

BEFORE THE QUEENSTOWN LAKES DISTRICT COUNCIL HEARINGS PANEL

UNDER the Resource Management Act 1991

IN THE MATTER of the review of parts of the Queenstown Lakes District Council's District Plan under the First Schedule of the Act

AND

IN THE MATTER of submissions and further submissions by **REMARKABLES PARK LIMITED AND QUEENSTOWN PARK LIMITED**

**SUMMARY OF EVIDENCE OF DAVID SERJEANT ON BEHALF OF REMARKABLES
PARK LIMITED AND QUEENSTOWN PARK LIMITED**

(PLANNING)

STREAM 13 REZONING HEARINGS

4 September 2017

**BROOKFIELDS
LAWYERS**

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INTRODUCTION

1. My name is David Serjeant.
2. This summary statement has been prepared in response to matters raised by the Panel over the last two days. It does not cover new material, but draws on my primary and supplementary evidence and packages this in response to three specific, but interrelated questions.

IS THERE A RESOURCE MANAGEMENT ISSUE TO BE ADDRESSED?

3. In my primary statement, while acknowledging that the RMA no longer makes the identification of issues mandatory, I pointed to the Council and Queenstown Park Limited (**QPL**) evidence that demonstrated that Queenstown has an excess demand for visitor activities based on the rural and open space resources of the district. The issue I then posed was: Where is this demand to be met, and how can supply of the product be increased so as to ensure the quality of the resources on which it is based is sustainably managed?
4. My primary evidence then went on to identify that the objectives and policies in Sections 3, 6 and 21 of the Proposed Plan¹ have already responded to some extent to this issue statement. Policy 6.3.1.5 encourages plan changes in preference to ad-hoc subdivision and development for the Rural Lifestyle and Rural Residential Zone to ensure these occur in areas where the landscape can accommodate change. The Rural Zone also contains provisions that would enable a gondola.
5. It could be that the question above requires a district-wide study as to where visitor activities might best be accommodated within the District's outstanding landscapes, but the Council has not gone down this path. Instead it has simply set the 'high bar' in Policy 6.3.1.2 *"that subdivision and development is inappropriate in almost all locations within the Wakatipu Basin, and inappropriate in many locations throughout the District wide Outstanding Natural Landscapes."*
6. So in the context of this plan review, QPL has suggested a zone change to accommodate visitor activities, within an ONL location, that has been supported by a specific landscape analysis that identifies the ability of the lower areas of the land to accommodate development. The zone purpose is described in the objectives and policies to provide for development, while protecting the landscape values and maintaining and enhancing ecological values.

¹ Council Reply Versions

7. The zone change also enables tourism oriented rural and outdoor activities that rely very little on existing infrastructure.

ARE THE QPSZ PROVISIONS THE MOST APPROPRIATE MEANS BY WHICH TO ACHIEVE THE OBJECTIVES?

8. There are clearly other options to achieve the above outcomes. As noted, the Rural Zone provides for the gondola. There could just be a gondola corridor and a zone providing for the rural visitor village around the gondola turn point (RVAA3), with the other activities being consented within the Rural Zone. Or the landowner could seek resource consent for all activities under the Rural Zone.
9. However, the whole point of undertaking a zone change, as preferred by Policy 6.3.1.5, is to consider matters in an integrated way, and to provide certainty and consistency of outcomes. These outcomes are for the both the outstanding natural landscape and the ecology of the land and for the gondola, which is a very large investment.
10. If the consenting pathway was to be adopted, what is it that the environment, including people and communities, misses out on?
11. Firstly, the potential location of future development on this land would no longer be considered in a comprehensive manner. The Rural Residential and Rural Visitor Activity Areas that now remain have been subject to successive refinement as to where the most appropriate locations are. As a measure of their appropriateness, I also consider that development outside these areas should be a non-complying activity.
12. Secondly, the 'framework' consenting requirements for the Comprehensive Development Activities would be missing (Rule 44.4.8 activities (a) to (d) and matters for discretion).
13. Thirdly, rural subdivision and development would not result in landscape and ecological mitigation between lots within the balance rural area as proposed for the QPSZ.
14. Fourthly, the zone results in superior rural land use outcomes for the Significant Natural Areas and water quality.
15. Finally, there would not be approximately 7km of new trail created by private investment.

THE NEED FOR COMPLEX PROVISIONS AND THE SEQUENCING OF DEVELOPMENT?

16. The provisions are complex due to the need to balance certainty and flexibility for development over a number of years, to enable a modest level of development prior to the gondola, but also to lock in the commitments to the gondola and the trail.
17. In my supplementary evidence I provided an explanation of the sequencing of development and the importance of the Comprehensive Development Activities consent and Trail implementation. To avoid repetition I cross- reference to that statement at this point (paragraph 3.3).

David Serjeant

6 September 2017