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**BEFORE THE QUEENSTOWN LAKES DISTRICT COUNCIL**

IN THE MATTER of the Resource Management Act 1991

AND

IN THE MATTER OF Queenstown Lakes Proposed District Plan –  
Chapter 41 – Jacks Point Resort Zone

**STATEMENT OF EVIDENCE OF SCOTT FREEMAN  
ON BEHALF THE FOLLOWING SUBMITTERS:**

**WILD GRASS PARTNERSHIP  
WILD GRASS INVESTMENTS NO.1  
HORIZONS INVESTMENT TRUST  
Submitter #567**

3<sup>rd</sup> February 2017



## **INTRODUCTION**

1. My name is Scott Anthony Freeman and I reside in Queenstown. I am a Director of Southern Planning Group Limited, a Queenstown based resource management planning consultancy. I hold the degree of Bachelor of Planning from the University of Auckland. I have over 19 years experience in the field of resource management planning.
2. I have previously worked for the Queenstown Lakes District Council and later Civic Corporation Limited from 1997–1999. During this period I was employed as a consents planner responsible for processing a variety of land use and subdivision consents on behalf of the Council.
3. Since late 1999, I have been practicing as a resource management planning consultant, primarily within the Queenstown Lakes District. I formed Southern Planning Group in 2003. I am the sole director at Southern Planning Group.
4. Throughout my professional career, I have been involved in a range of resource consent and policy matters. I have made numerous appearances in front of various district and regional councils and the Environment Court.
5. From the variety of working roles that I have performed as described in the preceding paragraphs, I have acquired a sound knowledge and experience of the resource management planning issues that are faced in the Queenstown area and the wider District.
6. Whilst I acknowledge that this is a Council hearing I confirm that I have read the Code of Conduct for Expert Witnesses outlined in the Environment Court's Consolidated Practice Note 2014 and have complied with it in preparing this evidence.
7. I have read the Section 32 reports and the Section 42A Report (and supporting documentation) prepared by the Council officer in respect of Chapter 41 (Jacks Point Resort Zone).
8. I confirm that the matters addressed in this brief of evidence are within my area of expertise except where I advise otherwise and that I have not omitted to consider material facts known to me that might alter or detract from my opinions.

## **SCOPE OF EVIDENCE**

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8. I have been engaged by a number of submitters to provide expert planning evidence on the Jacks Point Resort Zone (Chapter 41) of the Proposed District Plan ("PDP"). The submitters consist of the following parties:
- Wild Grass Partnership
  - Wild Grass Investments No.1
  - Horizons Investment Trust
9. The Submitters all have a direct interest in the Lodge Activity Areas ("LAA") in the context of the Jacks Point Resort Zone ("JPRZ") as witnessed by the submission referenced #567. Under both the Operative and Proposed District Plans, the LAA provides for visitor accommodation activities, restaurants and conference facilities.

**Submission #567**

10. I have reviewed the commentary and recommendations by the authors of the Council Section 42A Report (Ms Vicki Jones) and Landscape Report (Dr Marion Read) which addresses the matters raised in the submission, primarily relating to the LAA in the context of the JPRZ. My views are detailed below on such recommendations

Extension of the LAA

11. Submission #567 sought the expansion of the LAA, with three areas being proposed. Specifically, two pods are located to the west of the existing LAA (being 1.09 hectares and 0.49 hectares respectively – the 'western pods'), while one pod is located to the east (being 1.80 hectares – the 'eastern pod').
12. With regard to the eastern pod, I agree with the rationale of both Ms Jones and Dr Read in terms of the acceptability of this pod being used for parking purposes in association with the development of the existing LAA. I am comfortable with the recommended setback of 10 metres from the boundaries of the subject allotment as recommended by Dr Read. This setback can thus be utilised for appropriate planting/mounding in order to appropriately screen car parking activities that could occur within the eastern pod.
13. I have evaluated the observations of Dr Read (and accepted by Ms Jones) in terms of the two western pods. I accept Dr Read's views from a potential zoning perspective with regard to the western pods (i.e. not extending the LAA in a westerly direction). In my view, if future development is proposed within the location of the western pods, then a resource consent process with the submission of detailed information to the Council would be more appropriate, allowing careful consideration of any built form (and associated activities such as earthworks). The merits of such

a specific proposal can be considered by the Council, providing greater certainty as to the actual effects on the environment of such built form

#### Building Status

14. Ms Jones has recommended that the status of buildings within the LAA now be classified as a Restricted Discretionary Activity pursuant to Rule 41.4.31 as contained within the Section 42A Report. The notified status for buildings in the LAA was that of a Controlled Activity. The recommended Restricted Discretionary Status for buildings is consistent with the current approach in the Operative District Plan.
15. I am comfortable with buildings being reclassified as a Restricted Discretionary Activity within the LAA (subject to compliance with other applicable rules). However, I note that provision 12.2.4(b)(ii) of the Operative District Plan for the JPSZ provided the Council with the ability to approve resource consents for buildings in the LAA on a non-notified basis without affected party approvals. In my view, should buildings be reclassified as a Restricted Discretionary Activity in the LAA, then a provision similar to the operative provision 12.2.4(b)(ii) should be included in the JPRZ.

#### Earthworks

16. The undertaking of earthworks is an anticipated outcome in developing the LAA due to the highly variable topography of this land. This is witnessed by the existing (and live) resource consents that have been issued for development within the LAA, with varying levels of associated earthworks. Such consents have collectively authorised over 70 buildings within the LAA, with earthworks primarily associated with building activity and access.
17. Irrespective of the classification of built form within the LAA, Rule 41.4.3.1 within the Section 42A Report provides discretion on Council's part in terms of 'associated earthworks and landscaping'. This approach is consistent with the Operative District Plan in terms of earthworks associated with buildings.
18. I can understand the rationale of Ms Jones (relying on Dr Read) in terms of providing a maximum cut height (1 metre) for accesses and batter slopes (65 degrees) within the LAA, however, such methods could be quite restrictive for a location that anticipates development (and associated earthworks).
19. In my view, the maximum cut height within the LAA should be at least 2m in height, while noting that the Council still has general control over earthworks as a matter of discretion

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Outdoor Swimming Pools & Tennis Courts

20. I am comfortable with the recommended changes in terms of the control of outdoor swimming pools and tennis courts.

Sale of Liquor

21. Having assessed Ms Jones justification for classifying the sale of liquor as Restricted Discretionary Activity, I am comfortable in accepting such a classification.

Meeting Facilities & Residential Activities

22. Ms Jones is correct in stating that 'meeting facilities' are included within the broad definition of visitor accommodation under both the Operative and Proposed District Plan. As such, there should not be the need to specifically list meeting facilities via Rule 41.4.9.6 as contained within the Section 42A Report.
23. In terms of potential residential use, Ms Jones raises valid points as to why such a use is not appropriate within the LAA. In this regard, I agree with Ms Jones that a standard residential subdivision/development approach within the LAA (even at a high quality level as witnessed by existing residential development within the JPRZ), would produce quite a different outcome for the LAA when compared to a visitor accommodation development. In my view, the LAA could be developed in a comprehensive manner in terms of density, form, access and landscaping, with a mixed use approach that enables visitor accommodation with associated amenities and facilities as well as a quantum of buildings that can be utilised for visitor accommodation and residential accommodation. It is common for hotel residences to be an integral part of a hotel development. However, as with developing outside of the LAA as addressed above, the suitability (or not) of residential use can be properly tested through the resource consent process, as opposed to expressively providing for residential use in the LAA via Rule 41.4.9.6 as contained within the Section 42A Report.



Scott Freeman

3<sup>rd</sup> February 2017