

**David James Wallace for QLDC – Summary of Evidence – 22 July 2016**

**Chapter 27 Subdivision and Development – Hearing Stream 4**

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1. I have been requested to provide evidence relating to infrastructure matters to support deliberations on the Subdivision Chapter of the Proposed District Plan (**PDP**).
2. The process of ensuring appropriate infrastructure provision for subdivision and land development in the Queenstown Lakes District is multi layered. Consultation between applicants and Queenstown Lakes District Council (**QLDC**) officers often occurs prior to resource consent applications being lodged. At resource consent assessment stage feasibility of servicing is assessed. If servicing is considered feasible, conditions of consent are imposed to require infrastructure to be designed to generally meet the standards outlined in the QLDC Land Development and Subdivision Code of Practice (**CoP**). Detailed engineering design is undertaken after a consent is granted and those designs are submitted, reviewed and accepted, if appropriate, by the QLDC Resource Management Engineering team prior to construction commencing. Construction of accepted infrastructure is then undertaken and regular inspections by QLDC officers is undertaken to ensure the infrastructure is developed in general accordance with the CoP and accepted designs.
3. I consider including objectives and provisions in Chapter requiring appropriate infrastructure provision in accordance with best practice is important to ensure that QLDC can place appropriate conditions on subdivision consents. This will result in appropriate infrastructure servicing land development in the District. Chapter 27 as notified and the recommended revised chapter attached to the section 42A report, in my view, achieves this.
4. I consider the matters of control and discretion associated with the recommended controlled and restricted discretionary rules are appropriate and will ensure QLDC can impose suitable conditions of consent relating to infrastructure.
5. In my opinion the CoP does not need to be and indeed should not be identified in the PDP Subdivision Chapter as a standard, and by implication does not need to be incorporated by reference. The CoP is an ever evolving document and as industry best practice evolves so does the CoP to capture best practice standards. Including it in the rules will freeze in time the best practice standards that would be required to be adhered to when developing infrastructure solutions for land development. The result

would be that in the future, for the life of the District Plan, recognised evolving industry best practice will not be what is required to be provided by subdivision developers.

6. The issue of outdated standards referred to in rules in a District Plan and subsequently creating complications is well illustrated by the submission of Clark Fortune McDonald (Ref 414). The submission refers to current issues with the use of NZS4404:2004 (outdated standard) in the ODP. While it may be arguable that the submission does not relate to the current deliberations on the Subdivision chapter, and these deliberations may not be able to resolve the issue raised in the submission, it does show that reference to an Engineering code that subsequently becomes outdated causes problems.
7. In my opinion while a controlled activity status for subdivision generally works in terms of infrastructure requirements, a restricted discretionary activity (**RDA**) status is preferred. In particular, a RDA status allows QLDC discretion to decline substandard applications that have inappropriate road and vehicle access widths, among other infrastructure concerns. There are currently 36 different road categories in the CoP and these categories will evolve over time. Having a RDA regime for subdivisions will allow QLDC to decline resource consents if inappropriate roading widths are proposed which would result in inadequate and unsafe roading environments.
8. As an example, if a road is proposed in a subdivision that is too narrow to meet anticipated traffic numbers or safety requirements, then imposing conditions to widen the road as a matter of control will result in the entire subdivision layout and lot configuration changing, potentially making the original consent and subdivision layout assessed impossible to exercise. This situation can be overcome if QLDC were able to decline consent through a RDA regime maintaining discretion over servicing, roading and access. This issue does not arise currently due to a requirement in the transport section (14) of the ODP to meet roading design standards, otherwise a RDA consent is required. However I do not consider this is an effective solution going forward for the reasons discussed in paragraph 5 above.
9. Finally, I understand that no technical evidence of an infrastructure nature has been filed by submitters.