

**BEFORE THE OTAGO REGIONAL COUNCIL**

**IN THE MATTER** of the Resource Management Act 1991

**AND**

**IN THE MATTER** of the Proposed Otago Regional Policy Statement 2021 –  
UFD – Urban Form and Development Chapter 15 redrafting

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**EVIDENCE OF ELIZABETH JANE SIMPSON ON BEHALF OF QUEENSTOWN  
LAKES DISTRICT COUNCIL (138)**

**21 APRIL 2023**

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## 1. INTRODUCTION

- 1.1 My name is Elizabeth Jane Simpson. I am a Senior Strategic Planner Future Development employed by the Queenstown Lakes District Council (**QLDC**). I have prepared evidence in chief on Chapter 15 / UFD – Urban form and development of the Otago Regional Council's Proposed Regional Policy Statement (**pRPS**).
- 1.2 My qualifications and experience are set out in my statement of evidence in chief dated 23 November 2022.
- 1.3 I confirm that I have read the Code of Conduct for Expert Witnesses contained in the Environment Court's Practice Note 2014 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 upon the evidence of another person.

## 2. PURPOSE AND STRUCTURE OF EVIDENCE

- 2.1 The purpose of my evidence is to respond to Elizabeth White's redraft of Chapter 15 – Urban Form and Development. In particular, my evidence responds to Ms White's recommended changes to the following provisions:

- (a) General Comments**
- (b) Objective UFD-O1 – Development in *urban areas***
- (c) Policy UFD-P7 – Industrial Activities**
- (d) Policy UFD-P8 – Rural Lifestyle**
- (e) UFD-M1 – Strategic Planning**
- (d) Anticipated Environmental Results – UFD-AER13**

- 2.1 In preparing my evidence I have reviewed:

- (a) Proposed Amendments PORPS**
- (b) Memorandum of Elizabeth Jane White in response to minute**

- (c) Urban Form Development Chapter – minute 7 – response march tracked
- (d) National Policy Statement – Highly Productive Land
- (e) National Policy Statement – Urban Development
- (f) QLDCs Proposed District Plan

### **3. General**

- 3.1 I agree with Ms White's memo to the panel that a separate rural chapter is unnecessary, my understanding as confirmed by Ms Whites memo is that the inclusion of rural and rural living within the urban development Chapter is to provide a framework that will manage the urban and rural interface. Separating these provisions would in my view result in less integration and useability.
- 3.2 Relating to my comment above, I do not support the complete removal of cross referencing to other chapters throughout the amended UFD chapter, particularly in regard to the HAZ - Hazards and Risks Chapter and NFL – Natural features and Landscapes Chapter. Explicit links to other chapters enhances useability and creates an efficient and effective planning document. In my view, each RPS provision should provide clarity on what matters should be taken into account when planning for urban development. Removing any specific reference to the types of matters that present constraints to urban development is not efficient or effective.

### **4. Objectives**

#### **UFD-01 –Development of urban areas**

- 4.1 QLDC's original submission sought that the balance of UFD-01 be retained as notified.
- 4.2 The amendments as proposed reduces the five objectives to two, combining UFD-01–03 & 04 into a single objective. Other amendments include the deletion of 'form and functioning' and the inclusion of 'development and change':

*"The ~~development and change form and functioning~~ of Otago's urban areas occurs in a strategic and coordinated way, which:...."*

- 4.3 I support combining the objectives into a single objective as it results in a clear and concise objective that articulates that urban development should occur in a strategic and coordinated way that will contribute to the creation of a *well-functioning urban environment*.

## 5. Policies UFD-P6 and UFD-P8

### UFD-P4 – Urban Expansion

- 5.1 I do not support the inclusion of the additional text within UFD—4 that urban expansion should “*only occur*” where expansion meets the seven matters specified.

*“Expansion of existing urban areas is facilitated where, at minimum, only occurs where the expansion:.....”*

- 5.2 Ms Whites comments (refer LW32) states that the intent of the change was to address concerns that the previous wording implied that intensification must be enabled where only the stated matters are met. Whilst I agree with Ms Whites comments, the revised wording in my view results in the same concerns that the urban expansion can only occur when the listed matters are met. It does not appear to enable ‘other matters’ which may not have been included which does not appear to be the intent.

- 5.3 The use of ‘only occurs’ in my view results in the same concerns as the previous text of ‘at minimum’. Therefore, I recommend the ‘only’ is removed, and reads as follows:

*“Expansion of existing urban areas is facilitated where, at minimum, only may occurs where the expansion:.....”*

### UFD-P6 – Industrial activities

- 5.4 QLDC’s original submission supported UFD-P6, and that it be retained as notified. Through the submission process, UFD-P6(3) was amended to include a small list of activities:

Provide for industrial activities in urban areas by:

...

~~(3) managing the establishment of non-industrial activities, in industrial zones, by avoiding activities likely to result in reverse sensitivity effects on existing or potential industrial activities (particularly residential or retail activities except yard-based retail)...~~

5.5 In my statement of evidence, my view was the range of uses listed was too narrow as there are a wide range of activities that are likely to result in reverse sensitivity effects on land identified for industrial uses. This is particularly the case in the Queenstown Lakes District where it is known that office, residential, commercial, retail (among others) result in adverse effects on the establishment, operation and long-term viability of Industrial and Service activities.

5.6 I therefore support the amendments which removes these activities as follows:

~~“avoiding activities likely to result in reverse sensitivity effects on existing or potential industrial activities (particularly residential or retail activities except yard-based retail), or likely to result in an inefficient use of industrial zoned land or infrastructure, particularly where the area:...”~~

### **UFD-P8 Rural Lifestyle**

5.7 In my rebuttal evidence I agreed with Mr Browns comments, that Limb (1) of UFD-P8 had the potential to complicate future urban expansion opportunities unless the Council has strategically identified all urban adjacent areas as being suitable for future urban expansion.

5.8 I therefore support the recommended deletion of Policy UFD-P8(1) as the remaining limbs clearly sets out how the establishment, development and expansion of rural lifestyle can occur.

~~(1) the land is adjacent to existing or planned urban areas and ready access to employment and services is available,”~~

## 6. Method

### UFD-M1 – Strategic Planning

6.1 QLDC’s original submission sought that UFD-M1 be retained as notified. Through the submission process, UFD-M1(4) was amended to require ORC and territorial authorities to identify ‘*major and future activities, constraints and opportunities.*’ This addition was supported; however, it has resulted in limb (4) being long and difficult to understand. My Statement of Evidence suggested a more straightforward alternative to split the two requirements into an a) and b).

6.2 I therefore support the amendment as proposed to split to the limb into two requirements:

“(4) must coordinate the redevelopment and intensification of urban areas and the development of extensions to urban areas with *infrastructure* planning and development programmes, to:

- (a) provide the required *development infrastructure* and *additional infrastructure* in an integrated, timely, efficient and effective way, and
- (b) identify major existing and future activities, constraints and opportunities,....”

6.3 I note that UFD-M1(4) states ‘extensions to urban areas’, my view is that the work expansion should be used to remain consistent with the rest of the UFD Chapter, therefore I recommend the following amendment:

“(4) must coordinate the redevelopment and intensification of urban areas and the development of ~~extensions~~ expansion to urban areas with infrastructure planning and development programmes, to:.....”

## 7. Anticipated Environmental Results

7.1 In my rebuttal evidence relating to the s42 report, I did not support the newly inserted UFD-AER13:

UFD-AER13 Inappropriate urban expansion and urban activities do not adversely affect the amenity and character of the region's rural areas.

7.2 The addition of AER13 in my opinion appeared to suggest that 'inappropriate urban expansion and urban activities' are anticipated within the region's rural areas.

7.3 I therefore support the changes made by Ms White that removes the reference to 'inappropriate urban expansion' and the addition of the wording 'appropriately planned'. Appropriately planned urban expansion in my opinion is a more appropriate anticipated environmental result:

~~"Inappropriate u~~Urban expansion and urban activities are appropriately planned so that they do not adversely affect the *productive capacity*, and long-term viability of the rural sector and rural communities ~~amenity and character of the region's rural areas.~~"

**Elizabeth Jane Simpson**

**21 April 2023**