

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

IN THE MATTER of the Resource
Management Act
1991

AND

IN THE MATTER of Stage 3 of the
Proposed District
Plan

**STATEMENT OF EVIDENCE OF DAVID COMPTON-MOEN
ON BEHALF OF QUEENSTOWN LAKES DISTRICT COUNCIL**

DESIGN GUIDES FOR BUSINESS MIXED USE AND RESIDENTIAL ZONES

18 March 2020

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1. INTRODUCTION

Qualifications and Experience

1.1 My full name is David John Compton-Moen. I hold the position of Urban Designer/Registered Landscape Architect at DCM Urban Design Limited (DCM Urban) where I am the Director. I started DCM Urban in August 2016 where we focus on urban development and assessment work. Our office is based in Christchurch, but we work throughout New Zealand on urban design and landscape projects.

1.2 I hold the qualifications of a Bachelor of Landscape Architecture (hons) and a Bachelor of Resource Studies (Planning) from Lincoln University. I am currently studying a Masters of Urban Design from the University of Auckland. I am a Full Member of the New Zealand Planning Institute and a member of the Urban Design Forum and I have been a Registered Landscape Architect of the New Zealand Institute of Landscape Architects since 2001.

1.3 I have worked in the urban design, landscape architecture and planning fields for approximately 20 years, here in New Zealand and in Hong Kong. During this time, I have worked for both private consultancies and local authorities, providing expert evidence for urban design, landscape and visual impact assessments on a wide range of major development and infrastructure proposals, including the following relevant projects:

- (a) 2015-19 – I worked with the Hutt City Council providing urban design evidence for Plan Change 43. The Plan Change proposed two new zones including a Suburban Mixed-use and Medium Density Residential as well as providing the ability for Comprehensive Residential Developments on lots larger than 2,000m². Initially the work included developing and testing possible development scenarios that would allow for the intensification of existing residential areas. The project involved a city-wide study to identify and analyse city

suburbs where intensification could occur and then to propose areas to be developed. A Medium Density Design Guide was prepared to support the proposed objectives and policies with the view that the design guide would become part of the Hutt City district plan. The Plan Change was approved recently by an Independent Hearings Panel and adopted by Hutt City Council in November 2019.

- (b) 2016-19 – I prepared evidence for the Queenstown Lakes District Council (**QLDC** or **Council**) investigating the proposed rules for development at Jacks Point (Jacks Point and Henley Downs, Queenstown Lakes District Proposed District Plan (**PDP**) Stage 1 and 2). My evidence focused on proposed density rules, changes to height, set back requirements and site coverage. Graphic examples were prepared to test various design scenarios and then to support the proposed threshold for Medium Density Residential development using a Comprehensive Development Plan process for Restricted Discretionary Activities. More recently I worked with staff to investigate proposed changes to recession planes rules to determine potential effects.

- (c) 2017-18 – I worked with Council staff to prepare a high-level indicative master plan showing residential development opportunities on the Ladies Mile. The indicative master plan was prepared to ensure an integrated urban development of the Ladies Mile as a possible Special Housing Area (**SHA**) under the Housing Accords and Special Housing Areas Act 2013. The plan was accepted by Council and incorporated into the Council's SHA Lead Policy. It promotes a mix of densities and housing typologies while providing large areas of open space and recognising the unique landscape values of the receiving environment.

- (d) 2018 – I provided urban design, landscape and visual amenity evidence for the Council on an application on Industrial land in Frankton Flats. The proposal was for a large warehouse type building with visitor parking immediately adjacent to SH6, commercial signage including the use of corporate colours and a large planted landscape bund.

- (e) 2019-2020 - I have provided urban design input and advice for Mt Iron Junction Ltd which is a mixed-use development on the edge of Wanaka/Albert Town.

2. CODE OF CONDUCT

- 2.1 Although this is a Council hearing, I have read the Code of Conduct for Expert Witnesses in the Environment Court Practice Note 2014 and agree to comply with it. This evidence is within my area of expertise, except where I state that I am relying on material produced by another person. I have not omitted to consider material facts known to me that might alter or detract from the opinions expressed in my evidence.

3. SCOPE OF EVIDENCE

- 3.1 I have been asked by the Council to provide urban design evidence in relation to key themes of relief raised in submissions on the notified Residential (High, Medium and Lower Density Zones) (**Residential Design Guide** and Business Mixed Use Zone (**BMUZ Design Guide**)) (together the **Design Guides**). The themes that I provide analysis and commentary on include:
 - (a) Amendments to Design Guides – S42A Annotated Version

 - (b) The Purpose of the Design Statement (Residential Design Guide);

- (c) Business Mixed Use – Limiting Application of the guide to certain activities; Other Commercial Activities; Positive Street Edge and Accessibility;
- (d) Both Design Guides – Suggested Plant Species;
- (e) Residential – Heritage Matters and Special Character areas
- (f) Residential – Sloping Sites

4. EXECUTIVE SUMMARY

- 4.1** Both Design Guides, have been updated to reflect my evidence as well as address some typos, update some photos and cross-referencing with relevant policies. I support the changes made. Updated versions are attached to Mr Blair's s42A report.
- 4.2** Overall, I consider the Design Guides are an appropriate tool to assist with development in Queenstown Lakes District without being overly prescriptive or simply duplicating the standards and rules with are outlined in the PDP chapters.

5. BACKGROUND AND PURPOSE OF DESIGN GUIDES

- 5.1** I started working with Council staff and Vivian+Espie Ltd to prepare both Design Guides in late 2018. The Residential Design Guide covers High, Medium and the Lower Density Suburban Residential zone.
- 5.2** The Design Guides are designed to assist developers in finding possible design solutions to achieve a positive design outcome.
- 5.3** I am the principal author of both Design Guides along with Erin Quin and Mr Blair Devlin of Vivian+Espie Ltd.

5.4 Mr Devlin has prepared the section 42A report on submissions on the Design Guides and I have been engaged by Council to provide evidence on certain matters raised in submissions.

6. AMENDMENTS TO DESIGN GUIDES – S42A ANNOTATED VERSION

6.1 In response to submissions, I support the proposed changes to clarify the wording and status of the Design Guides as set out in Mr Blair's s42A. The following changes have therefore has been added/amended to page 4 in the version attached to Mr Blair's s42A.

Submitters FII Holdings Limited (**3267**) and Wayfare Group Limited (**3343**)

6.2 The following text has been **deleted** (3267.5, 3343.4): *This design guide can be applied to both permitted and activities for resource consent that may breach district plan rules.* I understand the advice of Mr Devlin is that as permitted activities do not require consent, it is problematic to suggest that the BMUZ Design Guide would be applied. In any event, all new buildings in the BMUZ require consent so they BMUZ Design Guide will be relevant in most instances. The Residential zones are somewhat different, in that many developments will occur within the 'bulk and location' controls without the need for resource consent.

Submitters Nicholas Cashmore (**3203**) and Marama Hill Limited (**3280**)

6.3 The following text has been **deleted** (3203.1, 3280.1): To this end the Council will use this guide under section 104(1)(c) of the Resource Management Act to help it assess and make decisions on resource consent applications. I understand the correct section of the RMA is s104(1)(b)(vi) and have no concerns with this text being removed.

6.4 The following paragraph has been **added** (3215.1) to the BMUZ Design Guide only: The Design Guide has been incorporated by reference into the District Plan. It provides examples of how to achieve good design and outlines the key design elements to bear in mind when designing a development. The assessment of proposals against the Design Guide are not intended to be assessed in terms of compliance rather whether a proposal has addressed the good design elements promoted by the Design Guide. It is acknowledged that there may be suitable alternatives to the examples provided within the Design Guide based upon site specific characteristics and other factors that guide development. I am comfortable that the additional text helps clarify the Purpose of the BMUZ Design Guidelines.

7. THE PURPOSE OF THE DESIGN STATEMENT (RESIDENTIAL DESIGN GUIDE)

7.1 In response to submission points 3280.3 and 3282.3, who seek the deletion of the Design Statement from the Residential Design Guide, the purpose of the design statement in the Residential Design Guide (page 5) is to assist applicants for resource consent, in explaining their design rationale for certain design decisions. Often for projects there is a degree of compromise between competing uses for space. Without a supporting statement, processing staff are forced to make assumptions as to why one design element has taken priority over another.

7.2 The development of a design statement, almost like a checklist, highlights to the processing planner at Council, the design process that has been undertaken by an applicant. It also provides applicants with the opportunity to demonstrate why certain Design Elements (contained in the Design Guides) were not able to be addressed for a particular project.

8. BMUZ DESIGN GUIDE

Limiting application of the Guide to Certain Activities

8.1 In response to submission by FII Holdings Ltd 3267.1 and 3267.3, who seek greater recognition of the full range of activities anticipated in the BMUZ, the intention of the BMUZ Design Guide is to promote good urban form and design independent of the activities which may be undertaken in a building. Flexibility of building use is a key component of the guide. There are some exceptions but largely the BMZU design guide is focused on the spatial arrangement of built elements and the building envelope as opposed to activities. The design guide recognises that there will be some functional requirements for certain activities within the zone which may find it difficult to achieve a desired built outcome but I consider it important that the design process starts for any activity with creating a built form which has a strong built relationship to the street. I do not consider it necessary to limit the design guide to only residential and mixed-use activities within the BMUZ.

Other commercial activities

8.2 In response to submission by The Oil Companies, (**3383**), who seek to limit the scope of the BMU Design Guide to only mixed and/or intensive residential development activities, it is acknowledged that the potential activities that can occur in the BMUZ are broad. Some commercial activities may have functional requirements which make it difficult to meet the principles of the BMUZ Design Guide, but the design guide provides sufficient direction on the aspects which should be achieved.

8.3 The option of including a separate page for “Other commercial activities” was investigated, but it was decided to avoid addressing specific activities and to focus on achieving a good built outcome. This is due to the guide being focused on achieving good built form outcomes as opposed to focusing on the activities being ‘housed’. Mr Devlin has advised me that

Service stations activities are a non-complying activity in the zone and not anticipated. The extra text added to the 'Purpose of the Guide' (as explained in paragraph 6.4 above) may address the concern of The Oil Companies because it includes the sentence "*It is acknowledged that there may be suitable alternatives to the examples provided within the Design Guide based upon site specific characteristics and other factors that guide development.*" If a major re-development of an existing service station were to be undertaken this sentence would address this concern.

Positive street edge

- 8.4** On page 10 of the BMUZ Design Guide (Create a Positive Street Edge and a Sense of Place), particular mention is given to the placement of residential units on the ground floor (Ngai Tahu Property submission 3215:2). To provide greater flexibility of use the following text has been deleted (*'for quieter streets provided the majority of street frontage is for business/commercial use'*). This change allows greater freedom for the placement of residential activities, recognising there is often limited appetite for the amount of retail, office or commercial space required but also recognising the importance of creating a strong built edge to the street. The design guide anticipates that designers will address concerns over 'safety and privacy' in their designs for residential activities if fronting a street and having a positive relationship with street. I agree with the change recommended by Mr Blair.

Accessibility

- 8.5** In response to the Ngai Tahu Property submission 3215.3, which seeks to remove the specific width dimension for a pedestrian path I agree that the following text should be amended on page 18 – Accessibility: Provide for pedestrian routes to ~~be at least 4.8m or greater~~ of suitable width to cater for pedestrian and universal access commensurate to the anticipated usage of the route to avoid crowding on footpaths.

8.6 I support this less prescriptive approach given these are design guidelines and having a specific width requirements or dimensions are addressed by either relevant NZ Standards or Building Code requirements.

9. BOTH DESIGN GUIDES – SUGGESTED PLANT SPECIES

9.1 In response to Queenstown Airport Corporation's (QAC) submission (3316), which seeks to remove 4 species from the suggested plant list due to concerns over the species attracting birds, I have no particular ornithological expertise with regard to whether Lemonwood, Ornamental Pear, Copper Beech and Marble Leaf attract birds. To avoid any risk to aviation, Mr Devlin has recommended in his section 42A report that these species be removed from the species list on page 27 of the BMUZ Design Guide and replaced with:

- (a) Quercus palustris, Pin Oak
- (b) Liquidambar styraciflua, Sweet gum
- (c) Fuscospora cliffortioides, Mountain Beech
- (d) Podocarpus cunninghamii, Mountain Totara

9.2 I am aware these species are already apparent on the Frankton Flats and that they do not produce fruit or berries that would be a direct attractor to birds, however QAC may be able to provide further information on whether these replacement species are suitable. I also note that these plants can be planted as of right by business or homeowners with no restriction.

9.3 In response to Ms Gillian Macleod submission (3016), the suitability of species to a particular site, this is determined by individual developers and the list is simply a guide to assist rather than being more prescriptive. The species listed are common within the Queenstown Lakes District and suited to local climatic conditions.

10. RESIDENTIAL DESIGN GUIDE

Heritage matters and Special Character Areas

10.1 In response to submission Friends of Wakatipu Gardens and Reserves and Associated Residents (3241.1-7), which seek the inclusion of Special Character Areas, in particular a suggested Park Street Character Area, regarding heritage matters and character, the design guide has followed the objectives and policies of the PDP where there are currently no Special Character Areas. The intention of the design guide is to encourage good design principles independent of where a development is located while allowing for higher levels of intensification.

10.2 The zones the Residential Design Guide relates to cover the whole district (where zoned one of the three residential zones) and is therefore general in its approach. It is not intended for specific sites, streets or even neighbourhoods to be identified in the document as this would reduce its clarity and simplicity.

Sloping Sites

10.1 Submitter Ms Gillian Macleod (**3016**) seeks the addition of more information regarding building on complex and very steep sites, and the inclusion of more Queenstown images.

10.2 With regard to development on sloping sites the Residential Design Guide provides 'key design criteria' which should be addressed, i.e. the positioning of entrances, carparking and landscaping. These criteria are the same whether the site is flat or sloped. The PDP provisions are only varied in Stage 3 in relation to recession planes (which do not apply on sloping sites except for accessory buildings) and maximum height (which is generally 1m less than for flat sites). Photos of the Bullendale development in Arthurs Point have been included in the design guide which are located on a sloped site on page 8. A diagram has also been added on page 17 to highlight that recession planes do not occur on sloping sites except in relation to

accessory buildings. Photos have also been changed on pages 14 and 16 to highlight residential developments in Queenstown.

A handwritten signature in black ink, appearing to read 'D. Compton-Moen', with a long horizontal flourish extending to the right.

David John Compton-Moen

18 March 2020