

**BEFORE THE INDEPENDENT HEARING PANEL APPOINTED BY THE
QUEENSTOWN LAKES DISTRICT COUNCIL**

UNDER the Resource Management Act 1991 (RMA)
IN THE MATTER of the Te Pūtahi Ladies Mile Plan Variation in accordance
with section 80B and 80C, and Part 5 of Schedule 1 of the
Resource Management Act 1991.

**STATEMENT OF REBUTTAL EVIDENCE OF ROBIN ALEXANDER KEITH
MILLER
10 November 2023**

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Introduction

- 1 My full name is Robin Alexander Keith Miller. I am the Director of Origin Consultants Ltd; an Arrowtown and Dunedin-based practice specialising in heritage architecture, heritage conservation, building surveying, and archaeology.
- 2 I prepared a statement of evidence on behalf of Queenstown Lakes District Council (**QLDC** or **Council**) dated 29 September 2023 on the submissions and further submissions to the Te Pūtahī Ladies Mile Plan Variation (**TPLM Variation**). My evidence considered the Origin Consultants Ltd report titled 'Ladies Mile Master Plan: Heritage and Archaeological Values Assessment' (**Origin Assessment**), heritage and archaeology matters identified in the Origin Assessment and whether these had been addressed in the proposed TPLM Variation provisions, and submissions on the TPLM Variation that related to heritage and archaeology.
- 3 I have the qualifications and experience as set out at paragraphs 7 to 9 of my statement of evidence dated 29 September 2023 (**SOE**).
- 4 I repeat the confirmation given in my evidence that I have read the Code of Conduct for Expert Witnesses contained in the Environment Court Practice Note 2023, and that my evidence has been prepared in compliance with that Code.

Scope of rebuttal evidence

- 5 In preparing this rebuttal statement, I have read and considered the evidence filed on behalf of submitters as that evidence relates to my evidence.
- 6 In this evidence I respond to the following statements of evidence, insofar as they relate to heritage matters:
 - (a) Statement of Evidence of Dave Compton-Moen on behalf of Glenpanel Development Ltd (73) dated 25 October 2023;
 - (b) Statement of Evidence of Tony Milne on behalf of Glenpanel Development Ltd (73) dated 25 October 2023;
 - (c) Statement of Evidence of Werner Murray on behalf of Glenpanel Development Ltd (73) dated 25 October 2023; and

(d) Statement of Evidence of Nick Geddes on behalf of submitter 55 and further submitters 143 – 147, 149 and 150 dated 20 October 2023.

7 The following key areas have been identified in these statements of evidence that address heritage matters.

Building height limits and setback in the Glenpanel Precinct

8 Increasing building height limits within the Glenpanel Precinct from 8m to 17m is addressed in briefs of evidence on behalf of Glenpanel Development Limited by Mr Milne at paragraph 23, Mr Compton-Moen at paragraphs 27 and 29, and Mr Murray at paragraph 19. Mr Milne and Mr Compton-Moen assert that increased building height would improve the transition between the Glenpanel Precinct and High Density Residential (**HDR**) Precinct.

9 In my view, from the perspective of protecting the immediate setting around the Homestead, there needs to be some integration of building heights in the area of the boundary of the Glenpanel Precinct and adjacent HDR Precinct and Medium Density Residential (**MDR**) Precincts. I agree with Mr Milne and Mr Compton-Moen that this interface could be improved by adjusting building heights. I note that some areas of the Glenpanel Precinct, particularly those bordering the HDR Precinct, may have capacity for additional building height. However, I maintain the position outlined in paragraph 37 of my SOE that:

- (a) the building height limit should not be increased throughout the Glenpanel Precinct as a blanket approach, as this could affect the setting or contextual values of the Glenpanel Homestead; and
- (b) increased building height would be best dealt with under the existing TPLM Variation provisions, which allow for increased building height as a discretionary activity. This approach better enables effects on the Glenpanel Homestead to be considered.

10 I agree with Mr Milne's assessment at paragraph 24 of his evidence that the immediate setting of the Glenpanel Homestead will be most sensitive to any increase in building height. In my view, the immediate setting of the Glenpanel Homestead would not have capacity to cope with 17m high buildings. While Figure Six at paragraph 73 of Mr Milne's evidence

shows a model depicting 17m building heights within the Glenpanel Precinct, I note that this represents a birds-eye view looking slightly down into the precinct. The actual view of the Glenpanel Precinct as seen by people in the surrounding streets or buildings will be quite different to this and will, in my view, make the Glenpanel Precinct feel much more constricted – to the detriment of its heritage values.

- 11 I disagree with Mr Milne's assertions in his evidence that:
- (a) At paragraph 24: *"the TPLM Variation provisions... will ensure the increased development height can be absorbed into the Glenpanel Precinct without adversely affecting the historic values of the Homestead"*; and
 - (b) At paragraph 74: *"In my opinion, it is not only the height of potential development but more so the proximity of the proposed development to the homestead that would have greater impact on the heritage values associated with the homestead and its setting. In summary I believe that the Glenpanel Precinct can absorb an increase of maximum building height from 8m to 17m without visually adversely effecting the historic homestead..."*.
- 12 The height, proximity, and design of new development near the Glenpanel Homestead are all important factors that contribute to potential effects on the heritage values of the Homestead. As currently drafted, the TPLM Variation does not control proximity or design of new development in the Glenpanel Precinct and the effect on the heritage values of the Glenpanel Homestead is not an assessment matter (if standards for the Glenpanel Precinct are breached).
- 13 I note that Mr Milne at paragraph 24 and Mr Compton-Moen at paragraph 27 of their evidence propose the introduction of a building setback from the Glenpanel Homestead. Setbacks from the Homestead were not suggested as part of the TPLM Variation and, as such, this was not something I had considered in my SOE. However, I agree that a buffer around the Homestead would assist in mitigating the potential adverse effects of new development on the Glenpanel Homestead by introducing spatial separation between the Homestead and surrounding development. I support the suggestion for a minimum building setback as outlined by Mr Milne at paragraph 74(b) of his evidence of 100m to the west and 80m to the east of the Glenpanel Homestead.

Introduction of a concept plan for the Glenpanel Precinct

- 14 In my SOE at paragraph 32(b), I recommended that a Glenpanel Precinct plan and/or design controls are implemented to ensure development reflects and maintains the heritage values of the Glenpanel Homestead.
- 15 In their briefs of evidence, Mr Milne at paragraph 74 and Mr Compton-Moen at paragraph 24 refer to a “Homestead Precinct Landscape Concept” produced as part of the Flint’s Park Development. The suggested concept goes some way to providing a plan for the Glenpanel Precinct that acknowledges its heritage values and current setting, and the extent of the development proposed in this concept is what I would expect to see within the vicinity of the historic Glenpanel Homestead. I consider that any plan for the Precinct should also address the built form and materials of new development.

Existing vegetation within the Glenpanel Precinct

- 16 Mr Milne and I appear to be in agreement in terms of the importance of the mature vegetation in maintaining the sense of place of the Glenpanel Homestead (as stated at paragraph 70 of Mr Milne’s evidence and in my SOE at paragraph 39). I defer to Mr Milne’s expertise in terms of the appropriate identification, management, and protection of existing vegetation.

Introducing additional assessment matters to the TPLM Variation

- 17 Mr Milne at paragraph 74(d) of his evidence, recommends that further to policy 49.2.7.9, the TPLM Variation would benefit from additional consideration of the effects of any proposed development on the Glenpanel Homestead, with respect to visual cohesion and effects on historic values.
- 18 Mr Murray at paragraph 21 of his evidence, recommends adding the Homestead building and heritage matters to the matters of discretion at 49.5.41.4 (that apply if building height standards in the Glenpanel Precinct are breached).
- 19 I support these recommendations for the reasons stated in my SOE at paragraphs 30 and 32(b).

The effect of the Anna Hutchinson Family Trust (submitter 107) extension on heritage values

- 20 Nick Geddes has given evidence in support of submitters who oppose the western extension of the TPLM Variation area, sought by the Anna Hutchinson Family Trust (**AHFT**).
- 21 At paragraph 78 of his evidence, Nick Geddes acknowledges that the Ferry Hotel is a Category 2 heritage item listed in the QLDC Proposed District Plan (**PDP**) adjacent to the AHFT's proposed western extension area, and that AHFT has not provided a heritage assessment in support of its submission.
- 22 I agree that the proposed western extension could have adverse effects on the Ferry Hotel, as well as the Old Shotover Bridge (listed as a Category 3 heritage item in the PDP) and I consider that a heritage assessment would be essential in order to inform any potential effects.

Conclusion

- 23 I consider that the introduction of a Glenpanel Precinct Plan (to include 100m and 80m building setbacks as in paragraph 13 above), the recognition of the importance of mature vegetation within the Precinct, and the introduction of additional heritage assessment matters into the TPLM are all positive methods that will assist in the protection of the heritage values of Glenpanel Homestead.
- 24 However, in the interest of heritage values, I do not support the proposal for a blanket increase in building heights to 17m within the Precinct and believe that any proposed increased building heights up to 17m would be best dealt with under the existing TPLM Variation provisions, which allow for breaches of maximum building height as a discretionary activity.

Robin Alexander Keith Miller

10 November 2023