

**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 the Queenstown Lakes Proposed
District Plan

AND

IN THE MATTER of Hearing Submissions Seeking
Amendments to the Planning Maps
covering Queenstown and
Queenstown Rural (Excluding
Wakatipu Basin)

**STATEMENT OF EVIDENCE OF NICHOLAS KARL GEDDES
ON BEHALF OF**

C & S Hansen

(Submitter 840)

Dated 4th June 2017

1.0 QUALIFICATIONS AND EXPERIENCE

- 1.1 My name is Nicholas Karl Geddes. I hold a degree of Bachelor of Science majoring in Geography and Graduate Diploma in Environmental Science from Otago University.
- 1.2 I have fifteen years' experience as a resource management practitioner, with past positions as a Planner in local Government in Auckland, private practice in Queenstown and contract work in London, England. I have been a practicing consultant involved in a wide range of developments, district plan policy development and the preparation and presentation of expert evidence before Councils.
- 1.3 I was employed by a Queenstown consultancy in 1999 before moving to Auckland City Council in 2001 where I held a senior planning position with Auckland City Environments. Leaving Auckland in 2005 I worked in London as a planner for two and a half years before returning to Queenstown where I have been practicing as a planning consultant since. I currently hold a planning consultant position with Clark Fortune McDonald & Associates Limited.
- 1.4 I have read the Code of Conduct for Expert Witnesses in the Environment Court consolidated Practice Note (2014). I agree to comply with this Code of Conduct. This evidence is within my area of expertise, except where I state I am relying on what I have been told by another person. I have not omitted to consider material facts known to me that might alter or detract from the opinions that I express.
- 1.5 I have authored submissions on the plan review, prepared evidence and attended hearings in relation to the following Chapters:
 - a. Chapter 4 – Hearing Stream 1B in relation to Submission 414;
 - b. Chapter 21 & 22 – Hearing Stream 2 in relation to Submissions 228, 233, 235, 411 & 414;
 - c. Chapter 27 – Hearing Stream 4 in relation to Submission 414;
 - d. Chapter 7 – Hearing Stream 6 in relation to Submission 336;
 - e. Chapter 41 – Hearing Stream 9 in relation to Submissions 342 & 715;

f. Planning Maps – Hearing Stream 12 in relation to Submission 314.

2.0 SCOPE OF EVIDENCE

2.1 The purpose of this evidence is to assist the Hearings Panel within my expertise of resource management planning in relation to the submission lodged by C & S Hansen (#840) on the Queenstown Lakes Proposed District Plan.

2.2 I have prepared evidence where I assess and explain:

- a) Submission 840;
- b) National Policy Statements;
- c) Regional Policy Statements;
- d) Proposed Queenstown Lakes District Plan – Strategic Chapters;
- e) Part 2 of the Act;
- f) Assessment of Environmental Effects;
- g) Section 32A(A) Evaluation;
- h) Other Statutory requirements;
- i) Further Submissions;
- j) Section 42A Report.

2.3 In the preparation of this evidence I have reviewed the following:

- a. Section 32 Evaluation Reports, Council s.42A Reports and QLDC right-of-reply for the following PDP Chapters; Strategic Chapters 3-6, Subdivision, Local Shopping Centre and Residential.
- b. Associated evidence submitted on behalf of QLDC prepared by Mr Phillip Osborne, Mr Timothy Heath & Wendy Banks.
- c. The relevant submissions and further submissions of other submitters.

Abbreviations:

Queenstown Lakes District Council - "QLDC"

Proposed District Plan – "PDP"

Operative District Plan – "ODP"

Resource Management Act 1991 – "The Act or RMA"

Local Shopping Centre Zone – "LSCZ"

Low Density Residential Zone – "LDRZ"

Strategic section 42A report – "Ss.42A"

Group 1A Queenstown Business & Industrial 42A report – "s.42A"

National Policy Statement: Urban Development Capacity 2016 – "UDC"

Operative Otago Regional Policy Statement – "OORPS"

Proposed Otago Regional Policy Statement – "PORPS"

Outstanding Natural Landscape – "ONL"

Outstanding Natural Feature – "ONF"

Significant Natural Area – "SNA"

3.0 SUBMISSION 840

3.1 Since the time of the submission being lodged, further consideration has been given to the proposed plan provisions sought based upon the technical advice received, and in particular to concerns raised in further submissions and the evidence lodged by Council and other parties. On this basis Submission #840 has been amended as detailed on the Plan contained in Appendix 1 and legally described as:

- Sec 2 TN Blk XX Frankton, OTA1/342 (16 McBride St)
- Lot 1 DP 434449, 530174 (18 McBride St)
- Lot 2 DP 434449, 530175 (18B McBride St)
- Sec 4 TN Blk XX Frankton, OT2D/388 (20 McBride St)

3.2 Land within the submission area is located between McBride St, the Frankton Bus Terminal (transport hub), QLDC unformed parking spaces to the north while the southern boundary is shared with a residential site.

3.3 Since 2011 the traffic movement through the neighbouring transport hub has steadily increased in both frequency and extended hours of operation. Queenstown's public transport is expected to keep growing leading to increased levels of passenger and bus activity. The current noise associated with vehicle movement and people waiting at the bus terminal area is considered to have significantly diminished the residential amenity of the immediate area.

3.4 The site at 14 McBride Street is currently an unformed car park and it provides access for additional parking spaces at the rear of the commercial premise at 16 McBride Street. The use of these areas is considered to have significantly diminished the residential amenity of the immediate area.

3.5 16 McBride St obtained resource consent RM031026 in 2004 to convert the existing residential building on the property into a commercial use which was and still is occupied by a dentist.

3.6 18 McBride St obtained resource consent RM090435 in 2006 to establish a professional office within part of the existing residential building and further amended this consent by variation RM090435 in 2009 in relation to parking

and hours of operation. This building has been used (in part) as an office since 2006.

3.7 In April 2017 the owners of 18B McBride St determined that this site was no longer a suitable place to raise their family and obtained consent RM170304 to convert the residential unit on this property to a professional office.

3.8 The owners of 20 McBride St have also concluded their preferred use of this site would be to convert the residential unit to a professional office.

3.9 Given the above, two of the four sites are already used as non-residential activities, one is in the process of converting to a commercial use of the site while the fourth has indicated a preference for commercial rather than residential.

3.10 In my opinion, it is not surprising that the type of businesses that are operating currently from half the land within the submission area are those you would anticipate to be located in a LSCZ as described in the opening lines of the purpose of the zone:

“The Local Shopping Centre Zone enables small scale commercial and business activities in discrete pockets of land that are accessible to residential areas and people in transit.”

3.11 The appropriateness of this area for a LSCZ is further supported by land at 14 McBride Street (northern neighbour) being promoted by the PDP as a LSCZ.

3.12 The necessity of these businesses are confirmed by their continued operation since 2004 and 2006 in this location. However, their operations are problematic by virtue of being located in buildings designed for families not commercial enterprises. To continue to operate under resource consents in residential buildings is considered to create an extreme inefficiency.

3.13 While submission 840 seeks a zone extension by reference it is considered better described as the application of the LSCZ to recognise existing small

scale business within the submission area and promote a zoning which enables these businesses to better serve the community.

4.0 STATUTORY CONSIDERATIONS

4.1 The statutory framework for assessing the merits of any submission seeking to apply a zone has been correctly set out in paragraph 9.2 of the Ss.42A report where the matters listed (a) to (j) have been addressed under relevant headings within this Part of my evidence.

National Policy Statements

4.2 Section 75(3) requires that a district plan must give effect to any national policy statement; any New Zealand Coastal Policy Statement; and any regional policy statement.

4.3 The following National Policy Statements have been considered:

- Urban Development Capacity
- Freshwater Management
- Renewable Electricity Generation
- Electricity Transmission
- Coastal Policy Statement

4.4 With the exception of Urban Development Capacity, in my opinion, none of the remaining policy statements listed above are relevant.

4.5 The revised supplementary statement of evidence of Craig Barr (2nd May 2017) towards Hearing Stream 12 provides an assessment against the UDC as it applies to the Wanaka Urban Environment. I concur with the reasons set out in paragraphs 8.24 – 8.27 of Mr Barr's evidence which conclude Policies PB1-PB7, PC2, PC3, PC5-PC11 and PD1-PD4 are not relevant for assessment purposes. In my opinion, these reasons are applicable to the Wakatipu Urban Environment.

4.5 In terms of PA1 I do not consider that submission 840 necessarily provides for any considerable level of additional capacity towards the demand for business land. This is because land within submission 840 already contains commercial uses and the submission seeks the re-zoning to reflect this.

Any additional capacity created is unlikely to be sufficient towards the demand referred in UDC standards. However, I do not believe that the proposed re-zoning unnecessarily frustrates PA1 or PA3.

- 4.6 Paragraph 9.22 of the Ss.42A report outlines the DCM is to be addressed in supplementary evidence and confirms in paragraph 9.23 an informed and strategic approach to the delivery of additional capacity will be offered by the end of 2017.
- 4.7 PA4 asks that when considering the effects of urban development, decision-makers shall take into account the benefits that urban development will provide with respect to the ability for people and communities and future generations to provide for their social, economic, cultural and environmental wellbeing.
- 4.8 As discussed, the proposed re-zoning seeks to recognise existing small scale business within the submission area and promote a zoning which enables these businesses to better serve the community. I believe submission 840 meets every intention set out in policy PA4.

Operative Otago Regional Policy Statement

- 4.9 Paragraph 5.5 of the Stream 8 s.42 report details relevant Objectives and Policies of the Operative Regional Policy Statement where it is considered and I concur:

“Together these strive to achieve sustainable management of the built environment in a manner that meets the needs of the community and which avoids, remedies, or mitigates adverse effects by recognising cultural relationships; promoting the efficient development and use of infrastructure (including the transport network); minimising effects of urban development on the environment (including in relation to noise, amenity, and community values); and enhancing people's quality of life (including people's health and safety).”

- 4.10 I believe that submission #840 is consistent with the summary of relevant policies above for the following reasons:

- a. The environmental effects of the proposed re-zoning have been assessed in Part 5 where it is concluded that any adverse effects associated with the proposed re-zoning are acceptable.
- b. Resource consents exist for three of four properties where environmental effects have been confirmed as no more than minor regarding the current commercial activities.
- c. The continued operation of businesses from the land within the submission since 2004 I believe demonstrates that the need of the community for this land to be formally recognised as a LSCZ.
- d. No significant natural systems have been identified within the areas proposed to be rezoned.
- e. Air quality will be maintained by Air Standards under the Regional Plan: Air.
- f. Efficient and effective infrastructure exists to service the proposed re-zoning.
- g. The proposed zoning is not within a statutory management area with respect to Iwi and is not considered to frustrate the partnership between Council and Ngai Tahu to collaboratively manage the District's natural and physical resources.
- h. It recognises the existing small scale business within the submission area and promotes a zoning which enables these businesses to better serve the community which is considered to be efficient and effective use of the land.

Proposed Otago Regional Policy Statement

- 4.11 I consider that the Objectives and Policies of the PORPS are not materially different to the extent that the reasons outlined in paragraph 4.10 earlier in my evidence could not confirm that submission #840 is consistent with key Objectives and Policies within the PORPS.

Proposed Queenstown Lakes District Plan – Strategic Chapters

Chapter 3 – Strategic Directions

- 4.12 A synopsis of this Chapter has been provided on paragraphs 8.2 – 8.7 of the Ss.42A report and I believe this is an accurate description of Chapter 3 yet paragraph 5.17 of the Stream 8 s.42 report conveys an more accurate account of policies which relate to the LSCZ:

Objective 3.2.1.1 - The Queenstown and Wanaka town centres are the hubs of New Zealand's premier alpine resorts and the District's economy.

Objective 3.2.1.4 - The significant socioeconomic benefits of tourism activities across the District are provided for and enabled.

Objective 3.2.1.5 - Development of innovative and sustainable enterprises that contribute to diversification of the District's economic base and create employment opportunities.

Objective 3.2.2.2 - Development in areas affected by natural hazards is appropriately managed.

Objective 3.2.3.1 - A built environment that ensures our urban areas are desirable and safe places to live, work and play.

Objective 3.2.3.2 - Development is sympathetic to the District's cultural heritage values.

Objective 3.2.6.3 - A high quality network of open spaces and community facilities.

Objective 3.2.6.4 - Safe and healthy communities through good quality subdivision and building design.

- 4.13 For the reasons outlined in paragraph 4.10 earlier in my evidence, I believe that submission 840 is consistent with each Objective and Policy within Chapter 3.

Chapter 4 – Urban Development

- 4.14 A synopsis of this Chapter has been provided on paragraphs 8.8 – 8.14 of the Ss.42A report and I believe this is an accurate description of Chapter 4. However, I find the summary from paragraph 5.19 of the Stream 8 s.42 report conveys an more accurate account of policies which relate to the LSCZ:

Objective 4.2.1 - Urban development is integrated with infrastructure and services and is undertaken in a manner that protects the environment, rural amenity and outstanding natural landscapes and features.

Objective 4.2.3 – Within Urban Growth Boundaries, provide for a compact and integrated urban form that limits the lateral spread of urban areas, and maximises the efficiency of infrastructure operation and provision.

Objective 4.2.4 - Manage the scale and location of urban growth in the Queenstown Urban Growth Boundary.

4.15 I must note that by adopting paragraphs 8.8 – 8.14 this does not change my evidence filed towards Hearing Stream 1B in relation to Submission 414. I remain that the intentions of this Chapter will largely be met by bespoke provisions within each relevant lower order Chapter.

4.16 I believe submission 840 is consistent with the Objectives and Policies of Chapter 4 for the reasons outlined in paragraph 4.10 earlier in my evidence.

Chapter 5 – Tangata Whenua

4.17 A synopsis of this Chapter has been provided on paragraphs 8.15 – 8.23 of the Ss.42A report and I believe this is an accurate description of Chapter 5 and would like to adopt these paragraphs for the purposes of preamble.

4.18 I believe that submission 840 is consistent with each Objective and Policy within Chapter 5 for the following reasons:

- The proposed re-zoning is not within a statutory management area with respect to Iwi.
- The proposed re-zoning is not considered to frustrate the partnership between Council and Ngai Tahu to collaboratively manage the District's natural and physical resources.
- There is no known waahi tapu within the area of the proposed re-zoning.
- If required, Accidental Discovery Protocol can be imposed by conditions of any future resource consent.

Chapter 6 – Landscape

- 4.19 A synopsis of this Chapter has been provided on paragraphs 8.24 – 8.35 of the Ss.42A report and I believe this is an accurate description of Chapter 6 and would like to adopt these paragraphs for the purposes of preamble.
- 4.20 Key to this strategic chapter are the management and protection of landscapes, areas from adverse effects of subdivision, use and development. Particular emphasis must be attributed to the protection of ONF and ONL landscapes. Provision for residential subdivision and development is afforded only in areas where the character and value of landscapes are maintained.
- 4.21 Due to the location of the land within submission 840, the proposed re-zoning which adjoins to the north and the approved resource consents for the continued use of the site for commercial enterprises I do not believe submission 840 is inconsistent with the Objectives and Policies of Chapter 6.

Part 2 of the Act

Section 5

- 4.22 Submission 328 seeks to change zoning and has been prepared in order to achieve the purpose of the Resource Management Act 1991 “the Act”, which is to promote the sustainable management of natural and physical resources.
- 4.23 Matters listed (a) to (c) within section 5(2) have been considered and this submission is considered to support the purpose of the Act for the (but not limited too) following reasons:
- Recognises the requirement of the land within the submission area to meet future needs enabling the community to provide for their economic well-being;
 - Can be efficiently and effectively serviced;
 - Affords direct access to McBride Street and adjoins a public transport hub.
 - The effects of the proposed re-zoning have been discussed in Part 5 where it is concluded that any adverse effects associated with the proposed re-zoning are acceptable.

- The continued use of the land by resource consent is not efficient. The proposed re-zoning recognises the existing commercial enterprises on land within the submission area and creates development opportunity whilst offering people and the community to provide for their social and economic wellbeing.
- No significant natural systems have been identified within the areas proposed to be rezoned.
- The proposed zoning is not within a statutory management area with respect to Iwi and is not considered to frustrate the partnership between Council and Ngai Tahu to collaboratively manage the District's natural and physical resources.
- Air quality will be maintained by Air Standards under the Regional Plan: Air.
- Efficient and effective infrastructure exists to service the proposed re-zoning.
- Commercial development can be undertaken within land proposed to be re-zoned without giving rise to reverse sensitivity effects.
- It recognises the existing small scale business within the submission area and promotes a zoning which enables these businesses to better serve the community which is considered to be efficient and effective use of the land.

4.24 I believe that proposed re-zoning does not compromise the potential of any natural or physical resources. The life supporting capacity of air, water, soil and ecosystems will be safeguarded.

Section 6

- 4.25 Matters of National Importance. This requires that any submission seeking to locate any zone shall recognise and provide for the appropriate management, use, development, and protection of natural and physical resources.
- 4.26 Matters listed (a) to (g) under this section of the Act provided for in the PDP by ONF, ONL and SNA areas with particular reference to the strategic chapters of the PDP which have been discussed above in Paragraph 4.14 to 4.16. For reasons listed in these paragraphs the submission is

considered to recognise and provide for the protection of natural and physical resources.

Section 7

- 4.27 Matters listed (a) to (j) in s.7 of the Act have been considered and for the reasons listed in paragraph 4.10 and further supported by paragraphs 4.5 to 4.8 I believe submission 840 is fully consistent with the purpose and principles of the Resource Management Act.

5.0 Assessment of Environmental Effects

Residential Amenity

- 5.1 A series of computer modelled 3D images are contained in Appendix 2 of my evidence. These images denote the bulk and location of buildings on along Gray Street as promoted by the PDP re-zoning of land which adjoins land contained in submission 840 in 'yellow'. To assess the bulk and location is considered important in the knowledge that the appearance and material appearance of any future building is a restricted discretionary activity and must pass the tests contained in Policy 15.4.3.1.
- 5.2 The permitted bulk and location which could be achieved on land contained in submission 840 under the existing LDR provisions is depicted in 'red' while the permitted bulk and location which could be achieved under the proposed re-zoning to LSCZ is depicted in 'green'.
- 5.3 It is noted that the revised submission includes amendments to the policies of Chapter 15 to require the bulk and location of any building to be sympathetic to the character of the existing streetscape and ensure the residential amenity of the surrounding area.
- 5.4 Based upon the modelling it is considered that the bulk and location of any building on land contained within the submission would be very similar to that which could be achieved by residential development. In addition, any residential development does not require any consideration of similar policies as those contained in Policy 15.4.3.1.

- 5.5 The front yard setback is considered to be a key attribute to the proposed re-zoning enabling any future development to be distanced from the road boundary facilitating landscaping and pedestrian amenities in the front yard setback.
- 5.6 Without a similar front yard control any future building on the legal boundary at the corner of Gray and McBride Streets in the proposed LSCZ will appear somewhat dominant to the land contained in the submission but this is considered acceptable by virtue of this sites location towards the LSCZ to the north of Gray Street.
- 5.6 Importantly, I believe the 3D images clearly depict that the level of sunlight admission into the residential properties to the south and the recreation reserve containing the bus shelter to the east of the land contained in submission 840 will be no less than the outcome of existing residential bulk and location requirements. I consider that the current residential amenity afforded on these properties will be maintained should the land contained within submission 840 be re-zoned.

Traffic

- 5.4 An assessment was undertaken on behalf of the submitter by Mr Jason Bartlett whom considers:

“The proposed activities will have increased traffic generation and parking demand as a result of potential on-site activities. It is noted that any development of the sites will require planning approvals through the Resource Consent process. It is noted that Section 14 of the Operative QLDC District Plan provides a planning mechanism to manage traffic effects of ant development activities including access from Arterial Roads, on-site manoeuvring and on-site parking. It is considered that compliance with current planning provisions of the Operative QLDC District Plan will result in acceptable traffic outcomes of activities enables by the proposed zone change.”

Any development of the site will be well connected to the local road network via McBride Street whilst also having direct connections to adjacent public transport services and local walking and cycle networks. These good connections to alternative transport routes are likely to reduce any enabled developments dependence on the private car.”

- 5.5 Based upon Mr Bartlett’s evidence I consider that any adverse effects associated with the proposed re-zoning will be acceptable.

Infrastructure

- 5.7 A QLDC Water, Wastewater and Stormwater mains are located in McBride Street as depicted in Appendix 3.

National Environmental Standard (NES) for Assessing and Managing Contaminants in Soil to Protect Human Health.

- 5.13 Given the use of the site and the uses permitted by the LSCZ NES considerations are not considered to be relevant.

Hazards

- 5.15 There are no hazards identified on QLDC Hazard Maps which I consider would preclude the proposed re-zoning.

Reverse Sensitivity

- 5.16 Acoustic insulation requirements are set out in Policy 15.5.3 of Chapter 15. These are considered to be sufficiently robust to ensure that there will be no issues of reverse sensitivity arising from the proposed re-zoning.

6.0 SECTION 32 EVALUATION

Section 32A(A)

- 6.1 The submission seeks to re-zone land from Low Density Residential to Local Shopping Centre. One amendment to the policies is recommended as detailed in Appendix 4. The amendment seeks to strengthen the ability

of land within submission 840 to respect the residential setting of McBride Street.

6.4 Reasonably practicable options are:

- 1 Retain the Low Density Residential Zone;
- 2 Re-zone all of the land Business Mixed Use;
- 3 Re-zone all of the land Local Shopping Centre Zone.

Retain the Low Density Residential Zone

6.5 *Costs:*

- Low Density Residential Zone objectives and policies do not facilitate the existing commercial enterprises.
- Ignores the inefficiency for local service providers currently operating from residential buildings and does not ensure the longevity of these business operations.

6.6 *Benefits:*

- Fewer costs resulting in the District Plan Review Process.

Business Mixed Use

6.7 *Costs:*

- Has costs associated with going through the District Plan Review process.
- The bulk and location controls are not as sympathetic to residential amenity levels. Potentially residential amenity in adjoining zones could be lost.

6.8 *Benefits:*

- Provides for a diverse range of commercial activities to occur to serve the needs of the community.
- Enables additional areas that are currently undeveloped to be considered for inclusion in the zone.
- Maintains the established policies set by the former Business Zones.

Local Shopping Centre Zone

6.9 Costs:

- Has costs associated with going through the District Plan Review process

6.10 Benefits:

- Removes the continued inefficiency for local service providers whom currently operate from land contained within the submission.
- Provides for a diverse range of activities to occur to serve the needs of the community.
- Enables the policy framework to be critically assessed and strengthened where necessary.
- Enables additional areas that are currently developed in part to be considered for inclusion in the zone.
- Supports 5(2) of the RMA through ensuring development enables people and communities to provide for their social, economic and cultural wellbeing. Meets the intent of Section 7 (Other Matters) of the RMA which requires particular regard to “*the maintenance and enhancement of amenity values*”.
- Supports the purpose of the RMA through mitigating adverse effects of development, whilst enabling social and economic wellbeing through support for efficient land use.

6.11 The proposed re-zone to Local Shopping Centre Zone remains the primary relief sought by submission 840.

7.0 OTHER STATUTORY REQUIREMENTS

7.1 A number of requirements remain outstanding in relation to the proposed re-zoning where I consider:

- There are no relevant management plans or strategies prepared under other Acts;
- There are no relevant entries on the New Zealand Heritage List / Rārangī Kōrero;
- There is no relevant planning document recognised by an iwi authority and lodged with the territorial authority, that has a bearing

on the resource management issues of the land affected by this submission or any land further afield;

- The submission does not give rise to any potential for trade competition.

8.0 FURTHER SUBMISSIONS

- 8.1 Submission 840 received one further submission from QAC whom remain neutral on the basis the proposed re-zoning does not result in the intensification of activities sensitive to aircraft noise.

9.0 SECTION 42A REPORT

- 9.1 The s.42A report accurately records the assessment of relevant experts and provides analysis where paragraph 5.36 states:

“Similar to my assessment above of submissions from Williams (141) and Giddens (828), while acknowledging that the sites subject to this submission (840) do contain some commercial uses and are closer to the existing LSCZ at Frankton, due to potential effects of development of the LSCZ zones on surrounding residential amenity and traffic, I do not consider the LSCZ to be appropriate in this location.”

My emphasis added.

Residential Amenity

- 9.2 Based upon the assessment of environmental effects contained in Part 5 of my evidence, the robust policies contained in Chapter 15 and amendments proposed I consider that the proposed re-zoning will not result in any loss of residential amenity and submission 840 should be accepted.

Traffic

- 9.6 Based upon the evidence of Mr Bartlett I conclude that any adverse effects in terms of traffic are acceptable and submission 840 should be accepted.

- 9.10 Paragraph 5.40 of the s.42a report states:

“While a smaller area of land is sought to be rezoned in comparison with the two other rezoning submissions in the McBride Street area, the proposed rezoning is still an expansion to an existing LSCZ that has the potential to be inconsistent (albeit to a lesser extent than the other submission sites) with Policy 15.2.1.2 to “Ensure that local shopping centres remain at a small scale that does not undermine the role and function of town centres”. Particularly given the evidence of Mr Heath that there is sufficient supply of commercial land.”

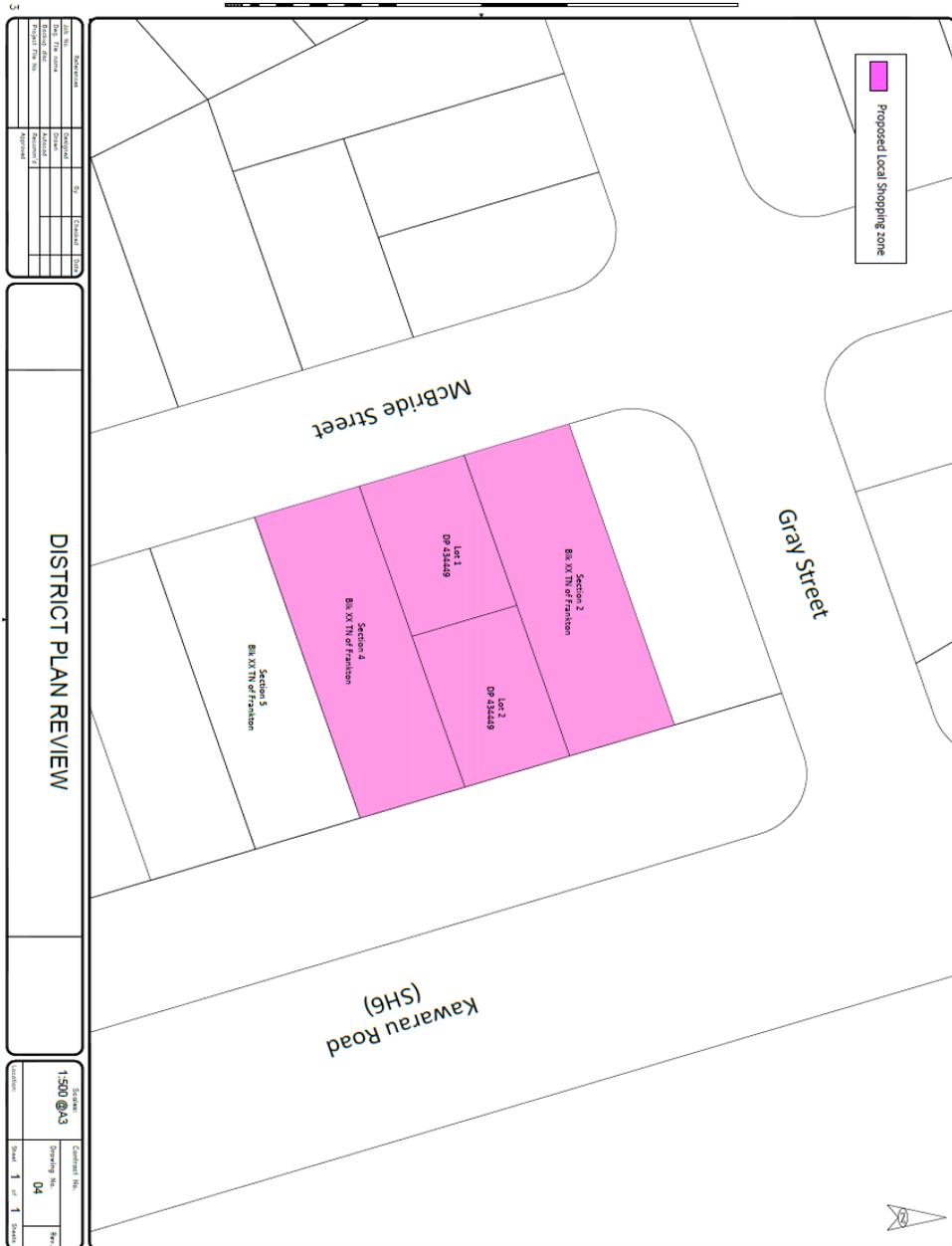
- 9.11 As discussed in Part 1, I do not consider that submission 840 necessarily provides for any considerable level of additional capacity as far as the demand for business land. This is because land within submission 840 already contains commercial uses and the submission seeks the re-zoning to better provide for these existing uses more so than to provide further capacity.
- 9.12 The existing local shopping centres have continued to operate alongside the commercial activities contained on land within the submission. While the proposed re-zoning will enable these businesses to develop and potentially invite other similar activities I believe this would only result in the community being more effectively served whilst offering people to provide for their social and economic wellbeing.

Nick Geddes

4th June 2017

Appendix 1

Land contained within Submission 840



<table border="1"> <tr> <th>Particulars</th> <th>By</th> <th>Checked</th> <th>Date</th> </tr> <tr> <td>Prepared</td> <td></td> <td></td> <td></td> </tr> <tr> <td>Checked</td> <td></td> <td></td> <td></td> </tr> <tr> <td>Approved</td> <td></td> <td></td> <td></td> </tr> </table>	Particulars	By	Checked	Date	Prepared				Checked				Approved				DISTRICT PLAN REVIEW	Scale: 1:500 @ A3 Drawing No: PD Sheet 1 of 1
Particulars	By	Checked	Date															
Prepared																		
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Appendix 2

Permitted Bulk and Location – 3D Modelling, provided as separate PDF file
“Appendix 2” attached to primary evidence.

Appendix 3

QLDC Water, Wastewater and Stormwater



Appendix 4

Insert new policy 15.4.3.3

	Activities located in the Local Shopping Centre Zone	Activity Status
15.4.3	<p>15.4.3.3 Development of Sec 2 TN Blk XX Frankton, Lot 1 DP & Lot 2 DP 434449 only</p> <p>The following additional requirements apply to the Local Shopping Centre Zone located on Sec 2 TN Blk XX Frankton, Lot 1 DP & Lot 2 DP 434449:</p> <p style="padding-left: 40px;">a. Minimum road boundary setback of any building shall be 4.5m.</p> <p>Discretion is restricted to consideration of the following:</p> <ul style="list-style-type: none"> • The extent to which the intrusion into the street scene is necessary to allow more efficient, practical use of the remainder of the site and the ability to mitigate any effects of intrusion on the street scene. • The extent to which the proposed building will detract from the coherence of the site as viewed from the street. 	RD*

Insert new policy 15.4.3.3

	Standards for activities located in the Local Shopping Centre Zone	Activity Status
15.5.6	<p>Building Height</p> <p>c) For the Local Shopping Centre Zone located on Sec 2 TN Blk XX Frankton, Lot 1 DP & Lot 2 DP 434449 the maximum building height shall be 8m.</p>	NC

Insert new policy 15.5.2(c)

	Standards for activities located in the Local Shopping Centre Zone	Activity Status
15.5.6	<p>Setbacks and Sunlight Access – sites adjoining any Residential zone, Township Zone or public open space</p> <p>c) For the Local Shopping Centre Zone located on Sec 2 TN Blk XX Frankton, Lot</p>	RD*

	1 DP & Lot 2 DP 434449 where the site adjoins any Residential zone the setback shall be not less than 4.5m.	
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