

**BEFORE THE HEARINGS PANEL
FOR THE QUEENSTOWN LAKES PROPOSED DISTRICT PLAN**

IN THE MATTER of the Resource
Management Act 1991

AND

IN THE MATTER of Hearing Stream 13
– Queenstown
Mapping Annotations
and Rezoning
Requests

**REBUTTAL EVIDENCE OF DENIS RALPH MANDER
ON BEHALF OF QUEENSTOWN LAKES DISTRICT COUNCIL**

QUEENSTOWN MAPPING

7 July 2017

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1. INTRODUCTION

- 1.1** My full name is Denis Ralph Mander. I am a Principal Transportation Consultant and have been employed by Harrison Grierson Consulting Ltd since 2016.
- 1.2** My qualifications and experience are set out in my statement of evidence in chief dated 24 May 2017.
- 1.3** I confirm that I have read the Code of Conduct for Expert Witnesses contained in the Environment Court Practice Note 2014 and that I agree to comply with it. I confirm that I have considered all the material facts that I am aware of that might alter or detract from the opinions that I express, and that this evidence is within my area of expertise except where I state that I am relying on the evidence of another person.

2. SCOPE

- 2.1** My rebuttal evidence is provided in response to the following evidence filed on behalf of various submitters:
- (a) Mr Jason Bartlett for Grant Hylton Hensman, Sharyn Hensman & Bruce Herbert Robertson, Scope Resources Ltd, Granty Hylton Hensman & Noel Thomas Van Wichen, Trojan Holdings Ltd (361);
 - (b) Mr Andrew Carr for Gibbston Valley Station (827);
 - (c) Mr Carey Vivian for M and K Scott – Loch Linnhe Station (447);
 - (d) Mr Ben Farrell for Lake Wakatipu Station (478);
 - (e) Mr Ben Farrell for Te Anau Developments (607); and
 - (f) Mr Anthony Penny for Queenstown Park Limited (806).
- 2.2** I have read the evidence of the following experts for the NZ Transport Agency (719):
- (a) Tony MacColl; and
 - (b) Antony Sizemore.

3. MR JASON BARTLETT FOR GRANT HYLTON HENSMAN, SHARYN HENSMAN & BRUCE HERBERT ROBERTSON, SCOPE RESOURCES LTD, GRANTY HYLTON HENSMAN & NOEL THOMAS VAN WICHEN, TROJAN HOLDINGS LTD (361)

3.1 I acknowledge Mr Jason Bartlett's evidence, in particular paragraphs 24 to 26, which directly address the matters I raised in my evidence in chief.

3.2 I remain concerned that proceeding with this rezoning could result in the District Plan creating a development potential that cannot be serviced by the State Highway. Paragraph 20a of Mr Bartlett's evidence refers to the possibility of reducing the built area within the zone as one way of addressing congestion on the development approach to the State Highway. However, his evidence does not indicate the extent of the reduction. It is implicit that there is a concern at the level of congestion on internal access to the state highway, but no analysis has been provided to quantify this.

3.3 I accept that the NZ Transport Agency (through its powers under the Government Rooding Powers Act 1989) has control over all accesses (existing and proposed) between the applicant's land and the State Highway. Accordingly, I do not oppose the rezoning on traffic and transportation grounds.

3.4 However, I remain concerned that there is an underlying issue that the roading access off the state highway is not sufficient to meet projected traffic levels. Accordingly, I remain opposed to this rezoning.

4. MR ANDREW CARR FOR GIBBSTON VALLEY STATION (827)

4.1 Mr Carr has in his evidence provided further traffic context for the rezoning at Gibbston Valley Station. This has included the description of an example of the type and scale of development that would be enabled by the rezoning that is being sought (paragraphs 30 to 57 of Mr Carr's evidence).

4.2 I do not take issue with the analysis that Mr Carr has presented. However, I am concerned that Mr Carr has presented only one of a number of development scenarios, with associated assumptions regarding how traffic will access and egress the development. Mr Carr's evidence also indicates the existing high crash rate on the State Highway in the vicinity of the site; a factor that may impact on the design and use of available access points. I note that while Mr Carr's evidence at paragraph 46 refers to four vehicle accesses, the proposed Structure Plan shows only one access point. In Mr Giddens' evidence at Appendix 3, proposed Rule 23.5.10 states that access onto the State Highway will only occur at the points shown in the Structure Plan.

4.3 Being at a zoning stage, there will be some uncertainty as to the traffic generated by the eventual development and where access to the State Highway will be obtained. Although the State Highway alongside the submitter's land is a Limited Access Road, the Agency does not have control over the use of Resta Road at the eastern end of the land affected by the rezoning proposal. Resta Road is a local road on the southern side of the State Highway. It is approximately two kilometres long.

4.4 My concerns would be allayed by the notification of any consent application affecting the site to the Agency, therefore giving it the opportunity to submit. This would ensure that the Agency is able to consider and respond to proposals involving the use of Resta Road as an access / egress point to the State Highway in respect of traffic generated by the development of land under the proposed rezoning. My concerns would also be allayed by Council having the ability to impose traffic and transportation conditions on any consents that are granted.

5. MR CAREY VIVIAN FOR M AND K SCOTT – LOCH LINNHE STATION (447)

5.1 I acknowledge the evidence provided by Mr Carey Vivian. Mr Vivian, in paragraph 3.15(vi), addresses my concern over the uncertainty of the scale of development enabled by the rezoning sought by the

submitter, by proposing maximum site coverage at the Loch Linnhe Station.

5.2 Mr Vivian states in paragraph 5.21 of his evidence, "*Any future access to development within the FBAs or RVZs will need to comply with Council's standards and obtain approval from the New Zealand Transport Agency.*" I do not oppose the rezoning if rules were in the PDP to ensure this is the case. In this respect, I note that the State Highway 6 is not a Limited Access Road between Wye Creek and Kingston township.

6. MR BEN FARRELL FOR LAKE WAKATIPU STATION (478)

6.1 I acknowledge the evidence provided by Mr Ben Farrell in respect of this submission. I remain concerned that the transport effects of the development that would be enabled by the rezoning have not been assessed. I do not consider Mr Farrell's evidence raises any new information that I need to rebut, and I remain opposed to the rezoning sought.

7. MR BEN FARRELL FOR TE ANAU DEVELOPMENTS (607)

7.1 In his evidence at paragraph 18, Mr Ben Farrell states that any effects of the developments enabled by the rezoning sought by Te Anau Developments "*can be managed such that they are indiscernible.*" Mr Farrell then refers to Rule 12.4.3.2(ii) of the Operative District Plan as a control available to Council to manage transportation effects. My view is that this rule is narrow in scope in that it only provides Council with control of access points rather than on the wider effects of transport development, and therefore if it was to be replicated in the PDP, I do not consider it sufficient.

8. MR ANTHONY PENNY FOR QUEENSTOWN PARK LIMITED (806)

8.1 In his evidence Mr Penny provides considerable additional information regarding management of traffic that would be generated by the proposed rezoning.

- 8.2** In paragraphs 40 and 41 of his evidence Mr Penny refers to parking for gondola patrons within the Frankton and Lake Hayes urban areas. The parking in Frankton urban area would, it appears, be provided on private land, while the parking at Lake Hayes Estate is to be provided in road reserve. It is not clear what arrangements are in place to permit the use of the land areas referred to for parking. I understand that Council does not generally support the use of public roads for parking.
- 8.3** Mr Penny's evidence establishes that the submitter is cognisant of the need to address the safety of the site's connection to the State Highway and to work with the road controlling authorities and, potentially private landowners, to ensure this occurs.
- 8.4** In paragraphs 45 to 48 Mr Penny discusses options for linking the Queenstown Park Access Road to State Highway 6. These options include a potential link back to the Remarkables Skifield Access Road (which connects to State Highway 6) and an upgrading of the State Highway 6 / Boyd Road intersection.
- 8.5** The NZ Transport Agency has controls over most accesses along this section of State Highway, through the Government Roading Powers Act 1989. It does not, however, have controls through that Act over changes of land use that might increase the amount of traffic using the Boyd Road intersection. In this respect Mr Penny refers to Rule 44.5.2. that is proposed for the Queenstown Park Special Zone (set out at page 35 of Mr Serjeant's evidence). This proposed rule (if accepted) would provide that any residential or visitor accommodation within the Rural Visitor or Rural Residential areas prior to the upgrade of the Boyd Road / State Highway 6 intersection is non-complying. This would address some, but not all of the development potential created by the proposed rezoning.
- 8.6** This gap in control would be addressed by ensuring the NZ Transport Agency can submit on any resource consent applications affecting the area sought to be rezoned and by Council having the ability to impose traffic and transportation conditions on any consents that are granted.

8.7 Accordingly, I do not oppose the rezoning on traffic and transportation grounds provided the NZ Transport Agency is notified of any applications affecting the site and the proposed Rule 44.5.2 is recommended to be accepted, and provided the Council has the ability to impose traffic and transportation conditions on any consents that are granted.



Denis Mander

7 July 2017