

**BEFORE THE HEARING COMMISSIONERS
FOR THE PROPOSED THE QUEENSTOWN LAKES DISTRICT PLAN
AT QUEENSTOWN**

**IN THE MATTER
of the Resource Management Act 1991**

**AND
IN THE MATTER
of Hearing Stream 15
Open Space and Recreation Zone**

Statement of Evidence of John Bernard Edmonds on behalf of
Bridesdale Farm Developments Limited (Submitter #2391)
Planning

6 August 2018

QUALIFICATIONS AND EXPERIENCE

1. My name is John Bernard Edmonds. I hold the qualification of Bachelor of Regional Planning from Massey University, and am a full member of the New Zealand Planning Institute. I have 25 years' experience in planning and resource management, spanning policy and resource consent roles in local government and as a private consultant. I spent five years at Nelson City Council and six years with the Queenstown Lakes District Council (QLDC), most of that time (1997-2001) as the District Planner. In January 2001 I commenced private practice as a consultant. I am a trustee of the Queenstown Trails Trust.

CODE OF CONDUCT STATEMENT

2. I have read the Code of Conduct for Expert Witnesses contained within the Environment Court Practice Note 2014, and (although this matter is not before the Environment Court) I have complied with it in the preparation of this evidence.
3. This evidence is within my area of expertise and I confirm I have not omitted to consider material facts known to me that might alter or detract from the opinions I have expressed.

SCOPE OF THIS EVIDENCE & STRUCTURE

4. I have been asked to prepare evidence by Bridesdale Farm Developments Limited ('Bridesdale'). I have read the relevant Section 42A reports and the Section 32 material. I have also read the evidence of other witnesses for Bridesdale.

THE SUBMISSIONS

5. Bridesdale has lodged two submissions to the Proposed District Plan. Submission 655 focuses on the zoning of that part of the Bridesdale property that has been developed for residential purposes.
6. Submission 2391 focuses on Chapter 38 - the proposed Open Space and Recreation Zone.
7. Bridesdale proposes that the lower river terrace of the Bridesdale Farm Developments Limited land (Bridesdale Land) is most appropriately zoned for recreation purposes and that the wider river flats area, comprising the Bridesdale Land and two Council reserves, be zoned Active Sports and Recreation.
8. The officer report incorrectly states (paragraph 34.1) that the Bridesdale submission seeks a change to the zoning of the council owned reserves to Active Sport and Recreation, and that the Bridesdale land be zoned Informal Recreation. The submission actually seeks all of those parcels of land to be included in the Active Sport and Recreation Zone.

THE SITE AND SURROUNDS

9. The Bridesdale Land (shaded light blue in Figure 1 below) comprises approximately 16.8 ha of flat pastureland that is located south of the Bridesdale Farm development, to the north and west of the Kawarau River, and to the east of the two Council owned reserve land parcels

(approximately 18 ha) that the submission also sought to re-zone. The latter are identified as areas 2 and 4 on Figure 1 below.

10. I have included the following aerial photograph and table that demonstrates the location of the Bridesdale Land relative to the other Council and Crown owned reserves and areas of open space. There is approximately 42 ha of reserve land within the lower river terrace area (1– 7, and 10), and with the Bridesdale Land, a total of 59 ha of reasonably flat open space. There is also additional river margin (south of area 6) that I have not calculated.
11. The Council officer identifies only areas 2 and 4, which equates to about 18 ha. In addition, the officer refers to this area being located to the north of the Shotover River on several occasions when in fact it is the Kawarau River.



Figure 1 – Reserves and Open Space: Lake Hayes Estate

	Legal Description	Area	Land Status	ODP Zoning	ODP Designation	PDP Zoning (Stage 2)	PDP Designation (Stage 1)
1	Crown Land, Block III	2.6982 hectares	Crown Land	RG	-	Rural	
2	Lot 321 DP379403	8.1534 hectares	Recreation Reserve	RG	365	Informal Recreation	365 465
3	Part Section 131, Block III Shotover Survey district	3.3340 hectares	Recreation Reserve	RG	-	Rural	

4	Lot 400 DP445230	9.8778 hectares	Recreation Reserve	RG	-	Informal Recreation	
5	Lot 205 DP505513	1.648 hectares	Recreation Reserve	RG	-	Rural	
6	Crown Land Block II, Shotover Survey District	14.3884 hectares	Crown Land Reserved from Sale (Marginal Strip)	RG	-	Rural	
7	Lot 1 DP 447906	0.3447 hectares	Local Purpose Reserve (Undefined)	RG	-	Informal Recreation	539
8	Undefined	-	Marginal Strip	RG	-	Rural	
9	Lot 2 DP 447906	0.9722 hectares	Local Purpose Reserve (Undefined)	RG	-	Informal Recreation	
10	Lot 308 DP 505513	1.6148 hectares	Recreation Reserve	RG	-	Informal Recreation	
11	Lot 307 DP 505513	1.0485 hectares	Local Purpose Reserve (Undefined)	RG	-	Informal Recreation	-
12	Lot 3 DP 26719	0.3877 hectares	Local Purpose Reserve (Esplanade Reserve)	RG	284	Informal Recreation	284
13	Lot 304 DP 505513	0.2353 hectares	Recreation Reserve	RG		Informal Recreation	
14	Lot 318 and 319 DP 372310	0.4871 hectares	Recreation Reserve (Onslow Reserve)	RR	305 306	Informal Recreation	305 306
15	Lot 312 DP 329276 Lot 318	2.8222 hectares	Fee Simple	LDR RR	282	Informal Recreation	282
16	Lot 405 DP 329276	0.1528 hectares	Fee Simple	LDR	316	Informal Recreation	316
17	Lot 307 DP 322452 Lot 313 DP 333981 Lot 322 DP 380680	2.1501 hectares	Recreation Reserve	RR	281	Informal Recreation	281
18	Lot 603 DP 488075	0.5626 hectares	Recreation Reserve	SCSZ		Informal Recreation	

19	Lot 3 DP 447156	0.6438 hectares	Recreation Reserve	RG		Informal Recreation	536
20	Lot 301 DP 326828	0.5050 hectares	Recreation Reserve	LDR	278	Informal Recreation	278
21	Lot 302 DP 333246	1.0911 hectares	Recreation Reserve	LDR	280	Informal Recreation	280
22	Lot 305 DP 330087 Lot 303 DP 336365 Lot 203 DP 336365	0.2277 hectares	Recreation Reserve	LDR	283 366	Informal Recreation	283 366
23	Lot 301 DP 336365	1.0013 hectares	Local Purpose Reserve	RR	326	Informal Recreation	326

Table 1 – Reserve and Open Space - Status

11. This information is also provided as part of the application for the Winton Tennis Centre that is currently in process with the Council.
12. The approval of the Bridesdale Special Housing Area included the creation of 137 garden allotments on the lower river terrace. Mounding and planting around the edge of those garden allotments was also approved. In addition, Bridesdale vested with the Council four reserves (indicated as 5, 10, 11, and 13 in Figure 1 above).
13. The Bridesdale Land that is the subject of this submission is surrounded by Council and Crown owned reserves (the Council manages the Crown owned reserves).

SCOPE

14. At paragraph 34.1 the officer considers that the submission is not within scope because the submitters land “was not notified as part of stage 2”. Simply because the notified provisions in stage 2 (chapter 38) do not identify the submitters land does not restrict or exclude the submitter from identifying a more appropriate zoning for their land, particularly given that the land shares a common boundary with the Council reserve.
15. I note, in respect of the officer’s paragraphs 34.2 and 34.3, that submission 655 identified that the medium density residential zoning should apply to the upper terraces, and that lower-level land is the logical recreation space for the growing Lake Hayes and Shotover Country communities (submission point 3).
16. I note that Mr. Goldsmith will address this scope issue in his legal submissions.

FUTURE DEVELOPMENT

17. At paragraph 34.6 the officer notes that “in the absence of any evidence from the submitter to support the level of development that would be enabled by the Active Sport and Recreation Zone in an ONL, I recommend this submission be rejected”. Bridesdale Farm Developments Ltd has lodged a resource consent application for a Tennis Academy to be developed immediately to the south of the garden allotments on the Kawarau River terrace. A copy of the plans submitted with that application are included with Mr Knight’s evidence. I have also included several visual simulations from that application as Attachment 1. The

Tennis Academy includes six outdoor and two covered tennis courts that are surrounded by landscaped embankments (2m high) that would be used for informal seating and landscape mitigation. The covered courts use a dark green coloured lightweight material, similar to a tunnel house. These structures are up to 11.7 m above current ground level.

18. Landscape evidence is provided on the ONL classification of the floodplain by Mr Skelton in this hearing, in the previous hearing (submission 655), and also in the Tennis Academy resource consent application.

THE APPLICATION OF THE OPEN SPACE ZONES TO PRIVATE LAND

19. Mrs Galavazi addresses at section 6 of her evidence the reasons why she considers the Open Space zones should not apply to privately owned land. I am going to briefly address each of those reasons.
20. At paragraph 6.1 the officer states there are “operational reasons” but does not detail any. At paragraph 6.2 she says that the zones have been specifically drafted to manage land that is controlled by Council and not private landowners. With respect there is nothing in the zones that distinguish land tenure.
21. At paragraph 6.3 it is stated that the key goal of chapter 38 was to provide a consistent planning framework for Council controlled land, on the basis that the Council is the administrative body. The inclusion of the Bridesdale river terrace land in chapter 38 would not pose any greater risk to the way in which the land is developed for recreation purposes. In fact its inclusion in the zone will ensure that there is a better chance of positive integration between the Council managed land and the Bridesdale Land.
22. The status quo will result in the Bridesdale Land being managed as rural farmland and with a completely different set of objectives and policies to the Council owned land that surrounds it.
23. At paragraph 6.4 of her statement, Mrs Galavazi comments that there may be administrative confusion in the future if private land is given an open space zoning. I consider that this confusion is both unlikely and of minimal distraction to the ongoing operation and management of Council reserve land. I do not consider that that is an adequate reason to exclude it from the most optimal zoning.
24. At paragraph 6.5 she identifies that there is no guarantee to the public that such land would be available for public use in perpetuity. The tenure of the land is not the critical factor. It is the zoning of the land, and the objectives and policies that sit behind that zoning that provide direction for the way it should be used and developed.
25. I consider that the Open Space Zones can apply to privately owned land.

THE MOST APPROPRIATE OPEN SPACE ZONING FOR THE RIVER TERRACE

26. The Council is proposing eight open space zones, of which four are under the heading Community Purpose Zone, one is a Nature Conservation Zone, and another is a Civic Spaces Zone.
27. That leaves either an Informal Recreation Zone or an Active Sports – Recreation Zone, which are described in Table 2 below.

<i>Informal Recreation Zone</i>	<i>Active Sport and Recreation Zone</i>
<p><i>The Informal Recreation Zone applies to open space and recreation areas that are primarily easily accessible for the immediate community and visitors or within easy walking distance for residents within the area. It provides a basic informal recreation experience, including play opportunities (such as flat, kick-around space) and offers areas for respite and relaxation. In addition, the Informal Recreation Zone is intended to provide physical links to other areas (such as by cycle ways or pedestrian access ways).</i></p> <p><i>The Informal Recreation Zone encompasses both small local parks and neighbourhood reserves, through to large open areas fronting the District's Lakes. It also encompasses small reserves that provide visual relief from the built environment.</i></p>	<p><i>The Active Sport and Recreation Zone includes larger parks and reserves that are primarily used for organised sport and events, usually with associated buildings and structures. The zone primarily applies to open space that is easily accessible, used for indoor and outdoor organised sports, active recreation and community activities.</i></p> <p><i>The Active Sport and Recreation Zone areas are designed and used for organised sport and recreation with toilets, changing facilities, carparking and turf or playing surfaces formally maintained to an appropriate standard for the relevant sports code. These include sports fields, hard-court areas, club facilities as well as associated infrastructure such as car parking and changing rooms.</i></p>

Table 2 – Open Space Zone - Purpose

28. The proposed Active Sports and Recreation Zone only appears on proposed planning maps 35 and 27, and only applies to 3 parcels of land in the broader Queenstown area: the Queenstown Recreation Ground, Millbrook Park, and the Arrowtown Sports Ground. As Dr Galloway notes in his evidence, the 35 ha at the Queenstown Events Centre is proposed to be zoned Community Purposes.
29. Given the close proximity of the Shotover Country, Lake Hayes Estate and Bridesdale communities, and the planned expansion of those communities to the north of State Highway 6, it will become increasingly important for the Council to correctly identify the most appropriate open space zoning of this terrace. It is also important that the Council provides adequately sized and accessible areas of land that can accommodate the future demands of residents in these areas.
30. Incorporating a series of open space zones into the district plan differs from the Council's past practice of sometimes designating and/ or sometimes using reserve management plans. Zoning brings with it a much higher threshold. It is more difficult for the Council to remedy a zoning that doesn't provide for a suitable range of activities, as it will need to initiate a plan change or apply for a resource consent.
31. The Active Sport and Recreation Zone is intended to apply to larger parks and reserves that are easily accessible. The total open space area of the river terrace is about 60 ha, or 41 ha

of flat land (being: 2 – 7, 10, + Bridesdale). In comparison the Queenstown Recreation Ground is 2 ha, Millbrook Park is 3 ha and Arrowtown sportsground is 2.6 ha.

32. The officer report at paragraph 34.5 says that the Council parks department have yet to determine whether the area can accommodate active sport and recreation activities. That suggests that the Council has not undertaken an informed analysis of the necessary future needs of this community. Embarking on a zoning program that identifies the future recreation needs for the Lake Hayes Estate, Shotover Country and Bridesdale communities for at least the next 10 years, without knowing what that should look like, is an inappropriate approach.

PLANNING ASSESSMENT

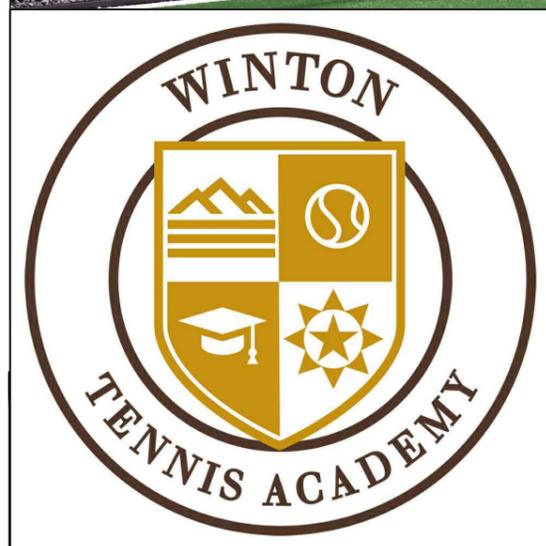
33. I have considered the notified Stage 2 zoning and the zoning proposed in the submission in terms of the following matters:
- Whether the change implements the purpose of the PDP strategic direction, urban development and landscape and rural character chapters;
 - Whether the rezoning is in accordance with the operative RPS and the PRPS;
 - Whether the objectives and policies of the proposed zone can be implemented on the land in question;
 - Economic costs and benefits;
 - Changes to the zone boundaries are consistent with the maps in the PDP that indicate additional overlays or constraints;
 - Whether the changes take into account the location and environmental features of the site;
 - That Zone changes are consistent with the long-term planning for provision of infrastructure and its capacity;
 - Zone changes take into account the effects on the environment of providing infrastructure on-site;
 - There is adequate separation between incompatible land uses;
 - Rezoning in lieu of resource consent approvals; where a portion of the site has capacity to absorb development does not necessarily mean another zone is more appropriate;
 - Zoning is not determined by existing use rights, but these will be taken into account.
34. Strategic objectives 3.2.2 and 3.2.3 of the PDP strategic direction (chapters 3 and 6) relate to urban growth being managed in a strategic and integrated manner and taking account of the character of individual communities. Objectives 3.2.4 and 3.2.5 require protection of distinctive landscapes, natural environments and ecosystems. The landscape evidence of Mr Skelton confirms that the river flats can be developed for recreation purposes without resulting in inappropriate effects on landscape values. On this basis, the proposed active Sport and Recreation zoning of this land would implement the strategic direction chapters.
35. The zoning request would not be contrary to the relevant provisions of the operative RPS and the PRPS.
36. The objectives and policies of the proposed Active Sport and Recreation Zone can be implemented on the land.
37. The proposed zone has the benefit of providing for the likely future recreation needs of a reasonably concentrated resident population, including identifying and zoning a significant

area of land while that opportunity exists. The costs of rezoning to Active Sport and Recreation are limited to the change to the visual appearance of the river flats from some domestication associated with recreation activities.

38. There does not appear to be any real benefit of not rezoning (i.e. rejecting the submission) as that would simply retain the status quo. The economic value of the land for farming purposes must be minimal, and no other potential uses have been identified. The associated costs (of not rezoning) would be to retain a rural zone adjacent to future public open spaces and the associated nuisance values that might have. More importantly, it would result in a large tract of flat land not being used optimally. The close proximity of the Shotover Country, Lake Hayes Estate and Bridesdale residential neighbourhoods means that it is appropriate that this land be zoned to enable those residents to have access to a range of recreation facilities and activities without the need to travel to either Queenstown or Arrowtown.
39. The changes to the zone boundaries are consistent with the maps in the PDP and take into account the location and environment of features of the land.
40. Infrastructure suitable for recreation activities is available in the vicinity of the land, for example a water pump station is located at the bottom of Widgeon Place, which has electricity connections. Mr Knight addresses infrastructure in his evidence. The river terrace comprises layers of flood deposits, fill material and alluvium. This material does require some remediation in order to build upon. For example, the Winton Tennis Academy proposal includes excavation and removal of uncontrolled fill and replacement with hard fill. It also involves raising the ground level to ensure stormwater run-off. Given the costs of remediation it is unlikely that there would be a significant number of structures erected on the floodplain.
41. Residential zoned land is generally limited to the upper terrace which overlooks the floodplain. This provides a separation of at least 90 m between the closest house in Lake Hayes Estate and the proposed zone. I consider that there is adequate separation available.
42. Given that this land is effectively vacant, it is appropriate that the most optimal zone be applied to it.

CONCLUSION

43. The submission by Bridesdale Farm Developments Ltd requests that the Informal Recreation zoning of the two Council owned reserves (shown on planning map 30 of stage 2) on the Kawarau River floodplain be rezoned Active Sport and Recreation. These are Lot 321 DP379403 and Lot 400 DP445230.
44. The submission also requests that Lot 404 DP505513, the Bridesdale Land, be zoned Active Sport and Recreation.
45. I consider that this zoning is the most appropriate, particularly taking into account the landscape evidence of Mr Skelton and recreation evidence of Dr Galloway.



Rev.	Date	Revision Details	By
A	24/04/18	Draft Issue	GW
B	29/05/18	RC Issue	GW

Winton Tennis Academy
Artist's Impression 01

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Designed	Signed	Date	Scale	
GW			Not To Scale	
	Signed	Date	Datum & Level	Rev.

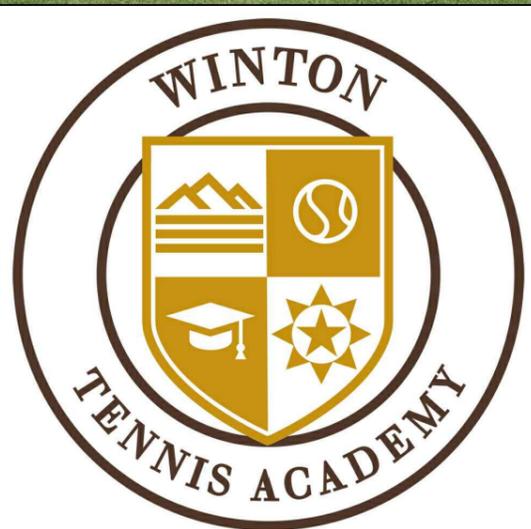


Rev.	Date	Revision Details	By
A	24/04/18	Draft Issue	GW
B	29/05/18	RC Issue	GW

**Winton Tennis Academy
Artist's Impression 02**

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	Designed GW	Signed	Date	Scale	
		Signed	Date	Datum & Level	Rev.

Not To Scale



Rev.	Date	Revision Details	By
A	24/04/18	Draft Issue	GW
B	29/05/18	RC Issue	GW

**Winton Tennis Academy
Arist's Impression 03**

Client	Drawn	Signed	Date	Job No.	Drawing No.
	GW				03
	Designed GW	Signed	Date	Scale	Not To Scale
		Signed	Date	Datum & Level	Rev.