

**BEFORE THE HEARING PANEL
AT QUEENSTOWN**

UNDER the Resource Management Act 1991 ("**RMA**")

IN THE MATTER of the Proposed Te Pūtahi Ladies Mile Plan Variation
to the Queenstown Lakes Proposed District Plan
("**Variation**")

**STATEMENT OF EVIDENCE OF BEN FARRELL ON BEHALF OF
QUEENSTOWN COUNTRY CLUB VILLAGE LIMITED**

PLANNING

20 OCTOBER 2023

1. EXECUTIVE SUMMARY

- 1.1 My name is Ben Farrell. I am a planning consultant based in Queenstown. I am familiar with the Ladies Mile area and planning context, particularly the Queenstown Country Club ("**QCC**") site and surrounds.
- 1.2 In this matter I have been engaged by Queenstown Country Club Retirement Village Limited. My evidence is focused on the appropriateness of the proposed Building Restriction Area ("**BRA**") (75m) over the QCC site. In preparing my evidence I have reviewed the background documentation supporting the Variation, Queenstown Lakes District Council's ("**QLDC**") s42AReport and expert evidence, and evidence of Mr James Bentley and Ms Jane Rennie.
- 1.3 Having been involved in the planning and design of QCC I am familiar with the rationale for the current 75m building setback on the QCC site. The rationale is, quite simply, to reflect and retain rural open space character. Now that the land on both sides of the Ladies Mile is proposed to be rezoned from rural to urban it is appropriate to reconsider this (now outdated) rationale for the 75m setback.
- 1.4 Utilising QCC for housing development, particularly retirement housing, is an efficient and appropriate use of urban land. There is no need to restrict or effectively prevent housing development within 75m of the southern side of the Ladies Mile. Relying on the evidence of Mr Bentley and Ms Rennie and based on my own familiarity with the Ladies Mile area, I am confident that a 25m setback with a controlled activity status for buildings between 25m-75m of the Ladies Mile will provide for a high quality built urban environment and enhance urban amenity values.
- 1.5 The QCC frontage along the Ladies Mile includes a relatively substantial amount of flat developable land covered by the proposed BRA (75m). The BRA effectively prevents housing opportunities in this area. Effectively preventing housing development on the QCC site is not an efficient use of land and is poor planning.
- 1.6 I conclude the proposed BRA (75m) is not an appropriate method for the Queenstown Lakes Proposed District Plan ("**PDP**"). I recommend the following relief sought by the QCC is accepted:

- (a) the BRA on the south side of the Ladies Mile is reduced from 75m to 25m; and
- (b) the rules and standards in Chapter 7 be amended to provide for new buildings as controlled activities with associated standards to ensure appropriate provision for good urban design outcomes and management of environmental effects.

2. INTRODUCTION

Qualifications and Experience

- 2.1 My full name is Ben Farrell. I am a planning consultant based in Queenstown. My qualifications and experience relevant to my expertise as a planner in respect of this Variation is provided in **Appendix 1**. In summary I have Masters level qualifications in environmental policy and planning plus more than 20 years practical experience as a planner.
- 2.2 Of particular note, I was the independent planning consultant that assisted the Sanderson Group and work with stakeholders including QLDC through the initial 'planning approval processes' for the QCC, and I have continued to be involved in or observe most planning and development matters concerning the future use of land in the vicinity of the QCC including along both sides of the Ladies Mile fronting the QCC site.
- 2.3 I have also prepared and presented expert planning evidence on numerous aspects of the PDP, including in relation to land on both sides of the Ladies Mile respectively for the Sanderson Group, G W Stalker Family Trust, Mike Henry, Mark Tylden, Wayne French, Dave Finlin, and Sam Strain.
- 2.4 I am familiar with the Ladies Mile area. I have previously resided in Shotover Country and regularly travel through the Ladies Mile for work and personal travel. I have undertaken many site visits to the QCC, including recently walking around the QCC road frontages to help reflect QCC's evidence on this matter.

Code of conduct

- 2.5 I confirm that I have read the Code of Conduct for Expert Witnesses contained in the latest Environment Court Practice Note 2023 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.

3. SCOPE OF EVIDENCE

3.1 My evidence relates to matters arising from the submission of Queenstown Country Club Village Limited which sought various amendments to the Variation. My evidence focuses on the following aspects of the Variation relevant to the Queenstown Country Club Village Limited submission and evidence presented by QLDC:

- (a) Background to the QCC including the origins of the 75m setback.
- (b) Statutory assessment matters.
- (c) Appropriate land uses within the 75m setback.
- (d) Assessment of potential plan provision options.
- (e) My recommendation on the most appropriate plan provisions.

4. QCC AND THE ORIGINS OF THE 75M SETBACK

4.1 The QCC is a comprehensive care retirement village that was approved under the special Housing Accords and Special Housing Areas Act 2013 ("HASHAA") legislative framework. The Decision for QCC (SH160140) discusses the rationale for permitting the development. The key factors can be summarised as:

- (a) An urgent need to increase housing supply and a choice of housing supply for retirement village accommodation including ancillary care and medical services and facilities.
- (b) Strong community support ultimately endorsed by QLDC to gazette the land under HASHAA.
- (c) The lack of any alternative sites that could appropriately and practically be developed into a comprehensive care retirement village.
- (d) The availability, rarity and appropriateness of the site location and characteristics for housing retirees and the elderly.
- (e) The lack of realisation of any significant rural productive land use.

- (f) The comprehensive and integrated nature of the QCC, including development of, and general adherence to, a master plan.
- (g) The ability to protect or not discernibly adversely affect Outstanding Natural Features/Landscape values and maintain a sense of open rural character along the Ladies Mile.

4.2 Mr Bentley and Ms Rennie have discussed landscape and urban aspects of the background to the QCC. I was also involved in the design and planning process that developed and then supported the 75m boundary setback from the Ladies Mile. I concur with the evidence of Mr Bentley and Ms Rennie respectively. In addition to their commentary, I note:

- (a) The road front design and setback area proposed as part of the HASHAA application included aesthetic improvements such as undergrounding overhead power lines, bespoke structural landscape plantings and rural character fencing and paddock layouts, arborist 'improvements' to existing trees, and removal of sealed driveways.
- (b) The QCC concept masterplan was always designed to be and specifically referred to as "***Rural setback paddocks - Paddocks to provide rural amenity space along the SH frontage***" (refer Queenstown Country Club Concept Master Plan - **Appendix 3**).
- (c) The setback area was never intended to be locked up as rural permanently. The 75m setback area is subject to a consent notice restricting buildings in this location (required by conditions of SH160140). However, I have always anticipated the consent notice could be modified or removed through a straightforward resource consent process in the event the land or surrounding area is rezoned.

4.3 Overall, the intent of the 75m setback area was to add to the sense of rural character, amenity and openness along the Ladies Mile. This was agreed in the context of the surrounding rural environment at the time.

5. PLANNING CONTEXT POST QCC APPROVAL

5.1 The planning context has changed considerably since the QCC was approved. Most notably:

- (a) The QCC was approved under the Operative District Plan while the PDP provisions were in early development. The PDP Strategic

Provisions, Wakatipu Basin Study, and proposed rezoning of the Ladies Mile from rural to urban are all post approval of the QCC.

- (b) The PDP provisions include a 75m setback as a development standard for buildings within the Rural Lifestyle Precinct. Non-compliance with the standard triggers restricted discretionary activity status under Rule 24.5.9 with discretion restricted to:

- a. building location, character, scale and form;
- b. external appearance including materials and colours;
- c. landscaping/planting (existing and proposed).

The 75m setback standard was first introduced into the PDP framework via the Wakatipu Basin Study, *after* the 75m setback was developed for the QCC.

- (c) The environment around the QCC has changed, or is anticipated to change, with the approval and construction of new urban developments, for example:

- (i) The urban development that is anticipated under this Variation, including the purchasing by QLDC of 516 Frankton-Ladies Mile Road for development as community recreation and open space land uses.
- (ii) A 37 lot residential subdivision has been approved, and is under construction, at the Koko Ridge site.
- (iii) Approval of a seven lot residential subdivision at 12 Stalker Road.
- (iv) At the corner of Stalker Road and SH6A (Section 7 SO 485598), construction of a building 50m from the road frontage (a garage occupied by Fire and Emergency New Zealand) (RM181277) and approval of an 18 lot residential subdivision (RM220624). Of note in this decision is the approval of buildings within the proposed BRA(75m).

- (d) For completeness, I acknowledge other national and regional policy statements have been introduced to the statutory planning framework since the approval of the QCC, however, none of which have any direct implications to the consideration of the extent of the proposed BRA.

- 5.2 While not a relevant statutory document (because it was prepared as a non-statutory document following a non-statutory processes), I agree the QLDC Spatial Plan has relevance.
- 5.3 Mr Bentley and Ms Rennie have also discussed how the surrounding rural and urban context has changed.

6. CONSIDERATION OF 75M SETBACK BY QLDC AND EXPERTS

- 6.1 Despite QCC participating in QLDC pre-notification consultation processes with landowners and members of the public, QLDC never (to the best of my knowledge) clarified to QCC or myself why a 75m setback is needed or preferred.
- 6.2 The s42A Report does not effectively address the QCC submission at paragraphs 12.95-12.102. I respond to the comments in the s42A Report as follows:
- (a) I agree with Mr Brown that the existing Rural zoning is inappropriate for the now urban character of the site.
 - (b) Mr Brown relies on the existing resource consent conditions to justify the 75m BRA and Mr Dun's urban design assessment. I do not consider this to be a particularly compelling justification for the 75m setback, for the reasons discussed further below.
 - (c) I do not agree the Low Density Residential Zone ("**LDRZ**") provisions should be retained without amendment (discussed below).
 - (d) I note for clarification the QCC submission did not seek to remove the QCC land from being subject to minimum densities, rather the QCC submission opposed the minimum densities proposed in the Variation. I understand this is because Queenstown Country Club Village Limited was (and may still be) looking at the feasibility of constructing retirement housing on the northern side of the Ladies Mile (i.e. within proposed precinct zoned land). Such development may not be feasible if the minimum density requirements exclude lower density retirement village housing typologies.
- 6.3 None of the QLDC experts appear to have considered:
- (a) The economic impacts of the 75m BRA, including the potential benefits of enabling residential development within this area and

opportunity costs of not being able to utilise this land for residential development. While I am not an economist it is obvious to me that the BRA (75m) has the following opportunity costs:

- (i) Inability to utilise around 2ha of land for low density residential housing, particularly retirement housing that provides integrated care facilities of which there is high demand for in the district and across New Zealand.
 - (ii) Flow on effects of the above, including the 'freeing up' of existing housing stock when new residents sell their existing homes, and reduction on demand on other land and care facilities that would otherwise be required to accommodate and service retired and elderly residents.
- (b) In respect of landscape and visual amenity values, the implications of the proposed new roundabout at SH6/Howards Drive need to be assessed. For example, this roundabout will presumably appear quite urban in character like the Stalker Roundabout (i.e. widened road, elevated impermeable surfaces, and street lights).
- (c) There does not appear to be any in depth consideration of the actual change in character that will be anticipated from the open space development on 516 Frankton-Ladies Mile Road (the QLDC owned land opposite the QCC proposed to be zoned Te Pūtahi Ladies Mile Open Space Precinct). Within the Open Space Zone, numerous managed sport and active recreation activities are anticipated, including highly visually discernible structures and lighting at night (for example high fencing to protect balls and people from the road, hard turf surfaces and grandstands such as at the Memorial Centre grounds).
- (d) The unique requirements for, and demand factors associated with, providing housing for retirees and the elderly, such as the demand for single-story accessible housing, proximity to existing transport networks and care services, sufficient land size, sunny / warm spaces and outlooks, and a location within or adjoining established communities.

6.4 Mr Bentley and Ms Rennie have responded to Mr Harland, Mr Gun, and Mr Skelton respectively. Building on my evidence above, particularly around the fact that the 75m setback distance was established to maintain a sense of rural

character coupled with my opinion that a 75m setback is not required to implement any strategic objective or strategic policy in the PDP¹, I prefer and rely on the evidence of Mr Bentley and Ms Rennie that a 25m BRA is more appropriate compared to a 75m BRA.

7. STATUTORY ASSESSMENT MATTERS

7.1 I generally agree with the identification of the relevant statutory assessment tests set out in section 14 of the s42A Report except in respect of the proposed BRA (75m) where I reach some quite different conclusions to those in the s42A report as discussed below.

Accord with and assist the Council in carrying out its functions and achieve the purpose of the Act (section 74(1) of the RMA)

7.2 While the provisions contribute to enabling development capacity as a whole it is unclear if they sufficiently provide for comprehensive care retirement housing typologies. In respect of the QCC, the proposed BRA (75m) provision will effectively prevent about 2ha of land being used for urban residential development.

Accord with Part 2 of the RMA (section 74(1)(b))

7.3 In respect of s7(b) and (ba) of the RMA the protection of open space through the proposed BRA (75m) is not an efficient use of urban land. On the contrary a much more efficient use of this urban (brownfield) land will be low density residential development.

7.4 In respect of s7(c), a reduced BRA to 25m will suitably maintain and enhance urban amenity values. New high quality urban development designed to be consistent with and complement existing villas within the QCC will introduce urban characteristics that will enhance urban amenity values alongside the southern side of Ladies Mile.

Give effect to the regional policy statement (section 75(3)(c) of the RMA)

7.5 The proposed BRA (75m) will frustrate implementation of the urban development objectives in the Partially Operative Otago Regional Policy Statement (“**PORPS**”) because it restricts and does not improve housing choice and affordability or ensure efficient land use (policy 4.5.1), and is not well designed – i.e. it does not deliver urban design outcomes that will be as good as they should be (for example in respect of providing a diverse range of

¹ Refer discussion in paragraphs 7.31-7.32 below

housing, providing an area where people can live, providing built environments relating well to surrounding environments, and providing a sense of cohesion and recognition of community values (Policy 4.5.3).

- 7.6 Similarly in respect of PORPS Objective 1.1 and supporting Policies 1.1.1 and 1.1.2 the BRA (75m) effectively prevents housing development on 2ha of land so the BRA (75m) is not a sustainable use of land that promotes economic, social and cultural well-being.
- 7.7 In respect of integrated management (PORPS Objective 1.2 and Policy 1.2.1), the protection of open space through the proposed BRA (75m) restricts rather than enables opportunities for the integration of the communities of Ladies Mile. A 75m BRA forms a much less cohesive urban environment compared to enabling further residential or retirement village housing on the southern side of the Ladies Mile.
- 7.8 I have not referenced or considered in detail specific objectives and policies in the Proposed Otago Regional Policy Statement² (“pRPS”). This is because there is considerable similarity between the PORPS and pRPS in respect of the urban development provisions and because all of the pRPS is subject to challenge (the hearing of submissions on both parts of the pRPS has only recently closed and decisions are yet to be issued).

Give effect to any national policy statement (s75(3)(a) of the RMA)

- 7.9 In respect of the National Policy Statement on Urban Development 2020 the proposed BRA (75m) imposes a restriction on land use that:
- (a) Does not enable people and communities to provide for their social and economic wellbeing for their health and safety now and into the future (Objective 1).
 - (b) Frustrates QLDC's ability to provide suitable land to increase housing supply to improve overall housing affordability. The BRA (75m) effectively prevents opportunities for greater housing choice and diversity in respect of housing for the elderly. The extent to which restricting this land supports competitive land and development markets has not been closely examined (Objective 2).

² Inclusive of both the ‘freshwater parts’ and the ‘non-freshwater parts’ of the RPS

- (c) Reducing the BRA from 75m down to 25m would enable more people to live in an urban environment than the current proposal (Objective 3).
- (d) The BRA (75m) restricts potential housing opportunities for the elderly, and a decision to reinforce a 75m BRA would therefore not be responsive to the urban development opportunities available on the QCC site.

In the case of rules, have regard to the actual or potential effects on the environment, including, in particular, any adverse effect (s76(3) of the RMA)

7.10 Building on the evidence of Mr Bentley and Ms Rennie respectively I consider reducing the BRA to 25m and controlling the location and design of buildings located in the area 25m-75m from the Ladies Mile will satisfactorily maintain and enhance urban amenity values.

7.11 For completeness, I anticipate that enabling buildings within 25m-75m of the SH6A road frontage will not result in inappropriate adverse effects on other aspects on the environment. Based on my previous involvement in consenting the QCC and the findings in the s42A Report:

- (a) Development can be managed as a controlled activity with a matter of control relating to sufficient infrastructure and road transport matters.
- (b) There are no natural hazard risks or discernible geotechnical constraints applying to the QCC site.
- (c) There have been no concerns raised by Ngāi Tahu or Runanga.
- (d) There is no evidence of contaminated soils in this part of the QCC site.
- (e) There are no significant natural, cultural or heritage values associated with the QCC site.

In the case of policies and methods, are the most appropriate way to achieve the objectives, having regard to their efficiency and effectiveness (s32(1)(b) of the RMA) and taking into account (under s32(2) of the RMA): (i) the benefits and costs of the proposed policies and methods; and (ii) the risk of acting or not acting if there is uncertain

or insufficient information about the subject matter of the policies, rules of other methods

- 7.12 Retirement village housing connected to integrated and comprehensive levels of care, such as provided at the QCC, provide a necessary type of housing for the elderly.
- 7.13 I am unclear on QLDC's understanding of the anticipated demand and capacity for retirement village housing in Queenstown. Based on personal communication with QCC staff and my involvement in the QCC, my understanding is that retirement village housing remains in short supply in Queenstown and can be expected to remain in high demand for the next few decades at least.
- 7.14 With a frontage of around 650m along SH6 (inclusive of the land being aside for a roundabout at the intersection of Howards Drive and SH6) there is approximately 4.8ha land area between the front of the existing / consented buildings within the QCC and the SH6 road boundary. This reduces to about 4.5ha when removing the 3,200m² area of land that has been set aside for the proposed new roundabout. A 25m BRA would protect around 1.6ha of open space on the QCC site (or 1.3ha when removing the roundabout land). The protected land area increases to around 1.8ha when factoring in the additional 3m of landscaped legal road (but reduces to 1.5ha when removing the roundabout land) Factoring in a 25m setback, the new roundabout, setting back buildings from the western side boundary and Howards Drive, coupled with a need to retain spaces between buildings and provide communal open spaces and landscaping I estimate there is around 2ha of "developable" land within the 75m frontage³.
- 7.15 If the Variation proceeds, it will rezone the land from being within a rural zone surrounded predominantly by rural character within a rural context to an urban zone surrounded entirely by an urban character in an urban context.
- 7.16 The Variation currently proposes a BRA of 25m on the northern side of SH6 but 75m on the southern side. Retention of rural open space on the southern side of the SH6 is simply not a realistic option. The landscape arrangements at present provide for rural character fencing and use of the front paddock to include grazing animals.

³ These calculations have been derived from using QLDC GIS measuring systems and may not be accurate.

- 7.17 I am also not aware of any residential zone in New Zealand that utilises a 75m setback distance from a road. In my view, promotion of a BRA (75m) is poor urban planning.
- 7.18 Practical options for use of the land that would be freed up by a reduced BRA (25m) include:
- (a) retention of the land as private urban open space (lawn, passive recreation facilities, domestic and community gardens/orchards);
 - (b) indigenous revegetation;
 - (c) carparking;
 - (d) low density residential development;
 - (e) medium to high density residential development; and
 - (f) mixed use or commercial development.
- 7.19 Given the high-quality built design of the QCC it is reasonable to assume there will be demand (from QCC and its residents) for a reasonably high retention of open spaces, for example for use by residents and guests (lawns, passive recreation facilities, garden and orchard areas, indigenous revegetation). Within a retirement village context these land uses would not be of a scale that requires 2ha. Rather, if proposed, they can be developed alongside and integrated with future housing options.
- 7.20 In respect of the zoning there appear to be three logical options available:
- (a) Retain the LDRZ without amendment to the provisions in Chapter 7.
 - (b) Retain the LDRZ with amendments to the provisions in Chapter 7.
 - (c) Rezone the QCC site Te Pūtahi Ladies Mile Zone – Low Density Residential ("**TPLMZ - LDR Precinct**").
- 7.21 All these options are appropriate, except a benefit of option (c) compared to option (b) is that option (c) allows bespoke provisions to be introduced to guide or require higher quality development outcomes compared to the existing provisions in the LDRZ. Given the desire for high quality urban outcomes and residential development I would prefer option (c) if specific assessment matters or design guidance are introduced into the LDRZ provisions. Failing that, option (b) will be sufficient provided new building development requires

resource consent (the s42A Report notes new development would be full discretionary under Rule 7.4.11).

- 7.22 A starting point for bespoke provisions is the permissions and conditions provided for under SH160140. In this regard, the consent conditions could be modified and adopted into the plan to provide an appropriate bespoke set of provisions applying to the QCC site. The rules and standards could sit beneath a new bespoke policy.
- 7.23 I have considered adopting the rules and standards in the proposed TPLMZ-LDR Precinct. However, those proposed provisions and supporting design guidance appear more suited to lower density residential subdivision and development as opposed to comprehensive care retirement village housing.
- 7.24 The plan provisions I recommend for the QCC site are set out in **Appendix 2**.
- 7.25 Assuming location and design standards are brought into the plan framework, the only real difference between these sub-options is the cost and inefficiencies in obtaining resource consent. These costs and inefficiencies can be avoided or reduced through:
- (a) providing clear development standards and providing for dwellings as permitted activities (so that consent is not required);
 - (b) providing clear development standards and matters of control to control design and location (so that consent is required but the application has certain outcomes including a non-notification process); and
 - (c) requiring resource consent as an RDA or discretionary activity but providing a non-notified application process.
- 7.26 I observe QLDC has implemented a similar approach for the Kawarau Heights Subdivision acknowledging development within Kawarau Heights is subject to the structure plan and design guidelines approved under SH160140.
- 7.27 In my view, there is no significant benefit or need for a 75m setback. There is no statutory policy directive requiring such a large BRA. Additionally, I am not aware of any economic or social need or benefit for this land to be retained as private undeveloped open space – except for its contribution to maintaining rural character landscape and visual amenity values. The only benefit is the potential contribution of the BRA (75m) to maintaining a sense of rural

spaciousness. However, this is now in the context of an environment that is becoming increasingly urban, rather than a rural context.

- 7.28 Reducing the BRA to 25m from the existing QCC road boundary (around 35m from the centreline) is much more appropriate in my view.
- 7.29 I acknowledge there are infrastructure constraints and other matters that would need to be addressed if more residential housing is to be constructed compared to the total yield of development anticipated under the existing resource consents.
- 7.30 In my experience these matters can be readily dealt with through detail design at the time of any future development proposal. Any proposed development would need to demonstrate sufficient infrastructure capacity and services. I also note:
- (a) transportation issues are unlikely to be a material issue given the nature of traffic generated by retirement villages is typically outside peak commuting hours; and
 - (b) there is and will continue to be sufficient permeable and unbuilt land on the QCC site to accommodate stormwater infrastructure such as holding tanks should they be required.
- 7.31 I have reviewed all the PDP Strategic Objectives ("**SO**") and Strategic Policies ("**SP**") (for brevity I have not listed or summarised my findings on each provision). Rather, upon review I consider there no SOs or SPs that lend meaningful support to the provision of a BRA (75m). However, given the proposed BRA (75m) effectively prevents housing opportunities to occur on about 2ha of the QCC site, the proposed BRA (75m) will not accord with some outcomes and directives in the PDP SOs and SPs, for example:
- (a) In relation to SO3.2.1, SP3.2.2.1, SO3.2.6, SP3.2.6.1:
 - (i) The BRA (75m) does not contribute to a prosperous, resilient or equitable economy in the district.
 - (ii) The BRA (75m) effectively prevents appropriate retirement housing opportunities directly connected to the established QCC. The proposed structure plan and Te Pūtahi Ladies Mile zone provisions, particularly with the minimum density requirements, do not provide for low density comprehensive care retirement village development and

therefore falls short of ensure a mix of housing opportunities.

- (iii) Effectively preventing development, the BRA (75m) does not support residents and community social and economic wellbeing and their health and safety.
 - (iv) Retirement and elderly residents require accessibility design features in their homes, including lower density single storey retirement village housing such as that provided throughout the QCC. The BRA (75m) prevents opportunities for increasing the supply of this type of housing.
- (b) In relation to SO 3.2.3 the BRA (75m) locks in a rural characteristic that effectively prevents opportunities to provide a quality-built environment. A 25m BRA coupled with other proposed urban amenity enhancement measures (such as protection of the trees along the Ladies Mile) and control of building location and design will be sufficient to take into account and provide for the "individual" rural character of the Ladies Mile.
 - (c) SP4.2.1.1 seeks that urban development is focuses on land within and adjacent to existing urban areas. The QCC site forms part of an existing urban area so effectively preventing residential housing on the QCC site via the BRA (75m) does not accord with the intent of this policy.
 - (d) In relation to SP4.2.2A a BRA (75m) does not provide a well-designed urban form. A BRA (25m) would provide a better designed urban form, assuming the location and design of new buildings are controlled.
 - (e) In relation to SP 4.2.2.3 the BRA (75m) does not enable an increased density of well-designed residential development. This SP is better served by reducing the BRA to 25m.

7.32 In respect of the LDSRZ (Chapter 7), the BRA (75m) does not accord with Policy 7.2.1.2 in respect of 'maximising' the efficient use of land in a way that is compatible with the scale and character of existing residential development, or to maintain residential amenity values.

7.33 Based on the strategic objectives and strategic policies and evidence discussed above retention of the BRA (75m) is not the most appropriate option.

8. CONCLUSION - THE MOST APPROPRIATE PLAN PROVISIONS

8.1 Based on the above I conclude the most appropriate option in respect of the BRA (75m) is to accept the relief sought by QCC to:

- (a) Amend the BRA, reducing its extent to 25m from the existing road boundary (35m from the centreline);
- (b) Amend the LDRZ provisions to provide a bespoke policy and new rule to control retirement village development at the QCC subject to terms or standards in respect of building scale and separation, building height, building materials and colour, infrastructure servicing, landscaping.

Ben Farrell
20 October 2023

Appendix 1**Relevant Qualifications & Experience**

1. My full name is Ben Farrell. I am an owner and director of Cue Environmental Limited, a planning consultancy I established in 2018 to provide independent environmental planning services across New Zealand.
2. My qualifications include a Masters in Environmental Policy and a Bachelor of Resource Studies, both obtained from Lincoln University. I have more than 20 years practical experience as a planner, including the last decade working primarily in Southland and Otago, including Queenstown. I studied planning, parks, recreation, tourism and resource management at Lincoln University from 1999 to 2003 graduating with a Bachelor of Resource Studies and a Master of Environmental Policy. During my studies I was employed by Auckland Regional Council, Greater Wellington Regional Council, and Connell Wagner Limited (in Christchurch). Since graduating, I have been employed as a planner by Upper Hutt City Council (2004), Boffa Miskell Limited (Wellington 2005-2010), Andrew Stewart Limited (Wellington and Invercargill 2013-2015), Southland Regional Council (2014-2015), and JEA (Queenstown 2015-2018). During 2010-2013 I was a self-employed planning consultant, working primarily for the New Zealand Wind Energy Association as a Senior Planner working on national directions and most of New Zealand's resource management plans and as project manager for developing Development Guidelines for the wind energy sector. I am a shared owner and sole director of Cue Environmental Limited, a private company I established in 2018.
3. I was the planning consultant who assisted the Sanderson Group obtain the initial 'planning approvals' for the Queenstown Country Club and have since assisted Queenstown Country Limited (who purchased the retirement village from Sanderson Group).
4. Since 2002, I have provided strategic and statutory planning advice on a wide variety of resource management projects for a wide variety of clients or government employers. My experience in the preparation of Regional Policy Statements and the implementation of regional and district plans in Otago over the last ten years or so. Much of my work over the last decade has been involved in the Environment Court in respect of appeals associated with resource management policies and plans dealing with environmental matters of national importance on behalf of parties including: Renewable electricity generation companies and the Blueskin Community Resilient Trust; Fish and Game; The Royal Forest and Bird Protection Society; Department of Conservation; Numerous private landowners and property developers; and various tourism companies.
5. Since 2013 I have provide independent planning services in respect of:
 - a. Preparing numerous submissions and planning evidence for a variety of parties on almost all stages and aspects of the QLDC Proposed District Plan, and the proposed Otago Regional Policy Statements.
 - b. Preparing numerous resource consent applications for subdivision and water and land use proposals in the QLDC District.
 - c. For the Queenstown Country Club I provided planning and project management services for securing the necessary 'planning approvals' for the Queenstown Country Club along the Ladies Mile.

- d. For the Southland Regional Council I prepared s42A Reports for the Proposed Southland Regional Policy Statement, and I led the preparation of the Draft Regional Water Plan for Southland 2015.
 - e. For the Royal New Zealand Forest & Bird Protection Society and Southland Fish and Game I provided expert planning evidence in the Judicial Appeal processes for the Southland Regional Water and Land Plan.
 - f. For QLDC I helped prepare a 3 Waters Consenting Strategy.
 - g. For Fish and Game, I provided expert planning services in relation to Otago Regional Water Plan Change 7 and the numerous iterations of the Proposed Otago Regional Policy Statement.
 - h. For the Department of Conservation I have provided expert planning services in relation to appeals on water permits, submissions in respect of proposed irrigation schemes, and re-consenting of the Goldfields Mining Centre.
 - i. For Save Wanaka I provided expert planning services in respect of the environment Court process for the Wanaka Watersports Facility (which dealt with scale of ONL landscape effects and assessments).
 - j. For numerous parties I have also provided discrete expert planning advice to central government and other agencies and business in relation to specific aspects of the NESFM, NPSFM and NPSIB provisions.
6. My experience has also included the following to varying degrees:
- a. The preparation of best practice development standards/guidelines in relation to resource management issues. I note I have applied experience with the management of ONF/Ls, including preparation of best practice guidelines in this field (for the New Zealand Wind Energy Association). Also, while working at Boffa Miskell Limited I assisted and in some cases, project managed various environmental projects that included landscape assessment as a component.
 - b. Preparation and implementation of National Policy Statements, seven regional policy statements, two unitary plans, and 21 district/regional plans; and
 - c. Preparation and assessment of numerous resource consent applications, notices of requirements, and Assessments of Effects on the Environment reports for a range of projects and applicants.
7. In addition to my qualifications and experiences as a planner I provide numerous volunteer planning services:
- a. I am a full member of the New Zealand Planning Institute (NZPI). I was on NZPIs Wellington regional branch committee from 2004-2013, chairman of that branch in 2010-2011, and sat on the Central Otago Branch committee between 2015-2018. I sat on the editorial panel of NZPIs journal (Planning Quarterly) from 2010-2023. I am currently a national board member of NZPI and from 2021-2023 was co-chair of its Resource Management Advisory Group overseeing NZPIs involvement in and response to the resource management system reform process.

- b. I currently sit on the Central Otago Resource Management Law Association (RMLA) committee and am the President of the national RMLA committee.
- c. I have assisted numerous organisations with strategic and operational planning matters, for example assisting the Wakatipu Reforestation Trust renew its Strategic Plan, prepare a Strategic Plan for the Plimmerton Boating Club, project managed the preparation of a Built Heritage Study for the Orongorongo Club, and provided planning services in respect of the Great Harbour Way Feasibility Study.
- d. On behalf of the RMLA and NZPI I have and continue to be reasonably heavily involved in providing practitioner expertise to Central Government in respect of the resource management reform and national directions.
- e. Through my academic, professional, and personal qualifications and experiences I have some familiarity with mātauranga Māori, some applied understanding of resource management issues of particular concern to Ngāi Tahu ki Murihiku and Kāi Tahu ki Otago, including the application of the Principles of the Treaty of Waitangi and the Principles of te Tiriti o Waitangi, and some understanding of tikanga.
- f. I am familiar with the Queenstown Lakes District and the Ladies Mile area. I have resided here since 2015 (since shifting up from Invercargill) and have previously resided in Shotover Country.

Appendix 2

**Recommended Amendments to the Lower Density Suburban Residential Zone
(LDSRZ)**

Amend Rule 7.4.11 and the standards in Table 7.5 as follows:

7.4.11	<p>Retirement Villages</p> <p><u>Except this rule shall not apply to buildings specified as controlled activities under rule 7.5.24</u></p>	D
7.5A.1	<p>For all restricted discretionary and discretionary activities under Rules 7.4 and 7.5, applications for resource consent shall include a statement confirming that the relevant design elements from the Residential Zone Design Guide 2021 have been considered, including a summary of any particular aspects of the proposal that have resulted from that consideration.</p> <p><u>Except this rule does not apply to applications for resource consents associated with the Queenstown Country Club.</u></p>	NC
7.5.11	<p>Density</p> <p>The maximum site density shall be: i. one residential unit or dwelling per 300m² net site area, or ii. one residential unit or dwelling per 800m² net site area at Lake Hāwea South within Area B as identified in the Structure Plan in 27.13.19.</p> <p><u>Except this rule does not apply to the Queenstown Country Club</u></p>	NC
7.5.24	<p><u>Queenstown Country Club</u></p> <p><u>7.5.24.1i Buildings within 85m of the centreline of SH6A and outside the Building Restriction Area</u></p> <p><u>7.5.24.1ii Buildings within 20m of the Howards Drive Road Boundary</u></p> <p><u>7.5.24.2 Control is reserved to:</u></p> <p style="margin-left: 40px;"><u>a. Building location, height, scale and design;</u></p> <p style="margin-left: 40px;"><u>b. Infrastructure and access design;</u></p> <p style="margin-left: 40px;"><u>c. Stormwater control and management;</u></p> <p><u>7.5.24.3 Terms:</u></p> <p style="margin-left: 40px;"><u>a. Applications for resource consent shall contain a design statement describing how the proposed building location and appearance is commensurate with existing buildings within the Country Club.</u></p> <p style="margin-left: 40px;"><u>b. Each residential unit shall only have one kitchen.</u></p> <p style="margin-left: 40px;"><u>c. Any residential dwelling or retirement village accommodation on the site located within 80 metres of the seal edge of State Highway 6 shall be designed, constructed and maintained to achieve a design noise level of 40 dB LAeq(24h) inside all habitable spaces. A design report prepared by an acoustic specialist demonstrating the ability for compliance with this standard shall be submitted as part of any resource consent application.</u></p>	C

4. Master Plan



- ① Village entrance - One of two main entrances to the Northern Site, via Howards Drive.
- ② Rural setback paddocks - Paddocks to provide rural amenity space along the SH frontage.
- ③ Bowling green - A feature bowling green adjoining the Clubhouse.
- ④ Clubhouse - A key community facility and focal point at the northern end of the boulevard.
- ⑤ Car parking areas - Care facility car parking is integrated throughout the care site.
- ⑥ Care Facility - This includes a hospital, aged care, dementia care and apartments.
- ⑦ Staff Accommodation - Standalone and Duplex housing for retirement village staff.
- ⑧ Commercial Hub - To include retail, cafe, medical centre, child care centre and gym/pool.
- ⑨ Terrace Setback - Buffer planting setback between the site and adjoining properties.
- ⑩ Gully Track / Connecting Track - Pedestrian / cycle track (connects to existing tracks).
- ⑪ Boatshed Cafe - Cafe adjoining natural pond and a feature at the southern end of the boulevard.
- ⑫ Orchard - Orchard tree planting, including fruit trees.
- ⑬ Orchard villas - Orchard tree planting around villas in order to integrate buildings into Inlandscape.
- ⑭ Individual Lots - Subdivision of a number of lots within the Lake Hayes Estate.
- ⑮ Lookout Point - Viewing areas of the wider landscape from the knoll and ONL.
- ⑯ ONL - Outstanding Natural Landscape area - to be retained and not developed.

Master Plan