

In the matter of The Resource Management Act 1991

and

In the matter of **The Ministry of Education and the
Queenstown Lakes Proposed
District Plan Chapter 37
Designations**

STATEMENT OF EVIDENCE OF SHANE LESLIE ROBERTS

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QUALIFICATIONS AND EXPERIENCE

1. My name is Shane Leslie Roberts.
2. I hold the degrees of Bachelor of Resource Studies and Master of Resource Studies (Hons) from Lincoln University.
3. I have fourteen years of professional experience in the field of Resource Management Planning and I am a Full Member of the New Zealand Planning Institute. I am also an accredited Hearings Commissioner.
4. I have been employed as a Resource Management Planner by Opus International Consultants since June 2005. I am currently the Work Group Manager for Property and Resource Management in Opus' Dunedin Office. I am responsible for the provision of consulting services in resource management and planning to a range of public and private clients including government departments and regional and territorial authorities.
5. I confirm that I have read the 'Code of Conduct for Expert Witnesses' contained in the Environment Court Consolidated Practice Note 2014 and I agree to comply with it. I have complied with it in the preparation of this statement of evidence. I have not omitted to consider material facts known to me that might alter or detract from the opinions expressed in this statement.
6. It should be noted I did not prepare the submission for the Ministry of Education but have acted in a planning capacity for the Ministry since 2010 and as such am familiar with the planning issues discussed in this evidence.

SCOPE OF EVIDENCE

7. I have been engaged by the Ministry of Education (The Ministry) to prepare this written evidence on the Proposed Queenstown Lakes District Plan (Chapter 37 Designations).
8. The Ministry submitted on a number of minor points to the Designations Chapter. This evidence touches on the submission and also makes some comments on some minor errors in the proposed Chapter.
9. In my evidence I briefly discuss the following matters:
 - The Ministry's Designations;
 - Response to the Planner's Report;
 - Conclusion.

THE MINISTRY'S DESIGNATIONS

10. The Ministry has 12 designated sites in the Queenstown Lakes District and I note the Planner's Section 42A Report has recommended confirming these designations¹.
11. I agree with this recommendation.

RESPONSE TO PLANNERS REPORT

Amendments to Conditions

12. I note the 42A report recommends amendment of conditions at Remarkables Primary School, Mount Aspiring College, Wanaka Primary School and Shotover Primary School.
13. These amendments are:

¹ Paras 5.5 & 6.59

- (a) alter the condition relating recession planes (Remarkables, Mount Aspiring and Wanaka) to be consistent with the underlying zoning.
 - (b) delete conditions that related to the establishment phase of the Wanaka Primary School.
 - (c) alter a condition to correct an error (Shotover).
14. I consider these amendments appropriate and note no submissions were received on these matters.

Plan Consistency

15. On reviewing the Planner's Section 42A report I have noticed two minor issues with regards to plan consistency which I have discussed below.
16. As noted in the Planner's report as part of the 'rollover' process the Ministry sought a number of modifications to the designation schedule in the Proposed Plan. An example of this is was to update Designation 10's 'Site/Legal Description' from:

"Proposed Frankton Primary School, Lake Avenue, Frankton. Section 5 Block XXXI Frankton Town."

To

"Remarkables Primary School, Section5, Block XXXI Town of Frankton."

17. Aside from correcting the legal description the update reflected the fact that since the inclusion of the designation in the Operative Plan, the school had been named and opened.
18. On reviewing Appendix 1 of the Section 42A report I noticed the change in name had not followed through to the heading of the schedule of conditions which still refers to "Proposed Frankton Primary School".

19. The same situation applies to Wanaka Primary School and Shotover Primary School, with the previous references not being updated.
20. I consider the condition headings should be updated to reflect the Site/Legal Description for plan consistency and to avoid any potential confusion for plan users.
21. The designation for 'Relocation of Wakatipu High School' is also listed in this manner. I consider to avoid any confusion it should remain named as such until such a time the high school is relocated.
22. I have also identified the Site/Legal Description for Makarora Primary School (Designation 577) does not have the name of the school, only the legal description. This is inconsistent with the remainder of the Ministry's designations in the Proposed Plan and consider it should be inserted (and note it was included in the Notice of Requirement for the site). I also note the legal description has been misspelt (Mckerow instead of McKerrow).
23. Clause 16(2) of Schedule 1 of the Resource Management Act 1991 states:

A local authority may make an amendment, without using the process in this schedule, to its proposed policy statement or plan to alter any information, where such an alteration is of minor effect, or may correct any minor errors.

24. I consider making the small amendments identified falls under the ambit of clause 16(2) as the changes will be of minor effect or could be categorised as minor errors. The changes do not result in or further enable any environmental effects. Additionally making these changes will improve the usability and consistency of the Proposed District Plan.

CONCLUSIONS

25. I agree with the recommendation of the 42A Report however I consider there are a number of minor amendments required to the Proposed Plan that can be dealt with in accordance with Clause 16(2).

26. I consider the Council should have appropriate regard to the matters raised in this submission when making decisions on the chapter and preparing Council's recommendation to the requiring authority.

Dated at Dunedin this 6th day of October 2016


Shane Roberts
Consultant Planner to the Ministry of Education