties.*
- *The extent to which the infringement adversely affects the amenity of views and outlook from SH6A.*

41. In my view it is important to recognise that additional development capacity is likely to drive a decision to explore and potentially seek consent to take advantage of the additional height provided by these rules.

42. With this in mind 3m per storey is a commonly accepted rule of thumb for storey heights within a residential development. Therefore, a 7m height limit effectively provides for two storeys of development with a 10m height limit providing the potential to 'gain' an extra storey (3m per storey x 3 = 9m) via resource consent.

43. In my view it would be the incentive of gaining an additional storey that is likely to encourage a person to seek consent to take advantage of the additional height available.

44. Taking a 3m nominal height per floor this only leaves 1m available for potential roof articulation. In my view this provides very little flexibility to encourage articulation of the roof form beyond a sloping mono pitch that rises with the rolling height plane.

45. Given the additional storey potentially available via consent the ability to introduce greater articulation and variety in the roof form is considered more important as the overall bulk and mass of the building has increased, which is reflected within the matters of discretionary as identified in paragraph 40 above.

46. In addition, the particular nature of sloping sites which tends to be more visible from further away, for example Queenstown Hill means the roofs of development have a greater impact on the overall character and form of the neighbourhood and wider townscape.

47. Therefore to encourage greater articulation in the roof form additional height should be provided that specifically provides for this outcome to ensure the interrelationship between the number of stories, height and design is better provided for in the planning provisions.

48. In this respect is has become fairly common to see height limits with a specific provision for height as it relates to roof articulation to ensure flexibility and encourage greater diversity in the roof form of buildings. Plan Change 50 (PC50) is a recent Queenstown example where a combination of storeys, height and roof bonus have been adopted to promote a quality built form outcome and to better recognise the relationship between height and the overall building

form. PC 50 provided a roof bonus of 2m in addition to the specified height and storey limits for various areas.

49. In my opinion 1m for roof articulation provides very little flexibility and limits the diversity in roof forms on sloping sites. However, increasing this to 2m expressed as a 'bonus' to provide for and encourage flexibility and diversity in the roof forms of buildings in my view would encourage a better building and therefore urban form outcome. Given the alpine character that is often associated with Queenstown a 2m bonus would better provide opportunities for pitched roof forms.

50. Provided height limits are expressed to ensure it is clear there is a relationship between the overall height and roof articulation in my view the risk of the additional height being used to squeeze another floor of development in can be managed. In this regard I support the proposed amendments to the height rule as proposed in Mr Dent's evidence.

Summary Chapter 9 – HDR Chapter

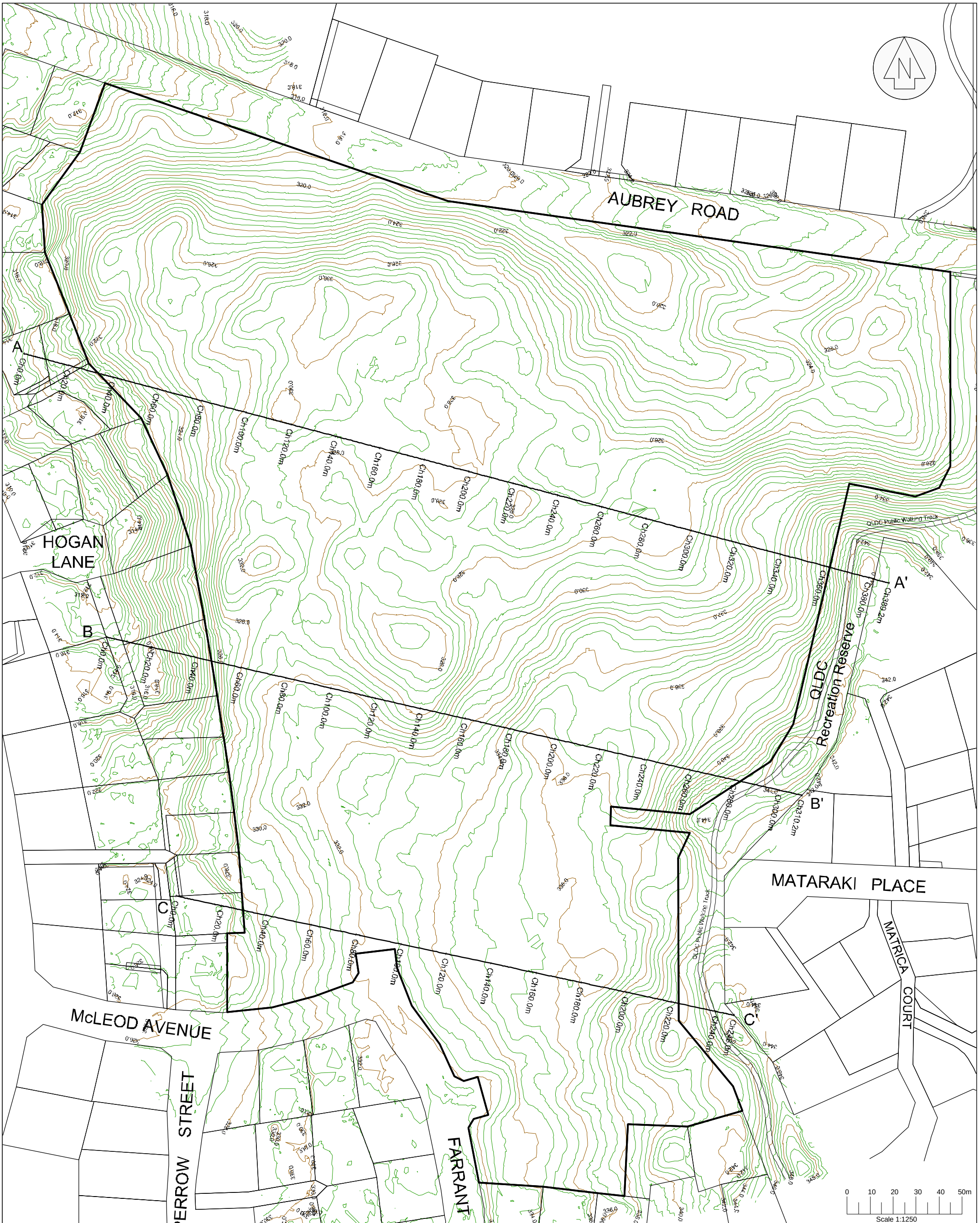
51. For these reasons outlined in my evidence I support changes to the height limits to better provide for roof articulation to ensure appropriate controls are in place to support a quality built form outcome and townscape.

52. In my opinion providing for 2m of height for roof articulation is an appropriate amount to encourage and provide flexibility for roof forms.

Tim Williams

30th September 2016

Attachment [A] – Topographic Survey Plans



Contour Interval: Major 2.0m
Minor 0.5m

REVISION	DESCRIPTION	DATE
A	ORIGINAL ISSUE	29/09/16

SOUTHERN LAND
SURVEYING | PLANNING | LAND DEVELOPMENT

THE HEIGHTS — WANAKA —

Existing Ground Surface

A Project by
UNIVERSAL DEVELOPMENTS

SCALE
1:1250 @ A3

DATUM & LEVEL
Lindis Peak 2000
LEVEL IN TERMS OF MSL
ORIGIN OIT 1 DP 447560 RL = 310.19

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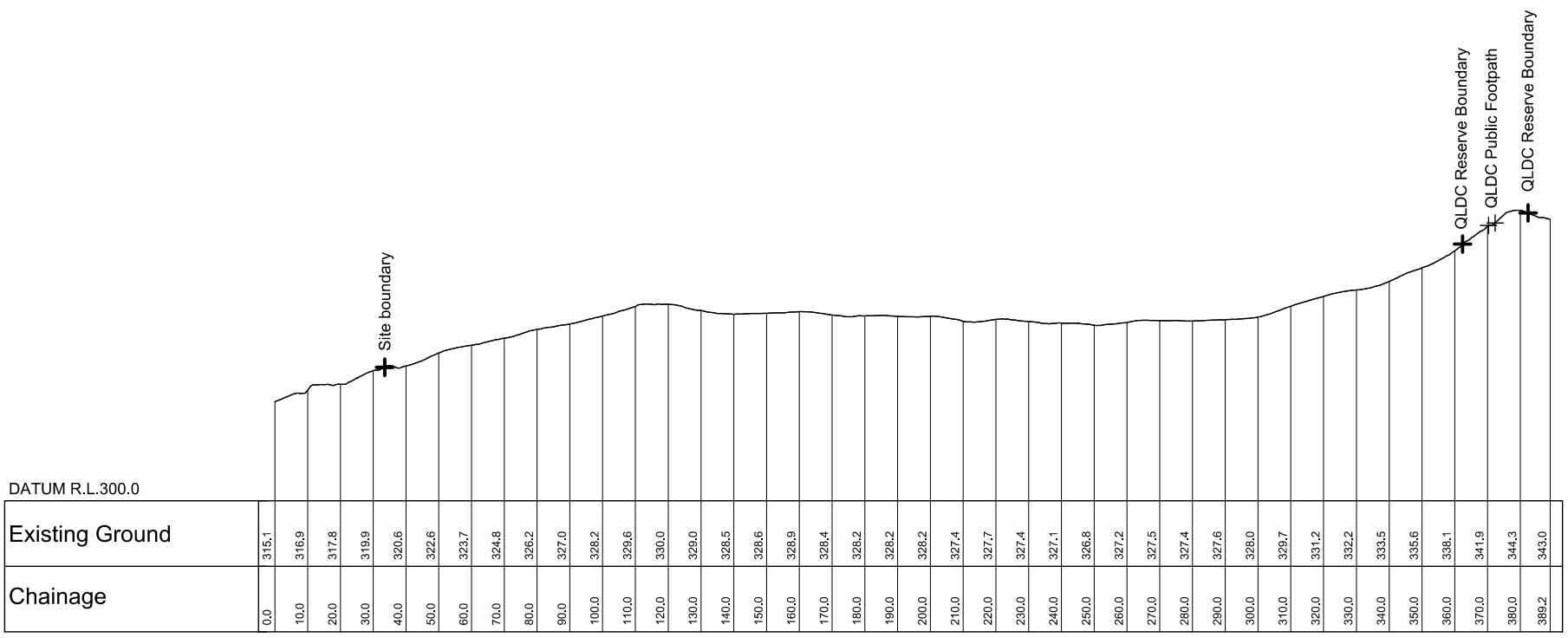
A DIVISION OF THE NEW ZEALAND INSTITUTE OF SURVEYORS

SURVEYED	DATE	CHECKED	DATE
X.X.	XX/XX/XX	LW	29/09/16
DRAWN	DATE	APPROVED	DATE
LW	29/09/16	LW	29/09/16

DRAWING REFERENCE
S4240_E3

REVISION
A



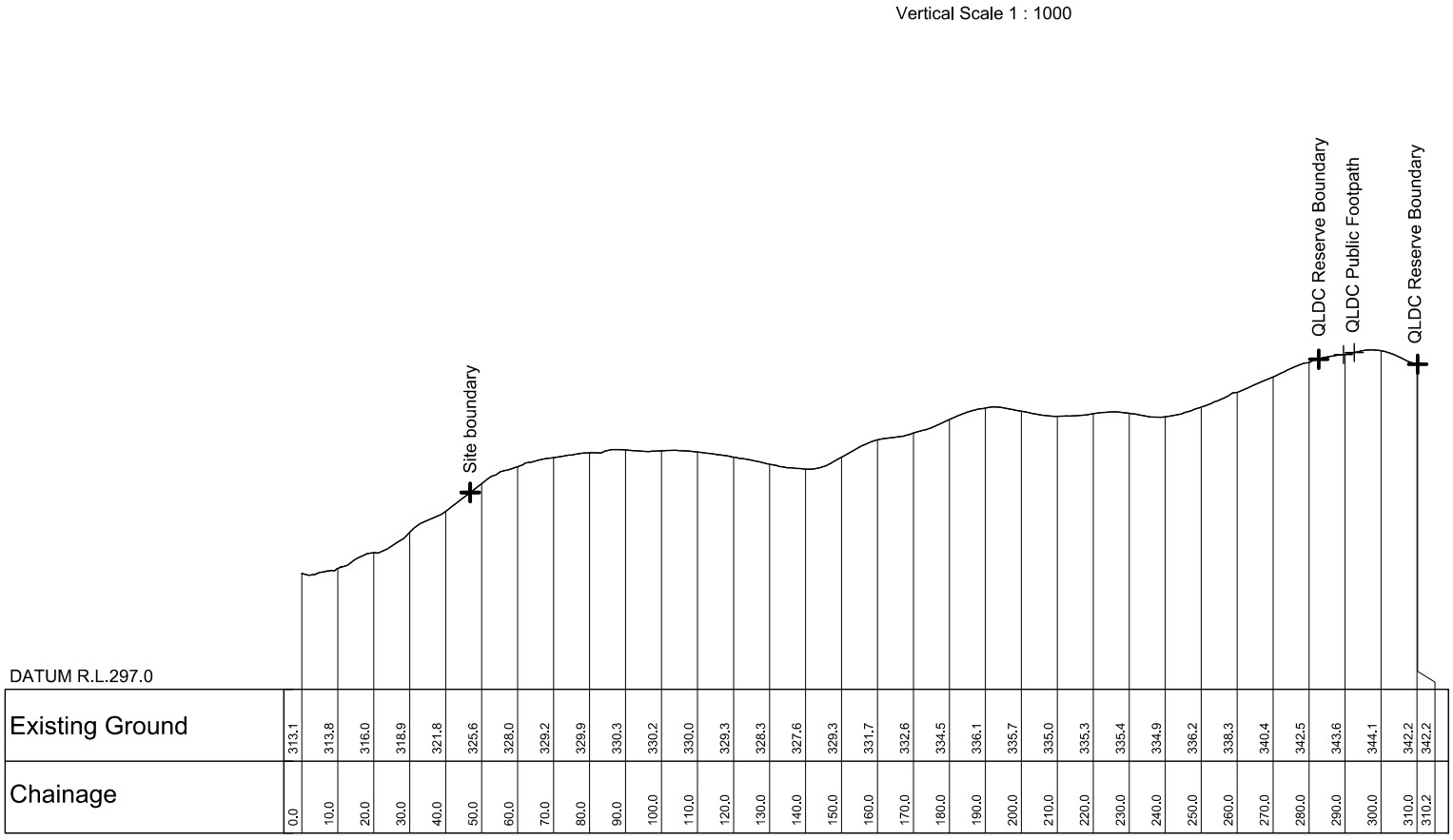
DATUM R.L.300.0

Chainage	Existing Ground
0.0	315.1
10.0	316.9
20.0	317.8
30.0	319.9
40.0	320.6
50.0	322.6
60.0	323.7
70.0	324.8
80.0	326.2
90.0	327.0
100.0	328.2
110.0	329.6
120.0	330.0
130.0	329.0
140.0	328.5
150.0	328.6
160.0	328.9
170.0	328.4
180.0	328.2
190.0	328.2
200.0	328.2
210.0	327.4
220.0	327.7
230.0	327.4
240.0	327.1
250.0	326.8
260.0	327.2
270.0	327.5
280.0	327.4
290.0	327.6
300.0	328.0
310.0	329.7
320.0	331.2
330.0	332.2
340.0	333.5
350.0	335.6
360.0	338.1
370.0	341.9
380.0	344.3
389.2	343.0

LONGITUDINAL SECTION A - A'

Horizontal Scale 1 : 2000

Vertical Scale 1 : 1000



DATUM R.L.297.0

Chainage	Existing Ground
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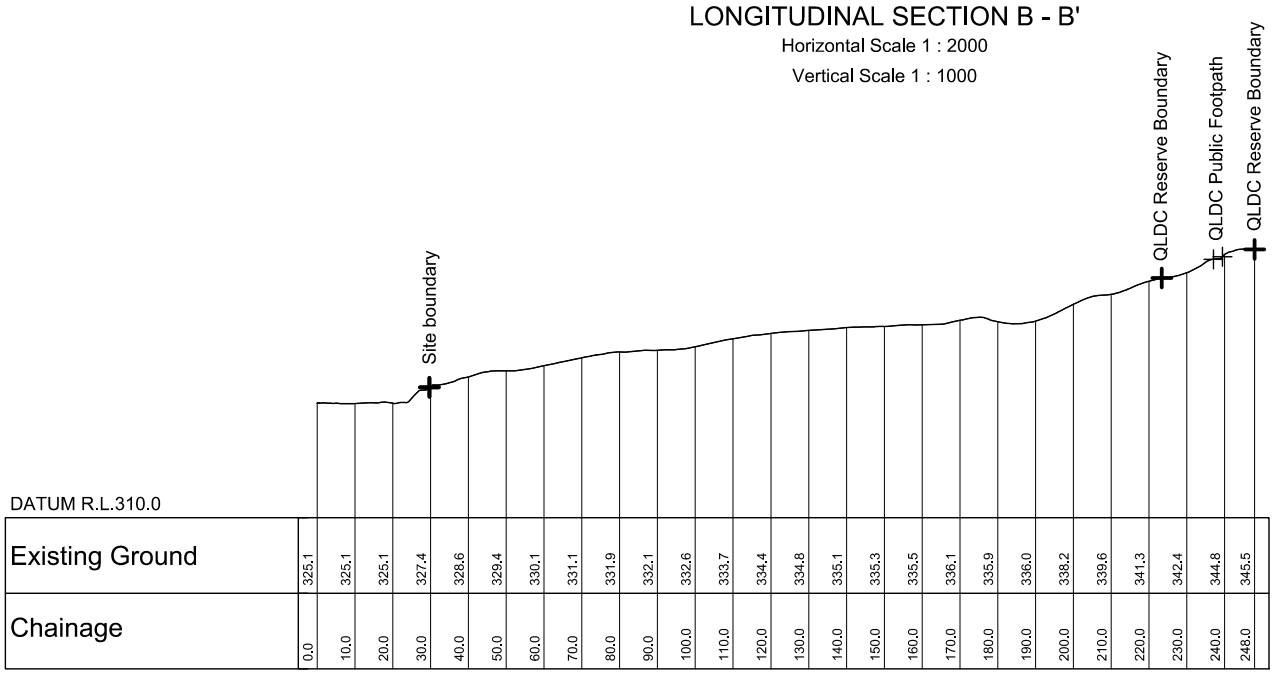
10.0	313.8
20.0	316.0
30.0	318.9
40.0	321.8
50.0	325.6
60.0	328.0
70.0	329.2
80.0	329.9
90.0	330.3
100.0	330.2
110.0	330.0
120.0	329.3
130.0	328.3
140.0	327.6
150.0	329.3
160.0	331.7
170.0	332.6
180.0	334.5
190.0	336.1
200.0	335.7
210.0	335.0
220.0	335.3
230.0	335.4
240.0	334.9
250.0	336.2
260.0	338.3
270.0	340.4
280.0	342.5
290.0	343.6
300.0	344.1
310.0	342.2
310.2	342.2

LONGITUDINAL SECTION B - B'

Horizontal Scale 1 : 2000

Vertical Scale 1 : 1000



DATUM R.L.310.0

Chainage	Existing Ground
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10.0	325.1
20.0	325.1
30.0	327.4
40.0	328.6
50.0	329.4
60.0	330.1
70.0	331.1
80.0	331.9
90.0	332.1
100.0	332.6
110.0	333.7
120.0	334.4
130.0	334.8
140.0	335.1
150.0	335.3
160.0	335.5
170.0	336.1
180.0	335.9
190.0	336.0
200.0	338.2
210.0	339.6
220.0	341.3
230.0	342.4
240.0	344.8
248.0	345.5

LONGITUDINAL SECTION C - C'

Horizontal Scale 1 : 2000

Vertical Scale 1 : 1000

REVISION	DESCRIPTION	DATE
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SOUTHERN LAND
SURVEYING | PLANNING | LAND DEVELOPMENT

THE HEIGHTS
WANAKA

Existing Ground Levels Long-sections

A Project By:
UNIVERSAL DEVELOPMENTS

SCALE: As Shown @ @ A3

DATUM & LEVEL: Lindis Peak 2000
LEVEL IN TERMS OF MSL
ORIGIN OIT 1 DP 447560 RL = 310.19

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REVISION: A