

**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.

**REPLY TO QUESTIONS ASKED OF MICHAEL LOWE
24 November 2023**

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Introduction

- 1 My full name is Michael Lowe. I am an Urbanist at Studio Pacific Architecture (**Studio Pacific**).
- 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 Pūtahi Ladies Mile Plan Variation (**TPLM Variation**). I also provided rebuttal evidence dated 10 November 2023.

Response to Questions

- 3 My response to the questions filed by Corona Trust are set out in **Attachment A**.

Michael Lowe

24 November 2023

Attachment A: Response to questions on behalf of the Corona Trust

Response to questions on behalf of Corona Trust	
Question	Response
<p>Please explain how limiting the lot width in Sub Area H2 to a minimum of “20-25m” will “help reduce the potential overlooking on the Corona Trust land”? [ref: paragraph 58 (c) of rebuttal].</p>	<p>The minimum lot width was intended to prevent clustering of narrowly spaced housing fronting the H2 boundary which could result in several buildings being focused at an undesirable location or view point overlooking the submitters land. It also would limit the number of lots that could front the boundary.</p>
<p>Given there are only four building sites consented on this terrace, have you calculated the number of allotments that would result from your suggested minimum lot width rule and compared that number against the four building sites to ascertain whether your suggestion is appropriate given your recommendation at your paragraph [64] that “the provisions controlling the built form outcomes on the H2 sub-area condition adjoining Corona Trust should be amended to be generally in keeping with the existing Koko Ridge Consent”?</p>	<p>The below diagrams overlay the submitters subdivision consent alongside the existing Koko Ridge subdivision consent. I have used this to illustrate two possible outcomes along the H2 boundary.</p> <p>Scenario A: Using a 25m minimum wide lot rule (upper range of my proposed rule)</p> <p>Scenario B: Using the Koko Ridge Consent which allows buildings up to 4m from a side boundary (due to a minimum side yard setback).</p> <p>Note there is a 15m building restriction area against SH6 (shown in the Resource Consent) on H2’s land which limits the development extent on the Western end.</p> <p>Depending on the minimum lot size (20m or 25m). My study suggests the number of dwellings along the H2 boundary adjoining the submitters land could be:</p> <p>Using a 20m minimum lot size =</p> <ul style="list-style-type: none"> - Approximately 10 dwellings along the Sub-Area H2 boundary <u>VS</u> 5 dwellings as per the Koko Ridge Limited subdivision consent - This equates to approximately 4-6 dwellings fronting each of the submitter’s subdivided lots.

Using a 25m minimum lot size =

- Approximately 8 dwellings along the Sub-Area H2 boundary VS 5 dwellings as per the Koko Ridge Limited subdivision consent
- This equates to approximately 3-5 dwellings fronting each of the submitters subdivided lots.

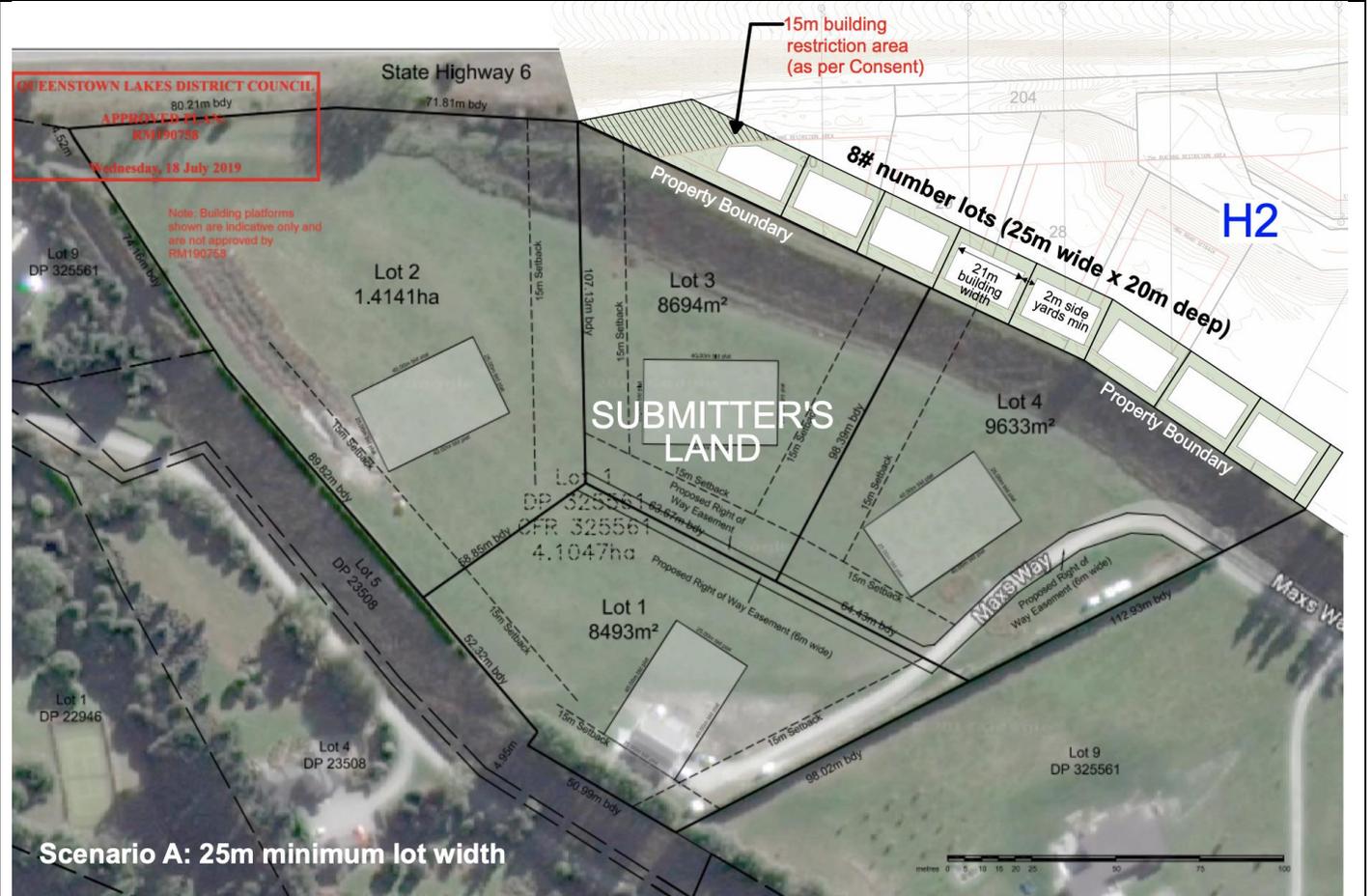
Difference in total building length along the boundary.

The following diagrams illustrate two scenarios:

Scenario A: Using 25m minimum lot sizes. The building length is restricted by the lot width less the side yard rule 49.5.6.3 (a minimum of 2m) which enables a maximum 21m long building. With eight new lots this would equate up to 168m of built form along the boundary.

Scenario B: Using the existing Koko Ridge Ltd consent drawings. This enables the total built form against the boundary to be about 156m long. This assumes buildings will occupy the full width of their lots (less the 4m side yard setbacks shown on the Consent) along lots 30, 29, 28, 26, and 24 (in part).

The differences being Scenario A enables approximately 7.9% longer total building length than Scenario B.



<p>In light of your answer above, do you agree that a building setback coupled with the height limit of 5.5m would be the best method to reduce the potential for overlooking and is a key issue for the Panel's consideration?</p>	<p>Note: This does not need to be answered as per Panel's direction.</p>																				
<p>Please clarify what rule(s) prevent the southern boundary of Sub Area H2 from being demarcated by a 2m high fence for each residential property, each of differing colours and materials? Is this an appropriate landscape outcome along the terrace edge? Do you consider that there is merit in having a landscape buffer within the setback within Sub Area H2 along the southern boundary?</p>	<p>I note, there seems to be a fencing control already in place as part of Koko Ridge's covenant below. But I'm unsure if this applies to the boundary to Corona trusts land.</p> <div style="text-align: center;"> <h3>View Instrument Details</h3> <table border="0"> <tr> <td></td> <td>Instrument No</td> <td>12465005.18</td> <td></td> </tr> <tr> <td></td> <td>Status</td> <td>Registered</td> <td></td> </tr> <tr> <td></td> <td>Date & Time Lodged</td> <td>10 July 2023 13:19</td> <td></td> </tr> <tr> <td></td> <td>Lodged By</td> <td>Buckley, Rachel Olivia Anne</td> <td></td> </tr> <tr> <td></td> <td>Instrument Type</td> <td>Land Covenant under s116(1)(a) or (b) Land Transfer Act 2017</td> <td></td> </tr> </table> <p><i>8.1 The Covenantor covenants and agrees with the Covenantee that it shall</i></p> <p><i>(a) not construct any fencing on or within the boundaries of a Lot exceeding a height of 1.8metres above Ground Level. The covenanter and Covenantee agree that non-transparent fencing is discouraged and boundaries delineated by hedges vegetation and other plantings are encouraged, provided they comply with the provisions of clause 8.1(d);</i></p> </div>		Instrument No	12465005.18			Status	Registered			Date & Time Lodged	10 July 2023 13:19			Lodged By	Buckley, Rachel Olivia Anne			Instrument Type	Land Covenant under s116(1)(a) or (b) Land Transfer Act 2017	
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	<p>I agree with the submitter that landscaping along the boundary would give some vegetative screening to development on H2. However, my view is it would be more practical for the submitter to plant the buffer on their land as they will have full control over the design and maintenance. As opposed to managing a maintenance agreement with up to 8 neighbouring individual landowners. Note, if desired, Corona Trust and Koko Ridge could agree to a boundary fence condition that utilises a hedge.</p>
<p>Rule 49.5.6 (minimum building setbacks) allows “accessory buildings” within the setbacks (including the southern boundary). An accessory building includes a garage or sleep out. Do you consider that garage or sleep outs along the boundary and terrace with 53 Maxs Way is an appropriate outcome? If not do you agree that the appropriate response is to remove the exception allowing accessory buildings relating to Sub Area H2?</p>	<p>I can support this request given the higher elevation of the H2 terrace does increase the sensitivity of buildings to become more overbearing if they were positioned in the building set back zone.</p>
<p>Bearing in mind you have recommended a minimum allotment width of 20-25m, do you consider around 14 residential buildings at 5.5m height, 16m in length (Rule 49.5.7) and 4m from the southern boundary an appropriate outcome from an urban design perspective?</p>	<p>Refer diagram and response above. I believe it is more likely to result in 8 dwellings (up to 21m wide) based on a 25m minimum lot width rule. Note that 16m building length rule only applies to that part of the building above ground level (i.e. two stories above).</p> <p>My view is this boundary condition is an appropriate outcome in the context of the submitters land being in and around an urbanising environment as part of the Grow Well Spatial Plan; as well as considering the space flexibility the submitter has on their own land to respond to changes happening on neighbouring</p>

	properties. I acknowledge that there will likely be a slight increase in the number of dwellings adjoining the H2 boundary.
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