

**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 #2297

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

Clark Fortune McDonald & Associates (#2297)

Dated 06th August 2018

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 Clark Fortune McDonald & Associates on the Queenstown Lakes Proposed District Plan.
- 2.2 I have prepared evidence where I assess and explain submission 2297.
- 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 and Residential;
- b. Stage 2 s.42A reports by prepared on behalf of QLDC by Ms Amy Bowbyes, Ms Rosalind Devlin and Ms Vicki Jones;
- c. Stage 2 associated evidence submitted on behalf of QLDC prepared by Mr David Smith and Mr Stuart Crosswell.
- d. 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"
 Lower Density Suburban Residential Zone – "LDSR"

3.0 SUBMISSION 2297

The Code

- 3.1 Policy 29.2.3.1 along with other requires that roads are designed in accordance with the Code. The Code is not a document which has been through any formative public consultation process and its legal status is unknown. I consider that it is a preference to have a document which authors the design of all roading within the District to have undergone rigorous analysis and a proven public consultation process.
- 3.2 The Code as referenced is a trigger for a resource consent application for an activity not in accordance with the Code yet when Council's discretion is confined to matters listed for assessment contained in the Transport Chapter only. In my opinion, this is likely to lead to an assessment which is seemingly isolated from the standard within the Code which has triggered the breach which results in decisions which refuse or approve consents for reasons not necessarily related to the engineering non-compliance set out in the Code.
- 3.3 Condition 3 of all subdivision consents sets out a requirement for the subdivision to be in accordance with the Code. Without understanding the depth and ambit of the standards within the Code at the time of approving the subdivision consent the ambit of the Code via condition it often becomes apparent at the time of completion certificates and/or engineering approval. Any degree of variation from the standards of the Code which cannot be achieved requires a section 127 variation to condition 3 and this is assessed under the District Plan only. This assessment is often futile in addressing any engineering solution which is deemed not to be in accordance with the Code.

- 3.4 I bring this to the Panel's attention as I believe there is a likelihood that by requiring activities to be in accordance with the Code as set out in the PDP Transport Chapter an assessment of any such consent on an effects based approach will appear in isolation from the engineering standard set out in the Code.
- 3.5 The Code is an evolving document as evident by its outdated reference from the time of Chapter 29 notification and the authoring of the s.42A report. It is not subject to formal consultation and recognised policy assessment practices. The ambit or extent of the Code changes at a greater frequency than amendments can be authored to the District Plan and its assessment criteria. As such, I believe the references to the Code will appear obsolete within the infancy of the intended lifetime of the PDP.
- 3.6 In summary, it is a preference of the submitter that the Code and any failing to meet the standards contained within should be the subject of an assessment process under the Code only. This would require the Code to be administered as a QLDC bylaw.

Parking Shortfall

- 3.7 The amendments undertaken by the s.42A report in relation to the relevant criteria for assessment of a parking shortfall appear sufficiently robust and this point of the submission is satisfied.

Nick Geddes

06th August 2018