

IN THE MATTER of the Resource Management Act 1991

AND

IN THE MATTER OF Queenstown Lakes Proposed District Plan – Ski
Area Sub-Zones –Hearing Stream T11.

EXECUTIVE SUMMARY OF EVIDENCE - SEAN DENT ON BEHALF OF NZSKI LIMITED
(#572)

Dated: 9th May 2017

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INTRODUCTION

- 1.1. My name is Sean Dent. I am a resource management planning consultant and Director of Southern Planning Group and I am here today presenting expert planning evidence on behalf of NZSki Limited. I wish to make comments in respect of the Council's rebuttal evidence dated 20th April 2017.
- 1.2. However, I will first respond to Ms Banks summary of evidence which raised an error with the Council's GIS system and its planning maps. The submitter's plans of the proposed re-zoning in Rastus Burn had been prepared by surveyors at Clarke Fortune MacDonald and Associates based on information obtained from Council's GIS system in 2015. I have not had the opportunity to confer with the surveyor who prepared these plans regarding this new information from Ms Banks as he has subsequently left the firm however, if the information provided by Ms Banks is accurate, it means that the submission seeking re-zoning of this area of land is now largely irrelevant with the exception of the area of land above Lake Alta which has been sought to ensure the Permitted Activity Status of SAA.
- 1.3. Notwithstanding this new information which needs to be checked, I acknowledge Ms Banks change in position with respect to now supporting the proposed SASZ expansion east of the Wye Dome Spur¹ should this area be within jurisdiction. However, Ms Banks and I remain in disagreement about the expansion of the SASZ to the west and above Lake Alta to accommodate SAA.
- 1.4. Specifically, Ms Banks retains the view that SAA can be undertaken outside of the SASZ without resource consent obligations subject to a recommended change to PDP Rule 21.4.19 to address this matter². I still hold the opinion that this approach is contrary to the Zone purpose which is to enable the development of SAA within the identified Sub-Zones. I also hold the opinion that the extension of the SASZ into this area with a building line restriction and accompanying Prohibited Activity Rule for all earthworks, buildings and infrastructure is a stronger protective mechanism than retaining the Rural Zoning as proposed by Ms Banks³.
- 1.5. In regards to the proposed SASZ B the proposed zoning and applicable provisions I have recommended will not enable SAA to occur within this area of land and neither would SAA be physically possible given the low altitude of the proposed Sub-Zone. The zoning and

¹ *Rebuttal Evidence of Ms Banks dated 20th April 2017, paragraph 4.3.*

² *First Statement of Evidence of Ms Banks, Paragraphs 12.30 to 13.33, page 38 – 39.*

³ *Rebuttal Evidence of Ms Banks dated 20th April 2017, paragraph 4.4.*

provisions are directed only at providing for buildings and activities that directly support the continued operation of the Remarkables Ski Area.

- 1.6. For clarity the submitter is not seeking the relocation of the ONL line identified in the PDP. Mr Skelton's interpretation of where this might lie has been used to inform his views about the potential re-zoning's visual effects on the wider landscape pattern and legibility but no submission has been made to alter its location.
- 1.7. As such, I agree with Ms Banks⁴ in that the ONL/RLC categories will apply to the proposed area of re-zoning because it comprises a sub-zone of the Rural Zone and in addition, because the zoning will not accommodate SAA as defined, the landscape assessment matters in Chapter 21 of the PDP will also continue to apply in association with the Strategic Chapters of the PDP and the Objectives, Policies and Rules I have recommended, which collectively will enable a robust assessment of future development within the proposed sub-zone.
- 1.8. Ms Banks has also criticised⁵ the creation of a 'site specific zoning' and suggests that it undermines a key goal of the District Plan review to reduce the complexity and length of the PDP. With respect, the additional length to the PDP resulting from the proposed provisions is not a relevant environmental consideration and regardless I consider the proposed amendments to have a negligible effect in this regard and will be easily understood.
- 1.9. Ms Banks has also criticised the proposed re-zoning with respect to access and infrastructure servicing⁶. In regards to transportation the proposed provisions require that for any commercial activities or residential/staff accommodation (VA) parking and access, congestion and safety are matters of discretion. Furthermore, the site is designated as a Limited Access Road on the Certificate of Title and any change in use of the existing vehicle crossing (and any new crossings if required) would necessitate NZTA approval – which Council could request due to the proposed RD activity status. I note that NZTA have not submitted in opposition to this re-zoning request.
- 1.10. I accept Mr Glasner's evidence that Council has no intention to extend potable and waste water reticulated services in the vicinity of the subject site and that Jacks Point and Hanley Downs are fully allocated. However, Mr Glasner also states that he is not opposed to on-site

⁴ *Strategic Evidence of Ms Banks dated 10 March 2017 paragraph 11.13, page 25.*

⁵ *Rebuttal Evidence of Ms Banks paragraph 4.19 pages 19 and 20*

⁶ *Rebuttal Evidence of Ms Banks paragraph 4.9 pages 16*

systems⁷. Given the size of the site I expect appropriately designed waste water disposal systems to be a viable disposal method. I also note that while a Bore Permit (Controlled Activity) would be required, an on-site bore could enable the abstraction of 25,000l/day of ground water as a Permitted Activity⁸. Further, while approval would be required from NZTA, QLDC and DOC, the submitter could source up to 1 million l/day of surface water from the Kawarau River as a Permitted Activity⁹ and pump this to the site some 1.18kms.

- 1.11. Given the above, I consider that the site could be appropriately serviced by means other than Council reticulated services and the proposed provisions afford Council discretion over such matters.
- 1.12. At Paragraph 4.8 of her rebuttal Ms Banks also seeks clarification as to whether my recommended Table 11 is an Activity Table or a Standards Table – largely because of the inclusion to date of a Standard for a maximum building footprint. For clarity, I consider Table 11 to be an Activity Table and proposed Standard 21.5.55 regarding maximum building size could be deleted given the Restricted Discretion for buildings generally in Activity Standard 21.5.54 which covers external appearance and visual prominence.
- 1.13. I am happy to answer questions from the Panel that are within my area of expertise.



Sean Dent

9th May 2017

⁷ *Rebuttal Evidence of Mr Glasner paragraph 3.11*

⁸ *Rule 12.2.2.2 of the ORC Regional Water Plan.*

⁹ *Rule 12.1.2.2 of the ORC Regional Water Plan*