

**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 Hearing Stream 9 –
Jacks Point

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

**Scope Resources Ltd & Southern Beaver Ltd
(Submitter 342)**

**Jardine Family Trust & Remarkables Station Limited
(Submitter 715)**

Dated 2nd February 2017

QUALIFICATIONS AND EXPERIENCE

- 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.
- 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 currently hold a planning consultant position with Clark Fortune McDonald & Associates Limited.
- 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.
- 4 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.
- 5 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.

SCOPE OF EVIDENCE

6 The scope of this evidence relates to Chapter 41 and has been divided to address submission points in two part:

Part A Submission 342 - Scope Resources Ltd & Southern Beaver Ltd

Part B Submission 715 - Jardine Family Trust & Remarkables Station Ltd

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

- a. Section 32 Evaluation Report Jacks Point Zone;
- b. The relevant submissions and further submissions of other submitters; and
- c. The Council s.42A Reports prepared in relation to Chapter 41 including the associated evidence prepared by Dr Marion Read, Mr David Compton-Moen, Mr Timothy Heath and Mr Samuel Corbett..

Abbreviations:

Queenstown Lakes District Council - "QLDC"

Homestead Bay Trustees Ltd - "HBT"

State Highway 6 - "SH6"

Proposed District Plan – "PDP"

Operative District Plan – "ODP"

Resource Management Act 1991 – "RMA 91"

PART A: Submission 342 - Scope Resources Ltd & Southern Beaver Ltd

342.3 – Policy 41.5.6.2

- 8 The submitter owns land on the northern side of SH6 south of the Remarkables Ski Field access and located on maps contained in the original submission. This land contains a number of industrial activities which are transport based and rely upon the continued functioning of the existing access points from the site and SH6.
- 9 Woolshed Road intersects with SH6 some 230 metres to the south of the submitter's site access. Therefore, future use of Woolshed Road becomes a critical consideration for the submitter towards the continued operation of industrial activities on the site.
- 10 The submitter is not opposed to the future use of Woolshed Road. The submitter wants to ensure that a policy remains in place that ensures sufficient upgrading of the Woolshed Road access point with SH6 is undertaken prior to its operation to ensure that the safety and functionality of SH6 is not compromised.
- 11 The future use of the Woolshed Road intersection is directly dependent on the nature of land uses which occupy land within Hanley Downs and Jacks Point. In particular, those which anticipate using Woolshed Road.
- 12 The 42A report and Transport evidence of Mr Corbett remain unclear on what land uses within Hanley Downs and Jacks Point will utilise the Woolshed Road intersection following recommendations in the 42A report which amend the notified structure plan.
- 13 I believe this places emphasis on providing a suitable 'trigger' for the Woolshed Road intersection. It is accepted there are difficulties with providing a 'trigger' as Mr Corbett's evidence states and it is concurred:

"I support retaining the Woolshed Road access as an option for the future. However, due to the absence of updated traffic modelling I am unable to advise regarding the specific timing and/or trigger point at which this access would need to be provided. Regardless, I agree with the submission from Jacks Point Residential No. 2 (762) that a rule requiring the upgrade of Woolshed Road and State Highway 6 intersection should be added prior to allowing increased use of Woolshed Road."

My emphasis added.

- 14 The original submission offered an amended policy 41.5.6.2. However, this amendment is no longer appropriate since the creation of a third access point to the south of Woolshed Road and the recommended Rule 41.5.6.3 of the revised Chapter 41 is accepted.
- 15 A further submission (FS1339.1) was lodged in support of the third access point promoted by RCL group.
- 16 Subsequent to this further submission RCL group obtained consent RM160562 for residential subdivision of land within the Hanley Downs and the third access point identified on page 49 of Council s.42A report.
- 17 The evidence of Mr Corbett considers the “alternative access via Lot 3 DP 475609” where Paragraph 7.5 of his evidence notes:

“It should be noted that the design of the third access point will need further attention as, in my view, the current assessment of this access does not sufficiently consider matters related to:

- (a) safety;*
- (b) expected traffic volumes and design speeds;*
- (c) internal road layout and road hierarchies;*
- (d) alternative traffic calming treatments;*
- (e) vehicle tracking curves at intersections;*
- (f) pedestrian and cycle facilities;*
- (g) future public transport services;*
- (h) connectivity to existing subdivisions; and*
- (i) position to proposed town centre.”*

- 18 Based upon the evidence of Mr Corbett it becomes apparent that the access point approved by RM160562 is somewhat lacking towards consideration of matters listed above.

- 19 Mr Corbett’s executive summary part (e) recommends:

- 20 *“...that additional traffic modelling is undertaken to better understand the traffic effects associated with the Jacks Point Zone at the resource consent stage. I am comfortable to note that the zoning could proceed at this point in time without the additional traffic modelling, however traffic effects need to be a matter of discretion/ control when considering development proposed within the villages. Further traffic modelling is*

therefore required prior to the development of the EIC or the village activity areas as per the notified Structure Plan.”

My emphasis added.

- 21 I believe that additional traffic modelling and traffic effects are matters which cannot always be addressed at “consent stage” and the matters not sufficiently addressed (listed above) within consent RM160562 confirm this position.

CONCLUSION

- 22 Recommended Rule 41.5.6.3 of the revised Chapter 41 is accepted.
- 23 I do not believe the hearings panel can contemplate amendments to the structure plan which impact upon SH6 in the absence of comprehensive traffic modelling.

PART B: Submission 715 - Jardine Family Trust & Remarkables Station Ltd

- 24 Jardine Family Trust & Remarkables Station Ltd made a submission on the PDP in relation to land described as Lots 1-7 DP 452315 and Lot 8 DP 443832.
- 25 Homestead Bay Trustees Ltd purchased Lots 6 & 7 DP 452315 in November 2016. This land is highlighted in Attachment A while the relevant certificates of title are also contained in the same Attachment.
- 26 As a successor to the Jardine Family Trust, HBT has a legitimate interest in Submission 715.
- 27 Simpson Grierson issued a memorandum on behalf of QLDC dated 22nd December 2016 which categorised submission points to be transferred to mapping / rezoning hearing and those points to be remain in Hearing Stream 9. This memorandum was circulated with a minute from the Hearings Panel directing the intentions set out in the Simpson Grierson memorandum.
- 28 Part B of this evidence is set out in accordance with the summary of submission points remaining in Hearing Stream 9.

715.1 – Entire PDP

715.5 – Policy 41.2.1.4

- 29 Submission points 715.1 and 715.5 above are withdrawn.

715.6 – Policy 41.2.1.10

- 30 Paragraph 12.5 of the 42A report confirms that the relief sought by the submitter affects the wider Structure Plan which is accepted. The relief sought by the submitter in this regard can be confined to the submitters land and I consider this submission point would be best addressed as part of the rezoning hearing.

715.8 – Policy 41.2.1.26

- 31 The submitter is concerned that the use of the word “integrated” would preclude consideration of servicing which is separate from Jacks Point and Hanley Downs.
- 32 I believe there is merit in exploring alternatives for infrastructure for Homestead Bay and these may include the provision of servicing which does not require a connection to any existing network.
- 33 Potentially Homestead Bay land owners may benefit from infrastructure and servicing which is mutually exclusive from Jacks Point and Hanley Downs while this benefit may be reciprocal to land owners at Jacks Point and Hanley Downs.
- 34 Paragraph 12.13 of the 42A report notes other submitters whom seek amendments to this policy so integrated infrastructure can be provided if appropriate. However, the 42A report does not offer an amendment nor is it guided by evidence from Council experts in relation to infrastructure.
- 35 The original submission requested the deletion of Policy 41.2.1.26. I consider it more appropriate to amend the wording of this policy:

“Ensure adequate provision of ~~integrated~~ servicing infrastructure, roading and vehicle access.”

- 36 Section 32AA analysis in relation to the amendment above is contained in Attachment B to this evidence.

715.12 – Policy 41.4.9.16

37 I concur with paragraph 15.62 of the 42A report that this submission point is best considered as part of the rezoning hearing.

715.13 – Policy 41.5.2.7

38 I concur with paragraph 15.64 of the 42A report that this submission point is best considered as part of the rezoning hearing.

715.14 – Policy 41.5.6.1

39 I concur with paragraph 14.11 of the 42A report that this submission point is best considered as part of the rezoning hearing.

715.16 – Policy 41.5.11

40 The summary of submission points contained in the 42A report refers this point to be “*Transferred to the hearing on mapping*” while specific comment on this policy remains absent from body of the report.

41 I submit that this submission point is best considered as part of the rezoning hearing as alluded in the summary of submission points.

715.19 – Policy 41.5.15.4

42 Based in part on the evidence of Mr Heath the 42A report amends Rule 41.5.15.4 to reflect a 60% coverage rule as opposed to the numerical provision of the Operative Plan which equates to 35%.

43 I concur with the 42A report that 35% building coverage over an activity area which is seeking to provide a village is extremely low and the 60% coverage rule is appropriate.

CONCLUSION

44 Policy 41.2.1.26 should be amended to remove the word “integrated” to enable a comprehensive assessment of all infrastructure alternatives which is considered to better aligned with sound resource management practice than notified policy 41.2.1.26.

45 Recommended Rule 41.5.15.4 of the revised Chapter 41 is accepted.

Nick Geddes

PLANNER

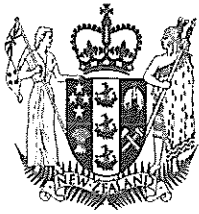
BSc (Geog), GradDip EnvSci

2nd February 2017

Attachment A



QLDC GIS



**COMPUTER FREEHOLD REGISTER
UNDER LAND TRANSFER ACT 1952**



Search Copy

Identifier 577977
Land Registration District Otago
Date Issued 04 March 2015

Prior References

607922

Estate Fee Simple
Area 37.0091 hectares more or less
Legal Description Lot 6 Deposited Plan 452315

Proprietors

Homestead Bay Trustees Limited

Interests

5572493.1 Consent Notice pursuant to Section 221 Resource Management Act 1991 - 2.5.2003 at 9:00 am (Affects part formerly Lot 1 DP 300502)

Appurtenant to the part formerly Lot 1 DP 300502 are rights of way, rights to convey water, electricity and telecommunications and store water created by Easement Instrument 5572493.6 - 2.5.2003 at 9:00 am

The easements created by Easement Instrument 5572493.6 are subject to Section 243 (a) Resource Management Act 1991

Appurtenant to the part formerly Lot 1 DP 300502 is a right to convey water created by Transfer 5572493.7 - 2.5.2003 at 9:00 am

The easements created by Transfer 5572493.7 are subject to Section 243 (a) Resource Management Act 1991

Appurtenant to the part formerly Lot 1 DP 300502 is a right to convey water for a term of 25 years from the 19.11.2002 created by Deed of Easement 5572493.8 CT 89115 embodied in the register - 2.5.2003 at 9:00 am

The easements created by Deed of Easement 5572493.8 are subject to Section 243 (a) Resource Management Act 1991

Land Covenant in Transfer 6128838.2 - 27.8.2004 at 9:00 am (Affects part formerly Lot 2 DP 366795)

9227911.1 Encumbrance to Queenstown Lakes District Council - 7.11.2012 at 10:57 am

9222087.1 Notice pursuant to Section 195(2) Climate Change Response Act 2002 - 26.11.2012 at 1:12 pm

Land Covenant in Easement Instrument 9970250.2 - 4.3.2015 at 4:23 pm

Land Covenant in Easement Instrument 9970250.3 - 4.3.2015 at 4:23 pm

9970250.7 Consent Notice pursuant to Section 221 Resource Management Act 1991 - 4.3.2015 at 4:23 pm

Appurtenant hereto is a right to convey water created by Easement Instrument 9970250.9 - 4.3.2015 at 4:23 pm

The easements created by Easement Instrument 9970250.9 are subject to Section 243 (a) Resource Management Act 1991

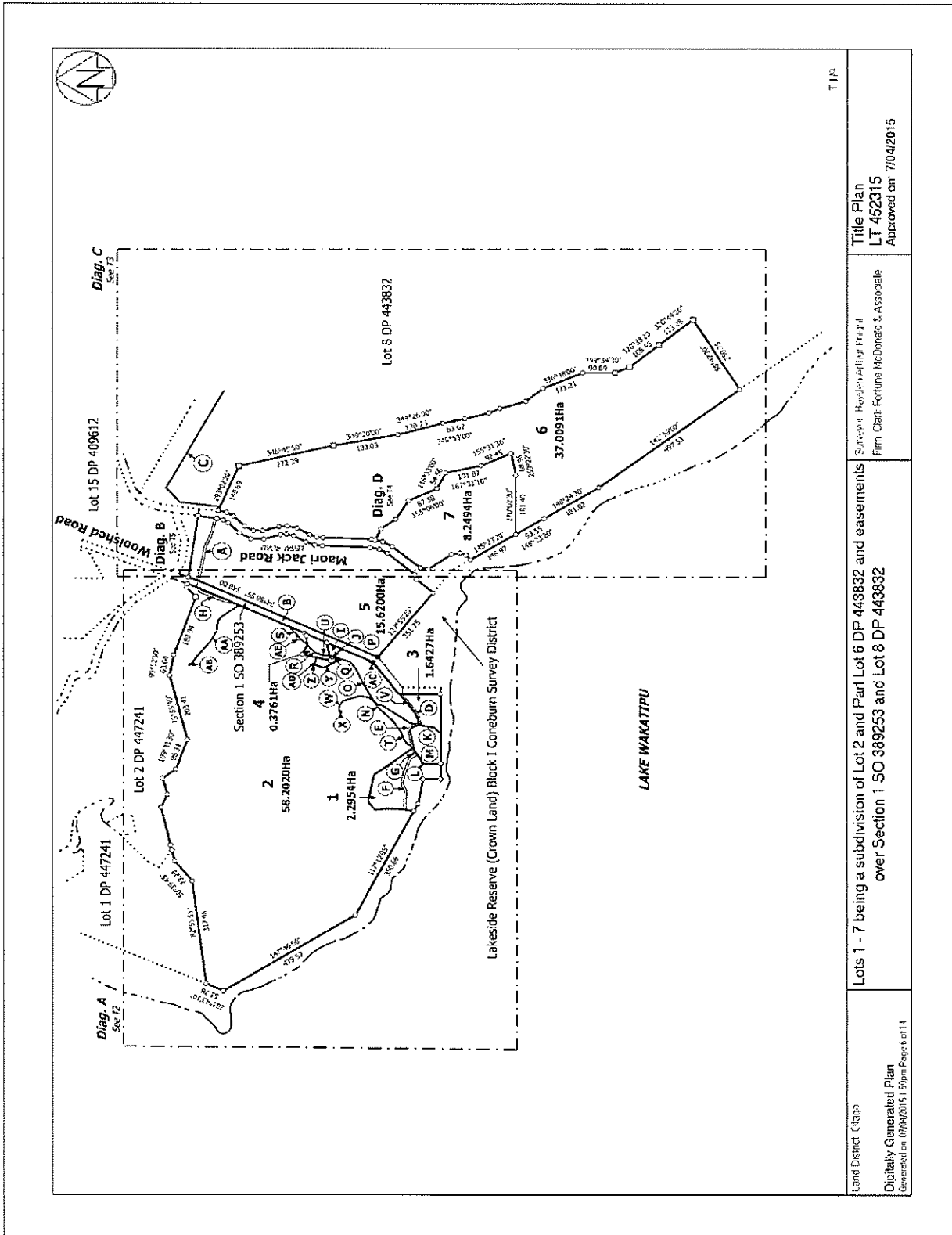
10441473.2 Variation of Consent Notice 9970250.7 pursuant to Section 221(5) Resource Management Act 1991 - 26.5.2016 at 3:53 pm

Land Covenant in Easement Instrument 10441473.4 - 26.5.2016 at 3:53 pm

Land Covenant in Easement Instrument 10441473.5 - 26.5.2016 at 3:53 pm

Identifier

577977



T.P.

Land District: Cleapo Digitally Generated Plan <small>Generated on 03/06/2015 5:01pm Page 6 of 14</small>	Lots 1 - 7 being a subdivision of Lot 2 and Part Lot 6 DP 443832 and easements over Section 1 SO 389253 and Lot 8 DP 443832	Title Plan LT 452315 Approved on 7/04/2015 Surveyors Hayden-Patrick Frezza Firm Clat-Fortune McDermid & Associate
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**COMPUTER FREEHOLD REGISTER
UNDER LAND TRANSFER ACT 1952**



Search Copy

Identifier 577978
Land Registration District Otago
Date Issued 04 March 2015

Prior References

607922

Estate Fee Simple
Area 8.2494 hectares more or less
Legal Description Lot 7 Deposited Plan 452315

Proprietors

Homestead Bay Trustees Limited

Interests

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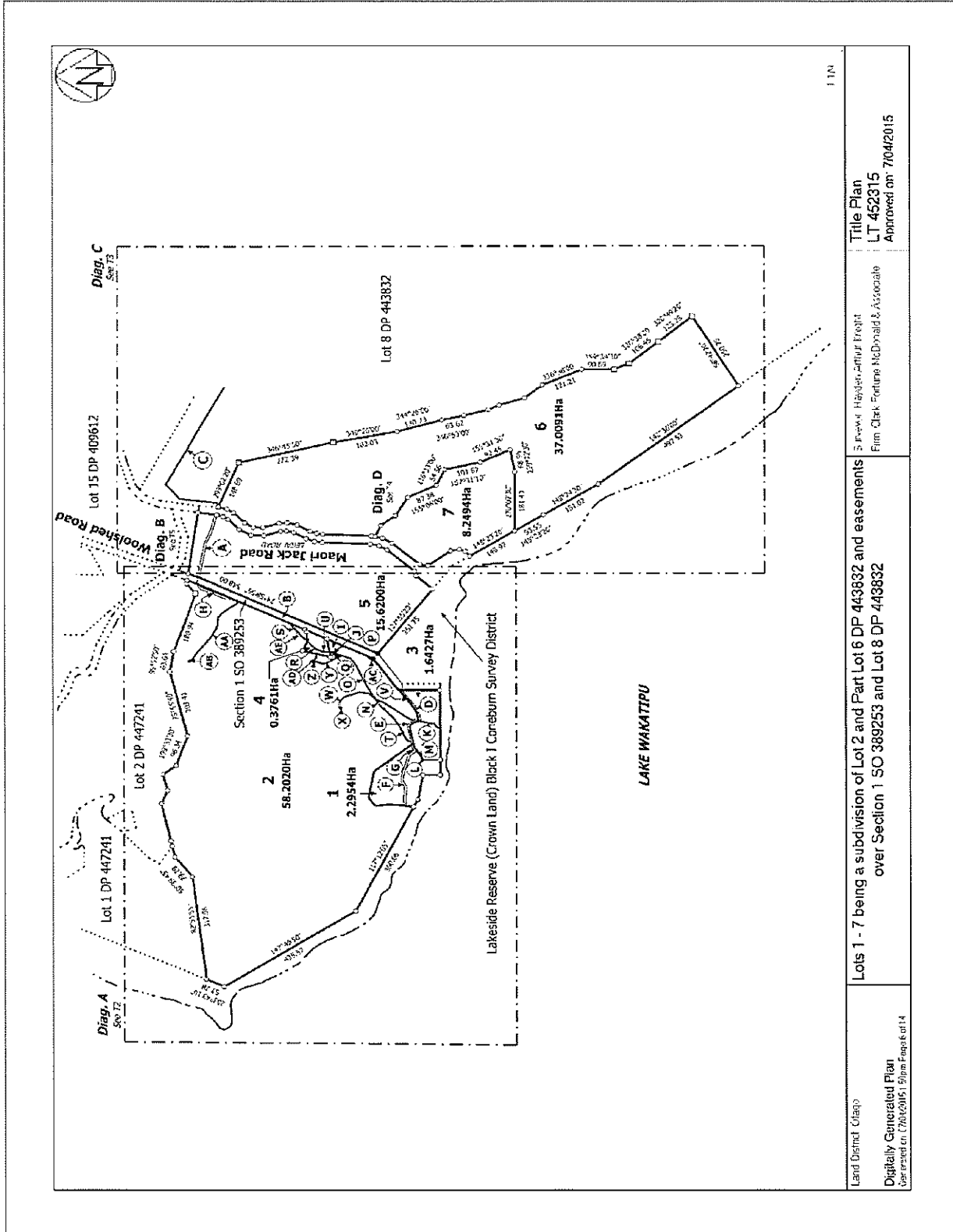
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Land Covenant in Easement Instrument 10441473.4 - 26.5.2016 at 3:53 pm

Land Covenant in Easement Instrument 10441473.5 - 26.5.2016 at 3:53 pm

Identifier

577978



11 N

Title Plan
LT 452315
Approved on 7/04/2015

S. Newell, Haydon, Arthur, Frost
Film Clerk Fortune McDonald & Associate

Lots 1 - 7 being a subdivision of Lot 2 and Part Lot 6 DP 443832 and easements
over Section 1 SO 389253 and Lot 8 DP 443832

Land District: Otago
Digitally Generated Plan
User: ppaad on 17/04/2015 1:51pm Page 6 of 14

Section 32AA

The costs, benefits, efficiency, and effectiveness of the recommended rules are set out below, showing additions to the notified text in underlining and deletions in ~~strike through text~~:

Rule 41.2.1.26

"Ensure adequate provision of ~~integrated~~ servicing infrastructure, roading and vehicle access."

<p>Costs</p> <p>Consistency between existing and proposed servicing networks may be lost.</p>	<p>Benefits</p> <p>The redrafted wording of the rule provides certainty that a full consideration of all alternative forms of infrastructure including roading and vehicle access can be undertaken without the limitation.</p>
<p>Efficiency</p> <p>This change is efficient as any outcome as it correlates with the standards specified in Chapter 27: Subdivision and Development for the zone <u>and the Queenstown Heights Overlay Area</u>.</p>	<p>Effectiveness</p> <p>This change is effective as it removes ambiguity as to whether servicing which is not integrated can be considered under this policy.</p>