

**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 Submission 2400

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

**Banco Trustees Limited, McCulloch Trustees 2004 Limited, and others (#2400)**

**Dated 13<sup>th</sup> June 2018**

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## **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 authored submissions on Stage 1 of the plan review, prepared evidence and attended hearings in relation to the following submissions: 121, 228, 233, 235, 314, 323, 328 336, 342, 338, 347, 354, 411, 414 & 715.
- 1.6 I authored submissions on Stage 2 of the plan review and/or have prepared evidence in relation to the following submissions: 2332, 2254, 2247-2249, 2400, 2250, 2252, 2298 & 2300.

## **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 Banco Trustees Limited, McCulloch Trustees 2004 Limited, and others on the Queenstown Lakes Proposed District Plan.
- 2.2 I have prepared evidence where I assess and explain:
  - a) Submission 2400, part 3 / page 3;
  - b) National Policy Statements, part 4 / page 11;
  - c) Regional Policy Statements, part 4 / page 12;

- d) PDP – Strategic Chapters, part 4 / page 15;
- e) Part 2 of the Act, part 4 / page 19;
- f) Assessment of Environmental Effects, part 5 / page 20;
- g) Section 32A(A) Evaluation, part 6 / page 22;
- h) Other Statutory requirements, part 7 / page 24;
- i) Further Submissions, part 8 / page 24;
- j) Section 42A Report, part 9 / page 25.

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

- a. Stage 1 Section 32 Evaluation Reports, Council s.42A Reports and QLDC right-of-reply for the following PDP Chapters; Strategic Chapters 3-6, Rural Residential and Rural Lifestyle, Rural, Residential, Subdivision and Wakatipu Basin;
- b. Stage 1 associated evidence submitted on behalf of QLDC prepared by Mr Glenn Davis, Mr Ulrich Glasner and Mr Phillip Osborne.
- c. Stage 2 s.42A reports by prepared on behalf of QLDC by Mr Marcus Langman, Mr Craig Barr and Ms Anita Vanstone;
- d. Stage 1 associated evidence submitted on behalf of QLDC prepared by Ms Helen Mellsop, Mr Glenn Davis, Mr Vaughn Crowther, Ms Bridget Gilbert, Mr David Smith and Ms Andrea Jarvis.
- e. 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"  
 Special Housing Area – "SHA"  
 Wakatipu Basin Landuse Study – "WBLs"  
 Arrowtown South Precinct – "ASP"  
 Rural Residential Zone – "RRZ"  
 National Policy Statement: Urban Development Capacity 2016 – "UDC"  
 Operative Otago Regional Policy Statement – "OORPS"  
 Proposed Otago Regional Policy Statement – "PORPS"

### **3.0 SUBMISSION 2400**

- 3.1 Submission 2400 seeks the re-zoning of land held in certificate of title OT14A/295 hereafter referred to as “the site”. The site comprises of 6.5458ha, is identified on the plan contained in Appendix 1 of my evidence and contains no known protected items or areas of significant vegetation.
- 3.2 The site has been notified as Wakatipu Basin Rural Amenity Zone where the current submission seeks to re-zone to Wakatipu Basin Lifestyle Precinct. The proposed Chapter 24 and 27 amendments are set out in Appendix 2 while the reasons for the amendments are contained throughout my evidence.
- 3.3 Based upon previous rural living subdivisions with similar topography and constraints I believe it is appropriate to apply a loss towards roading and servicing of 15%. Therefore, the developable area equates to 5.56393ha, 14 (13.90983) allotments of 4,000m<sup>2</sup> can be expected.
- 3.4 A 200mm water main extends along the western side of McDonnell Road while wastewater reticulation extends along the eastern side of McDonnell Road and both are directly adjacent the site. Both Chorus and Aurora have existing networks in McDonnell Road which can be extended to serve the proposed re-zoning.
- 3.5 The subject site contains one existing vehicle crossing onto McDonnell Road which is signposted as a 50km/hr road and I consider that the crossing is sufficient by QLDC standards to serve 14 rural living allotments.
- 3.6 There are a number of consented developments in the area which are relevant to the proposed re-zoning. These are described in Appendix 3 of my evidence.

### **4.0 STATUTORY CONSIDERATIONS**

- 4.1 The statutory framework for assessing the merits of any submission seeking to apply a zone was set out in paragraph 9.2 of QLDC’s strategic section 42A report prepared by Ms Kim Banks towards hearing stream 13, stage 1 of the District Plan Review. Pages 35-39 of the Commissioners Report 17-1 provided additional clarification and comment on the strategic section 42A report with reference to “zoning principles”.
- 4.2 Matters listed (a) to (j) in paragraph 9.2 of the strategic section 42A report were amended by Commissioners in Report 17-1 to become principals (a) to (k) with two other relevant factors. All of which are acknowledged and have been addressed under relevant headings.

#### **National Policy Statements**

4.3 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.

4.4 The following National Policy Statements have been considered:

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

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

National Policy Statement on Urban Development Capacity 2016 (UDC)

4.6 The NPSUDC has been discussed in part 5 of the s.42A report compiled by QLDC Planner Ms Anita Vanstone where she confirms there are only three relevant rezoning submissions as the land in question (Wakatipu Basin) is largely outside the Queenstown Urban Environment.

4.7 I am mindful of the development capacity which has been accounted for in the Wakatipu Basin as part of the Stage 1 of the NPSUDC evidence and discussions. However, I accept that the land as part of the current submission is not within the Queenstown Urban Environment and therefore the NPSUDC is of limited consideration.

4.8 Notwithstanding, I believe it is important to note the evidence of Mr Phillip Osborne, 1<sup>st</sup> May 2017 highlights that a well-functioning housing market requires a large number of potential development opportunities and in a similar light paragraph 5.2 of Mr Michael Copeland's evidence towards Hearing Steam 2 where he states:

*“There is now a general acceptance in New Zealand and other countries that economic wellbeing and economic efficiency are maximised when investment decisions are left to individual entrepreneurs or firms, without intervention from Government. The essence of this approach is that the efficient use of resources, and therefore "sustainable management" results from the creation of a climate where the market enables people to make investment decisions "to provide for their economic well being". Sometimes "market imperfections" or "externalities" arise because the actions of individuals or firms create positive or negative impacts on others.”*

4.9 Based upon the evidence of Mr Osborne and Mr Copeland in Stage 1 proceedings I believe that a healthy functioning market is required which is one that is supported by multiple development opportunities in multiple locations and these should be derived

from people and communities providing choices for their social and economic wellbeing in the short and long term.

- 4.10 I believe the proposed re-zoning extends the range of housing typology and housing location available in the Wakatipu.

#### **Operative Otago Regional Policy Statement**

- 4.11 Objectives and Policies of the Operative Regional Policy Statement are contained within Appendix 4 of my evidence along with those of the Proposed Regional Policy Statement. In particular;
- 4.12 Objective 5.4.1 relates to the sustainable management of Otago land resource and 5.4.2 seeks to avoid, remedy or mitigate degradation of the natural and physical resources from activities using the land resource.
- 4.13 Objective 5.4.3 seeks to protect outstanding natural features and landscapes.
- 4.14 Policy 5.5.4 promotes the diversification and use of the land resource to achieve sustainable land use and management systems and uses. This is supported by Strategic Chapter Objective 3.2.1.4.
- 4.15 Policy 9.4.1 seeks to promote the sustainable management of Otago's built environment in order to meet the present and reasonably foreseeable needs of Otago's people and communities, provide for amenity values, conserve / enhance environmental and landscape quality while recognising and protecting heritage values.
- 4.16 Objective 9.4.2 seeks to promote the sustainable management of Otago's infrastructure to meet the present and reasonably foreseeable needs of Otago's communities (Policies 9.5.2 and 9.5.3)
- 4.17 Objective 9.4.3 seeks to avoid, remedy or mitigate the adverse effects of Otago's built environment on Otago's natural and physical resources. (Policies 9.5.1 and 9.5.3 to 9.5.6)
- 4.18 Policy 9.5.4, addresses the effects of urban development and settlement.
- 4.19 Policy 9.5.5 promotes the quality of life for people and communities within Otago's built environments, through the identification and provision of an acceptable level of amenity; management of effects on communities' health and safety from the use, development and protection of natural and physical resources; and managing effects on landscape values.
- 4.20 I believe that submission 2400 is consistent with relevant Objectives and Policies of the Operative Regional Policy Statement for the following reasons:

- a. 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.
- b. The continued use of the land for farming is not economic. The proposed re-zoning creates development opportunity and offers people and the community to provide for their social and economic wellbeing.
- c. No significant natural systems have been identified within the areas proposed to be rezoned.
- d. 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.
- e. No significant areas of existing indigenous vegetation within the area of the proposed re-zoning have been identified.
- f. Air quality will be maintained by Air Standards under the Regional Plan: Air.
- g. Efficient and effective infrastructure is in existence or can be developed to service the proposed re-zoning.
- h. Rural Living development can be undertaken within land proposed to be re-zoned without giving rise to reverse sensitivity effects.
- i. Natural hazards have been identified and it is confirmed these can be addressed as part of any future resource consent. A hazard assessment is contained in Appendix 5 and discussed further in part 5 of my evidence.
- j. A PSI investigation of the property has been undertaken and found fit for residential occupation. A copy of the PSI is contained in Appendix 6 and discussed further in part 5 of my evidence.

#### **Proposed Otago Regional Policy Statement**

- 4.21 Having regard to the provisions of the Proposed Otago Regional Policy Statement (PORPS) is further limited as a majority of the provisions have been appealed and mediation is currently taking place. As such, I believe limited weight can be given to the relevant objectives and policies of the PORPS.
- 4.22 Part 6.2 of the QLDC s.42A report by Mr Langman specifies the relevant objectives and policies in the PORPS. For the reasons listed (a) to (j) above I believe that the proposed

re-zoning is consistent with each of the relevant objectives and policies of the Proposed Otago Regional Policy Statement.

## **Proposed Queenstown Lakes District Plan – Strategic Chapters**

### Chapter 3 – Strategic Directions

#### *Objective 3.2.1*

4.23 In relation to Objective 3.2.1 and its related policies, in my opinion, policies 3.2.1.6, 3.2.1.8 and 3.2.1.9 are the only relevant policies for the following reasons:

- a) The proposed re-zoning does not include visitor industry facilities, services or agricultural landuse;
- b) The area of the proposed re-zoning is not located in the Town Centre Zone, Frankton urban area, Three Parks Zone, commercial or industrial centre;

*3.2.1.6 Diversification of the District's economic base and creation of employment opportunities through the development of innovative and sustainable enterprises.*

4.24 The proposed re-zoning is considered to be consistent with 3.2.1.6 for (but not limited too) the following reasons:

- a) The proposed re-zoning includes re-zoning to rural living which is not considered to diversify the District's economic base. However, it does create employment and alternative living opportunities associated with rural living in the Wakatipu Basin;

*3.2.1.8 Diversification of land use in rural areas beyond traditional activities, including farming, provided that the character of rural landscapes, significant nature conservation values and Ngāi Tahu values, interests and customary resources, are maintained. (also elaborates on S.O.3.2.5 following)*

4.25 The proposed re-zoning is considered to be consistent with 3.2.1.8 for (but not limited too) the following reasons:

- a) The proposed re-zoning is considered to represent a diversification of land use;
- b) The Wakatipu Basin Landuse Study determines that the Arrowtown South Precinct as having a 'high' capability to absorb development;
- c) QLDC consultant Ecologist Glen Davis raises no specific concern with the proposed re-zoning. A site inspection did not reveal any significant areas of native vegetation and none are recognised in the PDP. As such, I consider that there is no significant conservation value associated with the area of the proposed re-zoning;

- d) For the reasons outlined under Chapter 6 policies below; Ngāi Tahu values, interests and customary resources are not considered to be compromised as part of the proposed re-zoning.

*3.2.1.9 Infrastructure in the District that is operated, maintained, developed and upgraded efficiently and effectively to meet community needs and to maintain the quality of the environment. (also elaborates on S.O. 3.2.2 following)*

4.26 The proposed re-zoning is considered to be consistent with 3.2.1.9 for (but not limited too) the following reasons:

- a) For the reasons set out in part 5 “Infrastructure” I believe the proposed re-zoning can be fully serviced.

4.27 In summary, for the reasons set out above I believe that the proposed re-zoning is consistent with Objective 3.2.1 of Chapter 3 and its related policies 3.2.1.1 – 3.2.1.9.

*Objective 3.2.2*

4.28 In relation to this Objective and (a) to (h) of its policy, the proposed re-zoning seeks a rural living landuse and 4000m<sup>2</sup> minimum allotment size. I do not consider this to represent “urban” development. As such, I do not believe Objective 3.2.2.1 and its related policies are relevant.

*Objective 3.2.3*

4.29 The site does not contain any notable items of heritage value or other protected items scheduled or identified in the District Plan.

4.30 Based upon the above, I believe that the proposed re-zoning is consistent with Objective 3.2.3 and its policy 3.2.3.1.

*Objective 3.2.4*

4.31 Objective 3.2.4 and related policies 3.2.4.1 – 3.2.4.5 have been assessed and the proposal is considered to be consistent with each for (but not limited too) the following reasons:

- a) The WBLS stipulates that the Arrowtown South Precinct has a high capability to absorb development. The proposed re-zoning seeks a rural living density which provides a 4000m<sup>2</sup> minimum allotment size which is considered to maintain a sufficient level of the life-supporting capacity of air, water, soil;
- b) A site inspection of the area to be re-zoned did not reveal an abundance of wilding species, any significant areas of indigenous biodiversity, lakes, rivers or wetlands;

- c) The QLDC subdivision code of practice will ensure that any servicing (including stormwater) is adequately provided prior to the completion of any subdivision consent approval;
- d) There is currently no public access over the area of the proposed re-zoning and I consider that it is unlikely that there will be any demand from rural living for access to the natural environment.

*Objective 3.2.5*

- 4.32 In relation to this Objective 3.2.5 and its policies 3.2.5.1 and 3.2.5.2, the Wakatipu Basin Landuse Study determines that the Arrowtown South Precinct as having a 'high' capability to absorb development as discussed in part 5 "Landscape and Visual Amenity".

*Objective 3.2.6*

- 4.33 Based upon the evidence of Mr Osborne and Mr Copeland in Stage 1 proceedings I believe that a healthy functioning market is required which is one that is supported by multiple development opportunities in multiple locations.
- 4.34 I believe the proposed re-zoning extends the range of housing typology and housing location available in the Wakatipu environment and this represents people and communities providing choices for their social and economic wellbeing in the short and long term.

*Objective 3.2.7*

- 4.35 Objective 3.2.7 and policies 3.2.7.1 and 3.2.7.2 have been assessed and the proposal is considered to be consistent with these as the site is not recognised as containing any items of cultural significance.

*Strategic Policies*

- 4.36 Strategic policies 3.3.1 – 3.3.35 have been assessed and are not considered to be relevant or the proposal is considered to be consistent with relevant policies for the following reasons:
- a) The site of the proposed re-zoning is not located in a Town Centre, Commercial, Industrial Zone, Significant Natural Area, Rural area, Outstanding Natural Landscape;
  - b) The proposed re-zoning seeks a rural living landuse and 4000m<sup>2</sup> minimum allotment size. I do not consider this to represent "urban" development;
  - c) The reasons set out above in confirming the proposed re-zoning is consistent with Objectives 3.2.1 – 3.2.7 and related policies;

- d) Policies 3.3.33 to 3.3.35 have been assessed and the proposal is considered to be consistent with this policy as the site is not recognised as containing any items of cultural significance.

#### Chapter 5 – Tangata Whenua

- 4.37 Objectives 5.4.1 – 5.4.5 and related policies have been assessed and I consider that the proposed re-zoning is consistent with each for (but not limited too) the following reasons:
- a) The proposed re-zoning is not within a statutory management area with respect to Iwi;
  - b) 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;
  - c) There is no known waahi tapu within the area of the proposed re-zoning;
  - d) If required, Accidental Discovery Protocol can be imposed by conditions of any future resource consent.

#### Chapter 6 – Landscape

- 4.38 In my opinion, Policies 6.3.1 – 6.3.3, 6.2.12– 6.3.18 and 6.3.30 – 6.3.33 are not relevant as the site of the proposed re-zoning is not located:
- Within any ONL or ONF landscapes;
  - Within the Zones specified in policies 6.3.2 and 6.3.3;
  - On any Lakes or Rivers.
- 4.39 Policies 6.3.4 – 6.3.11 have been assessed and I consider that the proposed re-zoning is consistent with each for (but not limited too) the following reasons:
- a) The site of the proposed re-zoning is not located within any of the Rural Zone, the Gibbston Character Zone, the Rural Residential Zone or the Rural Lifestyle Zone;
  - b) Any adverse effects of the proposed re-zoning have been considered in part 5 of my evidence and have been determined as acceptable. Policy 4.2.1.2 focuses urban development on land at selected locations and to a lesser extent within smaller rural settlements;
  - c) The proposed re-zoning does not include any production forestry planting or harvesting activities;
  - d) The subject site has not been actively farmed in the last fifteen years;
  - e) QLDC consultant Ecologist Glen Davis did not oppose the proposed re-zoning as part of his Stage 1 assessment as there was a lack of indigenous vegetation communities in the area of the proposed re-zoning;

## **Part 2 of the Act**

### Section 5

- 4.40 Submission 2400 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.
- 4.41 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:
- Provides for additional residential housing typologies to meet future needs enabling the community to provide for their economic well-being;
  - Can be efficiently and effectively serviced;
  - Affords direct access to McDonnell Road;
  - 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 site has been utilised for rural living for the last ten years and the proposed re-zoning recognises the existing use of the property.
  - The proposed re-zoning creates development opportunity and offers 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.
  - No significant areas of existing indigenous vegetation within the area of the proposed re-zoning have been identified.
  - Air quality will be maintained by Air Standards under the Regional Plan: Air.
  - Efficient and effective infrastructure can be developed to service the proposed re-zoning.
  - Residential development can be undertaken within land proposed to be re-zoned without giving rise to reverse sensitivity effects.
  - Natural hazards can be adequately addressed at the time of any future resource consent.
- 4.42 I believe that proposed re-zoning does not compromise the potential of any natural or physical resources. The life supporting capacity of air, water and ecosystems will be safeguarded.

## Section 6

- 4.43 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.
- 4.44 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 paragraphs 4.23 to 4.39. For reasons listed in these paragraphs the submission is considered to recognise and provide for the protection of natural and physical resources.

## Section 7

- 4.45 Matters listed (a) to (j) in s.7 of the Act have been considered and for the reasons listed in paragraph 4.20 and further supported by paragraphs 4.23 to 4.39 I believe submission 2489 is fully consistent with the purpose and principles of the Resource Management Act.

## **5.0 Assessment of Environmental Effects**

### Landscape and Visual Amenity

- 5.1 The Wakatipu Basin Landuse Study (WBLs) undertook primarily a landscape assessment of the Wakatipu Basin which included the Arrowtown South Precinct (ASP). Paragraph 1.20 of the WBLs comments:

*“The distinctly urban Special Housing Area (SHA) development that has been approved within the Ladies Mile Highway and Arrowtown South landscape character units under QLDC’s SHA First Lead Policy (together with the unbuilt and consented platforms), suggests a considerably reduced sensitivity to additional development and the potential to accommodate urban residential land uses in these areas (assuming the SHAs are developed). We consider an ‘urban parkland’ development character is likely to be appropriate in each of these locations drawing from the character of Millbrook, rather than the more ‘traditional’ urban form characterised by Lakes Hayes Estate or Shotover Country. An urban parkland development character would enable higher density in places, with lower densities and landscape buffers as the site-specific circumstances dictate. If the SHAs lapse, it is our recommendation that each of these areas should revert to their underlying zoning i.e. the Wakatipu Basin Rural Amenity Zone.”*

- 5.2 The WBLs specifies that the density of development which can be accommodated across the ASP would be the same level as the PDP’s low and medium density

residential zones. This equates to a residential density of 1 unit per 450m<sup>2</sup> and 1 unit per 250m<sup>2</sup> respectively. Based upon similar subdivisions, residential development of this density on a site of this nature should expect a 30% loss towards roading and servicing. Based upon the developable areas discussed in part 3 of my evidence I believe the recommended densities of the WBLs equates to a total of 101 (450m<sup>2</sup>) or 183 (250m<sup>2</sup>).

- 5.3 Notwithstanding the 'urban parkland' development character and structure plan process I believe this represents a significant level of development which is deemed acceptable within the WBLs. This recommended density was subject to:
- Clearly defensible urban edge;
  - An 'urban parkland' type development character;
  - A structure plan process to address amenity, landscape and infrastructure issues.

- 5.4 In addition to the above, the absorption capability of the site is reliant on the SHAs as stated in paragraph 5.31 of the WBLs:

*"In the case of (LCU) 10 Ladies Mile and 24 Arrowtown South, absorption capability was largely driven by the UCPs and distinctly urban SHA developments within each unit. Were these SHAs not in place, each of these units would have rated as Low or Very Low as a consequence of the important role they each play in shaping the character of the Basin (Ladies Mile: very high-profile location and reads as part of the entrance to Queenstown; Arrowtown South: forms part of the defensible edge to Arrowtown)."*

- 5.5 Special Housing Area consent SH160141 was granted for the Arrowtown Lifestyle Retirement Village south of the subject site and is currently under construction.
- 5.6 As discussed earlier in my evidence the proposed re-zoning equates to a total of 14 4,000m<sup>2</sup> allotments. Mr Skelton, Landscape Architect, has assessed any adverse effects upon the landscape and visual amenity amongst other landscape related matters in this evidence. Based upon his evidence, I consider that any adverse effects from the proposed re-zoning upon the landscape or visual amenity of the surrounding area are acceptable.

#### Traffic

- 5.7 The portion of MacDonnell Road which adjoins the site affords a posted speed limit of 50kph and does not contain any formal pedestrian walkway. The existing vehicle crossing affords an uninterrupted sightline to the north of 345 metres and to the 316 metres to the south. I believe this level of indivisibility between approaching vehicles, pedestrians and cyclists and users of the vehicle crossing will ensure the safety of all road users. Therefore, any adverse effects in this regard are considered to be acceptable.

## Infrastructure

### *Water / Wastewater*

- 5.8 A 200mm water main extends along the western side of McDonnell Road while wastewater reticulation extends along the eastern side of McDonnell Road. A connection can be made to both of these services at the time of any future subdivision where the cost of the connection will be met by the developer.

### *Stormwater*

- 5.9 RDAgritech Ltd undertook site investigations towards establishing the percolation rates of soils across the site and completed a report which is contained in Appendix 7. Based upon this report and an allotment yield of 14; I believe that any future resource consent can demonstrate an appropriate individual stormwater disposal system to ground.

### *Power & Telecoms*

- 5.10 Both Chorus and Aurora have electricity and telecommunication networks along McDonnell Road. As such, I believe the site can be adequately serviced with power and telecoms.
- 5.11 Summary: Based upon the above, I consider that any 14-allotment development of the site should this re-zoning submission be accepted can be fully serviced and in terms of serving will have no adverse effect on the environment.

## Ecology

- 5.12 An assessment of the ecology within the Wakatipu Basin has been undertaken on behalf of QLDC by Mr Glen Davis. Mr Davis confirms in Figure 3 (page 12) of his evidence that the site has less than 10% indigenous cover left.
- 5.13 A site inspection did not reveal any significant areas of native vegetation and none are recognised in the PDP. As such, I consider that there is no significant conservation value associated with the area of the proposed re-zoning and there will be no adverse effects upon ecology.

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

- 5.14 The submitter has previously commissioned a Preliminary Site Investigation of the site towards the lodgement of a resource consent to create 14 rural living allotments and reporting from this investigation is contained in Appendix 6 while the conclusions and recommendations of this investigation are summarised below:

*“Taking into consideration the information herein, it is considered more likely than not that the risk to human health associated with potential contamination associated with the subdivision, change of land use and potential development on the site is **low**. As such it is considered **highly unlikely** that there will be a risk to human health associated with the proposed development activity within the specified building platforms on the site.”*

#### Hazards

- 5.15 The subject site (part of) is recognized as being susceptible to nil to low liquefaction risk. RD Agritech Ltd have undertaken site investigations and completed a report which is contained in Appendix 5. In relation to the liquefaction risk the report comments:

*“Liquefaction Category: LIC 1 has been identified on the QLDC website. The risk description is nil to low risk for the site which is considered to be less than minor. We would agree with the nil to low risk assessment as the soil and groundwater conditions for liquefaction are not present within this area.*

*A seismic ground shaking risk for the Wakatipu region on the whole has been identified and prudent design to mitigate the risk of seismic ground shaking should be applied to all proposed structures. Design to the relevant structural and building codes is expected to mitigate this issue.*

*Freeze and thaw effects are relevant for the region and it is recommended that all NZS3604 foundations are embedded at least 0.4m below finished ground levels with careful consideration given to final ground level clearances from exterior claddings.*

*With the current topography across the site, overland flow is expected during high rainfall events. However, it is recommended that any potential overland flow paths are either piped or regraded away from the building platforms and associated landscaping structures.”*

- 5.16 Based upon the investigation and report completed by RD Agritech Ltd it is concluded that the proposal will not result in any significant adverse effects in relation to this natural hazard.

## 6.0 SECTION 32 EVALUATION

6.1 I consider it is important to note that the s.42A report of Mr Langman considers that the rezoning the land for rural living is inefficient and creates a significant limitation on the future use of that land. He therefore concludes that comparatively, this proposed rezoning is not an efficient use of land.

6.2 I consider that for the purposes of a comparative section 32 analysis, it is of assistance to compare zoning options which are feasible and within the scope of the hearing. This does not include an urban rezoning.

6.3 Therefore, I have made a comparative assessment to the notified zoning of the site Wakatipu Basin Amenity Zone and the most density which could be achieved through submissions.

6.4 Options for the zoning of this land which are within the scope of this hearing are:

- 1 Retain the Wakatipu Basin Rural Amenity Zone;
- 2 Re-zone all of the land Wakatipu Basin Lifestyle Precinct (allotment size 4000m<sup>2</sup>).

### Retain the Wakatipu Basin Rural Amenity Zone

6.5 *Costs:*

- Unlikely to cater for predicted levels of growth.
- WBRA Zone objectives and policies will not facilitate rural living development.
- An attempt to seek development on the basis of the WBRA Zone rules would involve a detailed prescription of controls relating to residential building platforms to replicate appropriate building design, height and landscape controls and significant detail relating to the staging of development to sequence the development over the construction period.
- Inefficient use of land.

6.6 *Benefits:*

- Fewer costs resulting in the District Plan Review Process.

### Wakatipu Basin Lifestyle Precinct (allotment size 4000m<sup>2</sup>).

6.7 *Costs:*

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

6.8 *Benefits:*

- Enables the policy framework to be critically assessed and strengthened where necessary;

- Enables additional areas that are currently undeveloped to be considered for inclusion in the zone;
- The re-zoning enables diversity of housing options in the District, and makes a positive contribution to the District's economy;
- 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*";
- Acknowledges that the amenity and character of some land can enable increased rural living densities;
- Supports the purpose of the RMA through mitigating adverse effects of development, whilst enabling social and economic wellbeing through support for efficient land densities.

6.9 The proposed re-zone to Wakatipu Basin Lifestyle Precinct 4000m<sup>2</sup> lot size remains the primary relief sought by submission 2400.

## **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 2400 received a number of further submissions in support and these have been accurately recorded in the s.42A report by Mr Langman.

## **9.0 SECTION 42A REPORTS**

9.1 The summary of Council assessments and recommendations on page 8 of Mr Langman's supplementary evidence confirms that the current submission is not opposed on the grounds of Ecology and Landscape. The submission has not been addressed in terms of infrastructure and is opposed in terms of Traffic.

- 9.2 Part 5 of my evidence addresses infrastructure where I consider that the 14-allotment yield anticipated by the proposed re-zoning can be fully serviced.
- 9.3 Traffic and transport evidence has been submitted by Mr Smith on behalf of QLDC. I have been unable to locate comment on submission 2400 within his evidence.
- 9.4 Part 62.2 – 62.8 of Mr Langman’s evidence in chief relates to the planning analysis for the current submission. Mr Langman records that the current submission is not opposed from a landscape perspective as the *“surrounding area was identified as having a high capability of absorbing additional development in the WBLS.”*
- 9.5 Notwithstanding the above, Mr Langman prefers that the land remain Amenity Zone on the basis this land could potentially be used for future urban expansion despite the absence of feasibility and urban being expansion outside the scope of the hearing.
- 9.6 I note the minimum allotment size in the Amenity Zone is 80ha and the site is not within the Urban Growth Boundary. I am dubious about the sites ability to provide any development as Amenity Zone and outside of the Urban Growth Boundary. I consider that the District Plan Review should provide a future zoning which is appropriate to the intended life time of the plan, being at least ten years.
- 9.7 For the reasons set out in the evidence of Mr Skelton supported by the analysis set out in my evidence I believe that a Rural Living density of 4000m<sup>2</sup> is the appropriate landscape response to the site within the intended life time of the plan.

**Nick Geddes**

13<sup>th</sup> June 2018