

HEARING OF SUBMISSIONS: WANAKA LAKEFRONT RESERVES MANAGEMENT PLAN 1 AND 2 JULY 2014

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Minutes of a hearing of submissions on the draft Wanaka Lakefront Reserves Management Plan held in the Armstrong Room, Lake Wanaka Centre, Ardmore Street, Wanaka on Tuesday 1 July 2014 commencing at 10.00am and on Wednesday 2 July commencing at 10.00am.

Present:

Ms Rachel Brown, Councillor Calum MacLeod and Mr Bryan Lloyd

In attendance

Mrs Ruth Stokes (General Manager, Operations), Mr Mike Weaver (Manager Parks Operations) and Ms Jane Robertson (Governance Advisor); approximately 40 members of the public and two members of the media

Commencement of Hearing

The Governance Advisor called the meeting to order and asked the members to elect a Chairperson.

On the motion of Councillor MacLeod and Mr Lloyd the panel resolved that Ms Brown be appointed to chair the hearing.

Ms Brown took the Chair.

Declarations of Conflict of Interest

There were no conflicts of interest noted.

Welcome

Ms Brown welcomed all to the hearing and noted that the many submissions received indicated the high level of interest in the lakeside and its reserves in the community. She noted that the panel was delegated authority to hear and consider all submissions and make a recommendation to the Wanaka Community Board which would then recommend the final form of the plan for approval by the full Council.

There was a question from the floor about whether the Wanaka Community Board would also consider and potentially amend the plan recommended to it by the panel. It was noted that this was possible but amendments could only occur on issues on which there had been submissions.

Hearing of Submissions

The Governance Advisor reported that James Imlach who was to appear via Skype on behalf of the NZ Motor Caravan Association (submission 109) had advised earlier in the day that another commitment would prevent him from making a verbal submission and his written submission would stand.

Stanley and Jane Hall (21)

Mr and Mrs Hall stated that they were opposed to policy 8.8.3.2 as they did not support the construction of a watersports facility in Roys Bay. They lived at 46 Mt Aspiring Road and believed that any structure so close to the residential area would have adverse effects such as increased noise, light and vandalism. They added that the lake was very shallow at this

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point which would be inconvenient for users. They believed that a building of this type would be better sited at the end of McDougall Street.

Mr and Mrs Hall objected to the removal of the log cabin (policy 8.8.3.1).

Ms Brown noted that clause 8.8.3.2 simply proposed to allow buildings consistent with the management plan in Roys Bay and did not contain a specific proposal.

Sally Middleton (36)

Mrs Middleton asked that the plan be amended to permit freedom camping in self-contained vehicles for a maximum of three days at Waterfall Creek, Scotts Beach and Beacon Point. She noted that freedom camping was already permitted at Boundary Creek and this worked well and she considered that additional areas should be provided.

Mrs Middleton stated that she was opposed to policy 8.8.3.1 as she supported retention of the log cabin. She tabled a photograph taken in 1914 of the Wanaka waterfront, pointing out that there were buildings in evidence then all along the waterfront. She believed that the presence of these buildings supported the teaching of good boating techniques and raised consciousness of water safety.

Members noted that the Freedom Camping Bylaw took precedence over any freedom camping provisions in the management plan and any change would necessitate amendment to the bylaw.

Allan Miller (236)

Mr Miller stated that he was an advocate for responsible freedom camping in self-contained vehicles. He believed that freedom camping was an unfortunate term because it covered a wide cross section of people, both responsible and irresponsible. He noted that the activity campers engaged in was mainly sleeping which must be deemed both recreational and passive. He observed that in Wanaka there were 315 ha of lakeshore reserves and he felt it was unreasonable that 1 ha of these reserves could not be set aside for use by responsible freedom campers.

Mr Miller challenged the assertion that there were many locations outside the Wanaka township for freedom camping. He noted that many motor caravan vehicles were 12m long and may also be towing another vehicle, making the total vehicle length as much as 18m and he did not believe that many sites existed for this sort of vehicle.

Mr Miller suggested that Beacon Point and the upper area of Eely Point were both areas which were suitable for freedom camping. He added that following consultation on the Arrowtown Reserves Management Plan, additional areas had been released for freedom camping, which he believed set a precedent for this management plan.

Mr Miller observed that the members of the NZ Motor Caravan Association (NZMCA) were of a demographic unlikely to be noisy or troublesome and freedom camping was not a new phenomenon. He expressed the hope that the Council would recognise that there were people who were responsible freedom campers who would look out for Council standards.

Don and Heather Wallace (329)

Mr Miller spoke on behalf of Mr and Mrs Wallace who had also submitted on concerns about the lack of provision for freedom camping in the management plan. Their submission had referenced a freedom camping facility in Taupo which was in a park like setting right on the foreshore with a view of the lake. The business community in Taupo was very supportive of this park and freedom camping and it was suggested that Wanaka was an ideal place for a similar facility. Mr and Mrs Wallace's submission stressed that NZMCA members were

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almost all reasonable and responsible people and the association had its own disciplinary procedures for those who failed to maintain appropriate standards.

Mr Miller believed it would be possible to establish a park similar to what was available in Taupo at the far end of Lake Wanaka and he was keen to work with the community to find a satisfactory resolution for these issues.

Susie Meyer (27)

Ms Meyer expressed concern at the number of large campervans parked along the lakefront. She believed that each year there was an increasing number and they were all large vehicles which took up a lot of room, created congestion and obscured the view. She felt that this sort of large vehicle had not been envisaged when the parking had been planned and their presence had a detrimental effect on the aesthetic value of lakefront. She suggested that the Council create a designated area outside the CBD for these vehicles to park, which would serve to make the waterfront more pedestrian friendly. She suggested that appropriate areas for campervan parking were Eely Point, the area opposite the police station, the rugby grounds or the showgrounds parking, which she observed was empty most of the time as well as being close to town.

Ms Meyer encouraged the promotion of 'greener' ways to access the town and suggested that sealing cycleways would encourage cycling for commuting and would address pressure on parking in town.

Ms Meyer noted that at present pedestrians and cyclists had to share the same pathways which often required pedestrians to give way to cyclists. She had personally witnessed injury and conflict between cyclists and pedestrians and believed that it was important to create separate paths for them. She did not believe that making bells on cycles was the solution as she considered that pedestrians should always have the right of way.

Quentin Smith (247 and 29)

Mr Smith advised that he was commodore of the Wanaka Yacht Club. It had about 130 members and leased a site in the Wanaka Marina Reserve. The club supported ratification of the plan subject to some changes:

- 8.9.3.1: support extension of lease area and/or associated out buildings (to provide flexibility).
- 8.9.3.2: delete reference to the length of time a vessel can be parked in this location. This should be dealt with under the lease agreement rather than in the reserve management plan.
- 8.9.3.3: support making improvements to marine facilities but ask that the Wanaka Yacht Club be consulted on any proposed improvements.
- Appendix 1: Ask that the District Plan rules on designations be amended to be consistent with those contained in the management plan.

Speaking to his personal submission, Mr Smith expressed support for the proposed Wanaka watersports building. He believed it was a high quality proposal and met the community's needs for active, healthy lifestyles. It was not a commercial development and its presence would not signal a proliferation of built development on the lakefront. In any case, whilst the foreshore was beautiful, he did not believe that it could be considered 'pristine' or 'untouched'.

Mr Smith questioned why only a generic reference was made in the plan to the watersports building proposal, despite the extensive consultation which had already taken place on the

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project. He noted that the lack of a clear stance did not help to increase certainty for the watersports club or those who opposed the proposal. Similarly, he observed that whilst the plan had policies for Glendhu Bay West, it had no specific objectives and therefore provided no guidance on how these policies would be brought about. Further, in relation to Wanaka Station Park there were no policies about weddings, bookings of the park or potential construction of a rotunda and he questioned how a land manager would gain a direction from the plan. By contrast, Mr Smith stated that he could provide several examples from the Queenstown Gardens Management Plan where guidance was provided specifically on what could and couldn't happen. He did not believe that providing guidance equated to pre-determination, adding that without this guidance, the plan failed to do anything.

Janey Johnston (66)

Ms Johnston advised that she supported both the building design and the site of the proposed watersports building. She did not consider it was reasonable for people to expect an assurance that the lake view they currently had from their residence would always be preserved. She believed it was appropriate for buildings to be considered on an individual basis, adding that the proposed watersports building was positioned in the least obtrusive place possible but it could be further screened with a sod or grass roof. She endorsed the proposal as it would provide the opportunity for new people to become involved in water-based activities. She suggested that people should regard it as a privilege to live in Wanaka and should have a more generous attitude.

Ian Weir (28)

Mr Weir advised that he was speaking on behalf of Infinity Investment Group. The company was developing the Marina Terraces Apartments and wished to encourage further development of the area of the Marina Reserve between the marina and Bullock Creek in tandem with this project. The company proposed various improvements to the appearance and accessibility of this area, which could have the added benefit of creating additional casual carparking. A concept plan had been included with the submission but this was only a starting point to assist in visualising what could happen. Ideas including extending the boardwalk to allow for more interaction with the lake, the development of water features and the planting of new, native vegetation.

Mr Weir stated the company was happy to engage in further discussion with the Council on this concept plan.

Graham Dickson (10)

Mr Dickson made the following key points:

- He questioned the purpose of management plans, suggesting that they should stress maintenance, protection and preservation, but only development as appropriate. He believed that the current plan placed too much emphasis on change, structures and commercial uses but made no mention of the current passive uses of walking and picnicking.
- It had been a good idea to consider all the lakeside reserves together as this could provide the opportunity to develop common themes and strategy, however the plan did not look at the foreshore as a whole but reserve by reserve.
- The plan should include separate sections on (a) the lakeside track; (b) boating (recreational and commercial); (c) dealing with LINZ land; and (d) integrating LINZ land with the management of reserves.
- The plan had limited policies for Eely Point but no direction on managing the bathing beach, scout den or parking in this location.
- The plan noted that the Outlet Reserve would be operated as a commercial holiday park but the full area of the reserve was 44ha and it failed also to recognise that it was an access point for vehicles from Access Road and was extensively used for fishing and

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swimming. This section needed a complete re-write, identifying which section was the area of the motor camp.

- The section on Roys Bay had become focused on the watersports building proposal. The plan should set rules and criteria under which proposals should be judged and whilst he supported a facility somewhere in the lakefront reserve, he was opposed to the current proposed design and location which he deemed too large and prominent.
- He questioned what was meant by a 'civic park environment', suggesting that it was a meaningless term.
- The plan should not support all forms of recreation as the lakeside reserves were precious and only those buildings that needed to be by the lake should be permitted to be there.
- Commercial boating should be recognised in the plan which should also recognise the need for land-based activities to support commercial activities (eg, ticketing offices).
- Two piers were needed, one for commercial boating (in the right location currently) and a non-commercial town pier to allow people to interact with the water in a non-boating way.
- Mr Dickson observed that much of the plan was so deficient in dealing with existing activities that it was difficult for meaningful consultation to take place. He believed that the Council should either withdraw the plan and start again or make substantial revisions to the draft and re-open it for further consultation.

Davy Pattison – Adventure Wanaka Ltd (185)

Mr Pattison stated that his business involved cruising and fishing in the lake and he wanted the management plan to include policies that allowed for commercial water-based activities. He noted that all commercial operations currently vied for position on a single 20 metre pontoon. It was congested at busy times of the year for pick up and drop off and for parking between trips. He added that there was little connection between this area and the foreshore and whilst the commercial activities currently operating were doing so adequately without affecting the reserve, it would be a good idea to develop policies to provide for more operators. He believed that a boardwalk would have the least effect on the environment of bringing the commercial operators together.

Neville Harris (202)

Mr Harris read his written submission:

- All reserves should be named and he questioned the name of the reserve at the end of Roto Place.
- Why were the poplar trees removed from Morrows Mead? He believed that the Council's tree policy should be tightened in relation to the removal of trees.
- The only structures permitted at Roys Bay should be for non-profit sporting groups.
- The log cabin was an icon to Wanaka and the area should be designated for commercial use as it was the only sensible place in which to locate commercial activities.

Brent and Sue Pihama (157)

Mr and Mrs Pihama advised that they operated Wanaka River Journeys and viewed the lake as Wanaka's 'premiere park'. They believed that the plan needed to provide an overall vision to guide the management and future development of the lakeside reserves. They commented as follows:

- It was suggested that land be reclaimed to provide more room at the Marina Reserve for all the commercial operators as all these companies needed to be located on the waterfront. A boardwalk through the wetlands linking Roys Bay with Wanaka Marina Reserve would achieve connectivity and would also tidy an edge of the lake where the bank was untidy.

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- Buildings in Roys Bay were acceptable provided public consultation had taken place.
- They supported the removal of the log cabin after its current lease expired but agreed that the I-Site should be sited in this area. They also felt that a toilet was needed at the southern end of Roys Bay Reserve.
- Eely Point Reserve was a premiere area but it was currently covered in ageing unattractive pine trees which made the area feel dark and cold. Removing them would open up and lighten the area, possibly making it a good wedding venue and the Council could maximise the dollar value of the trees by harvesting them and selling the wood. It was also a high boat use area and needed a concrete launch area and breakwater.
- The commercial users could not agree on the location of a commercial zone between the Yacht Club and the marina.

The Governance Advisor reported that Ms Sarah Berger of the PHO was scheduled to speak at this point in the hearing but had been in contact and could not attend due to ill health.

The meeting adjourned at 12.55pm and reconvened at 1.30pm.

Chris and Rebecca Thornton (130)

Mr and Mrs Thornton stated that they operated Wanaka Kayaks on two of the four water based commercial non-powered licences in the zone. They were keen for the non-powered commercial zoning to be retained and they supported the development of a commercial wharf. They also supported the removal of the log cabin so that area could be redeveloped. They were not opposed to all buildings in the area but considered the log cabin was outdated and could be replaced with something more iconic and representative of the area. The log cabin could be re-established in a different location and suggested that it could be located on the other side of the wharf towards Bullock Creek.

Mr and Mrs Thornton encouraged the removal of the water-ski lane in Roys Bay as they considered that power boats already had a huge variety of areas to use.

Alan Gray (331)

Mr Gray expressed concern that the Watersports Trust's plan for a building at Roys Bay was allied with a desire to separate motorised and non-motorised craft and to prohibit motorised craft from the western edge of Roys Bay. He believed it was one of the rights of being a New Zealander to be able to take a boat anywhere and he had water-skied on Lake Wanaka in the early morning for many years with no conflict with non-motorised activities. He was concerned that the watersports building proposal would take the lake away from users.

Mr Gray noted that policy 7.2.2.2 sought to ensure that adequate space was allocated to vehicles to support participation in recreational activities, but pointed out that rocks and bollards had been positioned in Morrows Mead, impeding access to the lake. The result of this was that at busy times there were many vehicles in this area with nowhere to go.

Duncan Spear (322)

Mr Spear advised that he was the Chair of Wharf Developments trading as the Lake Wanaka I-Site Visitor Information Centre. He asked that policy 8.8.3 be amended to allow for the construction of a new I-Site facility in the Roys Bay Reserve, adjacent to Helwick Street. He noted that there had been an I-Site on the reserve in the original plan and he asked that this be reinstated. A bigger usable space than the present I-Site would be sought as it was important to plan for growing numbers.

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Loris King (223)

Mrs King spoke to her submission, raising the following points:

- She supported the Council granting a long-term lease for the Glendhu Bay Camp.
- She opposed the development of any buildings in Roys Bay Reserve and asked that buildings be prohibited. She observed that the views and the foreshore had remained largely intact since Wanaka's original settlement in the 1860's and no one was disadvantaged by this natural state. She considered that allowing one building would make it difficult to reject other applications for buildings.
- She supported the retention of the log cabin in its current location, pointing to its role in water safety.
- She expressed concern about the scruffiness of the area from the Dinosaur Park to the marina.

Roger Gardiner, Wanaka Residents' Association (117)

Mr Gardiner observed that a foreshore management plan was already in place and it was still relevant and 'not broken'. He believed that Council should have taken the best parts from the old plan and used this material to draft the new plan. Instead however, he believed that it had developed policies which did not previously exist, many of which were in relation to buildings, whilst a lot of valuable policy from the old plan had been omitted or replaced. He continued with the following observations:

- He questioned the concept of a 'civic park'.
- The plan sought to manage the impact of built structures which was different from the existing plan and he questioned where the mandate for this change had come from.
- He considered that the wording of policies was too general, vague and imprecise.
- The fact that the plan had shortcomings had been recorded at the March 2014 Community Board meeting.
- The plan released for public consultation had been approved at a Board workshop. This was inappropriate and not good governance as the public were excluded from workshops and it appeared that significant policy changes had been made at this meeting. By way of example, he observed that the original draft included specific reference to a watersports building but this policy had been removed after the workshop.
- Mr Gardiner believed that the Watersports Trust had received preferential treatment in the draft plan. He expressed concern at the size of the proposed building, noting that it was three times the size of the log cabin. He also considered that it would be no more public than any other private club rooms which were funded by membership fees and that the Council would eventually end up running the facility anyway. Furthermore, the site was identified on hazard maps as being vulnerable to liquefaction and flooding.
- The shortcomings of the section on the Roys Bay Reserve were demonstrative of the deficiencies in the whole plan.

Ms Brown rejected some of the assertions made by Mr Gardiner:

- *The Wanaka Community Board had not been lobbied by a certain interest group.*
- *Decisions had not been made behind closed doors and the plan has been open to the public via the consultation process.*
- *The change to the clause cited by Mr Gardiner was done deliberately to avoid any perception of favouring one particular group and had been taken to encourage public comment.*

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Don Robertson (5)

Mr Robertson noted that he was also speaking for the Hawea Community Association, the Guardians of Lake Hawea and the Guardians of Lake Wanaka. He added that others in the community had also endorsed the points made in his personal submission. He raised the following key issues:

- He was opposed to any new buildings in the Roys Bay Reserve. Approval of a watersports facility would be a 'huge mistake' and the thin edge of the wedge. He considered that the Watersports Trust conveyed an 'entitled' air.
- The purpose as detailed in paragraph 1.1 placed a strong emphasis on what the community wants and how the Council would fulfil the community's wishes. He did not believe that the vision was very visionary (suggesting an alternative) and asked for 'amenity values' to be defined, suggesting that the RMA definition was appropriate.
- He had struggled with the way in which objectives and policies were arranged and believed that their functions were confused. The nested diagram was meaningless (p 10) as well as the diagram of influencing documents (p 11) and both should be redrafted.
- Detailed information not related to action plans should be included in an appendix.
- Ecological context was an important section but it had a superficial approach with the focus on macro organisms rather than micro and this should be reflected in the title.
- All buildings should be prohibited from lakefront areas except public toilets, boat ramps and changing facilities.
- Metrics should be included so that progress against achieving goals can be measured.
- All applications for commercial use of reserves should be subject to community approval and not just the Council (policy 7.2.1.11).
- The diversity of the landscape was not due to man-made forms (policy 7.2.4.3).
- Biodiversity and natural values (7.2.4) needed to be linked to section 6 ('Ecological Context').
- The flora section was slim and many other natural pests could be identified.
- Policy 8.8.3.2 opened the door for interest groups to start building on reserves.
- The protection of waterways from any detrimental run-off from higher ground was not dealt with anywhere in the draft plan.
- The 1991 reserve management plan set the foundation for the log cabin and other buildings to be developed on the lakefront but this should not be a precedent for developing more buildings on reserves.

Mr John Coe (290)

Mr Coe stated that he had lived in Wanaka for 25 years and was a previous member of the Wanaka Community Board. He was very opposed to the contents of the draft management plan and believed that its effect if adopted in its current form would be very damaging for the future of Roys Bay. His submission focused on section 8.8, in particular policy 8.8.3.2 which proposed that buildings consistent with the objectives of the management plan will be allowed within the Roys Bay Reserve. He raised the following key points:

- The policy would permit buildings to be located on Roys Bay for any purpose, including any type of recreational purpose. He believed that at the very least, it should be limited to water-related recreational purposes.
- The policy should reflect the whole community's wishes but had instead been 'hijacked' by a small sector of the community.
- The building was really only sought by the rowing club but the other groups had been included to the proposal make more palatable to the community.

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- The submissions in support of the watersports facility were the result of eight months of lobbying, but the 300 submissions in support really only represented about 5.5% of the total community.
- Many of those supporting the policy would be unaware that it also opened the door for other buildings to be developed.
- Many people came to Wanaka for its unspoiled nature and there were no other buildings in this location. It would be aesthetically wrong to develop a building on this site.

If the watersports facility proposal were to proceed, Mr Coe considered that it should be subject to very strict conditions and not allowed to dominate the landscape. He suggested that it be set back 20 metres from the highest natural level of the water and should not block the natural walkway around the lake edge.

In summary, Mr Coe stated that Lake Wanaka was an iconic natural treasure and one of New Zealand's most photographed places. It was not just for the people who lived in Wanaka but for everyone who enjoyed it and the overall objective of the management plan should be its preservation in its natural state.

Anne Steven, Mark Ayre, Central Otago-Lakes Branch, Royal Forest and Bird Society (377)

A submission was tabled and read. The main points were as follows:

- The margins of Lake Wanaka contained important indigenous vegetation and wildlife which were worthy of a comprehensive active management plan for their protection and restoration.
- Bringing together all the lakeshore areas in one plan was constructive as it facilitated integrated and strategic management planning.
- Whilst prepared under the provisions of the Reserve Act 1977, the plan also needed to recognise and give effect to other planning mechanisms and strategies.
- The plan needed to give equal attention to providing open space for public amenity and recreation activities whilst also providing for the protection of indigenous biodiversity.
- An amendment suggested to the vision of the plan to read: *'To protect and enhance the amenity value and natural character of the Lake Wanaka reserves....'*
- The Society would like to see the Council taking a much more active role and providing leadership in the management of indigenous biodiversity of reserve lands.
- The Council needs to adopt a consistent approach to addressing non-reserve lands.
- Dublin Bay reserve land should also be included in this management plan or an explanation given about why it hasn't been included.
- The Council should replant areas with mature trees because they have a better chance of survival.
- The main launching site on Lake Wanaka should be moved to be sited between the Wanaka Yacht Club and the concrete launching ramps.
- Protection of the delta is needed to protect the bird-life.
- The planting of exotic trees was acceptable and they had a role as a feeding habitat for birds but the national mandate of the Forest and Bird Society was to support the planting of native trees.

The meeting adjourned at 3.34 pm.

The meeting reconvened at 10.00am on Wednesday 2 July 2014.

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Graeme Todd and Simon Stewart, Lakeland Adventures Ltd (324)

Mr Todd presented the following submissions on behalf of Mr Stewart:

- Mr Stewart had purchased his business in 2005 and had a lease from the Council for a limited term. He now had a real concern that the reserve management plan signalled that Council would cancel his rights of occupation.
- The business had been substantially expanded since 2005 and its activities all facilitated recreation on or in the lake or in the lake reserve. The log cabin also acted as a de facto lifeguard and its role in water safety was confirmed in a letter from the Wanaka police.
- A building had existed on this site for more than 140 years and concerns about the building design could easily be rectified.
- Policy 7.2.1.9 implied that buildings impeded access to the lake whereas the opposite was the truth as the log cabin facilitated access to the lake and water-based recreation activities.
- Policy 8.8.3.1 sought to create more open space via a publicly notified and consulted development plan but he questioned the enforced removal of commercial facilities from the reserve that could otherwise occupy non-reserve land.

Simon Stewart addressed the panel:

- He was concerned that cessation of the lease would remove the opportunity to realise the funds invested in the business to date.
- He had approached the Council to extend the lease but had been unable to do so and advised instead to make submission to the reserves management plan. This was unsatisfactory as he had a lot to lose and did not want the Council to delay endlessly and then evict him from the land. He stated that this lack of security of tenure was unacceptable.
- Relocating the building was ridiculous, especially as it played an important role as an information centre, storage space and safety monitor.
- He was opposed to the construction of a wharf opposite the end of Helwick Street. He believed that it would be better to spend money on other boating facilities, adding that the lake was too shallow there in any case.

Wanaka Watersports Facility Trust (43)

Ben Espie appeared on behalf of the Trust. He made the following key points:

- The location of any non-commercial, recreational buildings within Roys Bay would be subject to resource consent.
- Roys Bay was a recreation reserve rather than a scenic reserve, which meant that it had been created for the purpose of providing recreation.
- The provisions of the draft management plan enabled the development of buildings provided that amenity, character, recreational attributes and natural values were maintained.
- The lakeshore reserves were zoned Rural General and Environment Court decisions had established that Lake Wanaka and its foreshore were an Outstanding Natural Landscape (ONL). There were vast stretches of foreshore which were rural and short stretches adjacent to population bases, and whilst the character of the foreshore was often different in these areas they were still attached to the remainder and deemed ONL. Areas adjacent to population centres were interactive in nature and buildings can form an appropriate and attractive part of these areas but should avoid detracting or degrading the reserve's character. The District Plan did not prohibit buildings in ONL of a Rural General Zone although it was acknowledged that conditions could be particularly rigorous.

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Mick Hollyer (349)

Mr Hollyer presented a panoramic photograph of Lake Wanaka taken in the 1930s or 1940s from the hill where the war memorial was now located. This photograph showed that 70 years ago there were almost no built structures in the town and beside the lake. Since that time there had been extensive development of accommodation, commercial and residential areas and it was important for the community to have appropriate recreational facilities. Accordingly, he supported the management plan in its current form as buildings such as the proposed watersports facility were a legitimate use of the foreshore.

Michael Sidey (72)

Mr Sidey advised that he had been a user of Lake Wanaka for more than 60 years and he was the Chair and Trustee of the Watersports Facility Trust. Locating the building at Roys Bay would have a number of benefits for the reserve as various Douglas firs and eucalypts would be removed and replaced with native species. It was also important for users to be beside the lake and there was plenty of precedent for this throughout New Zealand.

Mr Sidey agreed that the lake was an iconic asset and any building needed to reflect this privileged status and be consistent with the Council's vision. He stressed however that it was not exclusively a facility for the rowing club but involved a number of non-motorised watersports. Expansion of water based activities would serve to encourage them as recreational activities, as would a modern and safe changing area. The building would also cater for participation by disabled people.

Mr Sidey observed that industries could evolve from a building and by way of example cited the multi-sport facility located in Taupo. In the same way he believed that the watersports facility would encourage high performing athletes to make their base in Wanaka, rowing regattas and other competitive events would be facilitated and overall it would enhance Wanaka's reputation as an active community encouraging healthy lifestyles.

Mr Sidey tabled letters of support from the Chair of the NZ Olympic Committee; the high performance director for Bike NZ; Hamish Bond, Olympic and world rowing champion; and Andrew McLeod, doctor and local multi-sporter.

Mr Sidey did not believe that it was a 'them and us debate' but rather was a debate over what was the best for the future of Wanaka. He stated that the Trust had received 5:1 indications of support which was indicative that the proposal was supported by most Wanaka residents.

Mr Sidey responded to questions about how the facility would be made available for use by the general public. He noted that it would be operated on a swipe-card entry and it would be user-pays. He hoped that the facility would be debt free and the only costs would be operational costs. Members noted that the proposed size of 400m² was one of the most contentious aspects of the development, and there was also the possibility that an eventual extension would be sought. Mr Sidey noted that the group was not considering any extension at this stage but it was a possibility. He noted however that sports changed over time and watersports' popularity may wane and another sport may eventually replace it. He believed that the proposed size was necessary to provide a full service to the community and it also included storage areas which would generate revenue for the facility.

Mr Sidey advised that the trees earmarked for removal were on the western side of the proposed building. Replacements would be planted at the front in order to screen the building from the roadway.

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Mr Sidey advised that the Trust would not object if policy 8.8.3.2 was altered so that 'will' was replaced by 'may' (ie, '*Buildings consistent with the objectives of this management plan may be allowed within the Roys Bay Reserve*'), but he remained firmly of the view that there was no point in constructing a watersports facility unless it was beside the lake.

Graeme Todd (Wanaka Watersports Facility Trust) (43)

Mr Todd presented submissions on behalf of the trustees of the Wanaka Watersports Facility Trust. His presentation raised the following key points:

- It was appropriate to make provision for a building because the Reserves Act contemplated this for recreation reserves. Developments on reserves had also been confirmed by case law which had found that the 'use and enjoyment by members of the public...will depend on the location and nature of the reserve in question.' Furthermore, Roys Bay was a recreational reserve and not a scenic reserve and the purpose of a recreational reserve was 'to enable the public to obtain the maximum recreational use and enjoyment of that sea, lake, river or stream'. He concluded that buildings which supported recreational activities were conducive to the over-riding purpose of the Roys Bay Reserve.
- In relation to the concerns about size, Mr Todd observed that different sporting organisations wanted to build one reasonably large building and if it was made smaller, it may generate several applications for lots of smaller buildings.
- Mr Todd also addressed the suggestion that policy 8.8.3.2 could be amended to read '*Buildings consistent with the objectives of this management plan may be allowed within the Roys Bay Reserve*'. He accepted that the panel had the jurisdiction to make this change based on the submissions received. He noted that this would still provide the foundation for a resource consent application to be made, adding that the proposal was a fully discretionary activity in terms of the RMA.
- Lake and lakeside reserves were there for all to share and should not be preserved from development for those people who wanted to maintain uninterrupted views from across them.

The meeting adjourned at 11.30am and reconvened at 11.51am.

Jude Battson (172)

Ms Battson noted that as long ago as 2010 the Rowing Club had spoken about the need for a purpose-built facility and had identified the site on the lakefront opposite the showgrounds. She believed that most of the community supported the proposal and noted that it was a well-designed, robust building that would be screened from the roadway. She did not consider that the building would set a precedent and believed that it was logical for a rowing club to be located adjacent to a lake.

Andrea Murray (190)

Ms Murray advised that she engaged in multi-sport and believed that people who liked being outside also liked to recreate outside, especially in the lake and on the local tracks. She considered it was important for kayakers to have a safe place to go and having a building base would also encourage more social activity. It was convenient for kayakers to have facilities right beside the lake and she acknowledged the time and effort many members of the community were contributing to this project which she believed was important for Wanaka.

Rob Bruce (217)

Mr Bruce spoke in support of the watersports facility. He believed that such a facility should be made for recreational purposes, especially for youth. He stated that he was a rowing coach and it was essential for facilities to be provided adjacent to the lake. He dismissed

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arguments that the building would prevent use of the lakeside because he believed it would facilitate access.

At present, Mr Bruce noted that rowers had to cross the road with boats which was dangerous, pointing out that it took some time to get a 20m boat across the road, with the task made more risky with traffic exceeding the speed limit.

Eichann Bruce (209)

Mr Bruce advised that he was formerly a member of the Wanaka Rowing Club but was now studying at the University of Otago. He was grateful for the opportunities given to him by rowing but pointed to the difficulties of carrying the boats 400 metres from the showgrounds to the lake in comparison with the facility in Dunedin where the shed was right beside the water. He believed that the watersports facility was a great opportunity, adding that attracting more participants would help to improve competitive standards.

Mr Bruce highlighted the personal benefits he had reaped from rowing, saying that his participation in rowing had shaped his life and given him personal confidence. He hoped that a new facility would also serve to provide similar opportunities for other youth in Wanaka.

In response to a question Mr Bruce described various near-misses he had been involved in whilst crossing the road carrying a boat. He added that the danger was increased because of the blind corner. He stated that for this reason alone it was essential for the watersports building to be on the lakeside.

Mr Bruce was also asked for his views on the size of the proposed facility. He noted that the storage size was necessary because of the size of the boats. He advised that boats were currently stored outside and this was not an appropriate way to treat expensive equipment. He added that as rowing was a developing sport as well as being one of New Zealand's most successful Olympic sports and two members of the club had gone on to national representation.

Eddie Fahey (306)

Mr Fahey spoke in support of the watersports facility in Roys Bay. He stated that he had wide experience with rowing and sailing and he was very conscious of safety. Carrying boats across the road was unsafe as a boat was carried on the shoulder which created a blind spot meaning that the carrier could not see any approaching traffic.

Mr Fahey observed that although it would be easier to screen a building on the eastern shore, the western shore was the only safe place for rowing.

Mr Fahey believed that development of the building would encourage other similar sports, adding that competitive kayaking was also likely to develop.

He noted that the current launch ramp had a problem at low water as the boat dropped off the end of the ramp and had to be craned into the water. He observed that an extension to the ramp would resolve this issue.

Mr Fahey encouraged the Council to consider reclamation for additional parking areas. On a busy day he observed that in three venues there were about 400 boat trailers and they often blocked the road. He believed that providing another point of entry into the lake for some of these boats would improve the situation. He added that additional parking could be developed at the outlet, which would service to reduce pressure on the parking areas closer to town. Mr Fahey added that 80% of boats on the water were housed in Wanaka, meaning that the situation was now much worse than it had been when most boats were brought into town by holiday makers.

Barry Robertson (218)

Mr Robertson stated that he supported the development of a single commercial building and wharf facility on the lakefront. He believed it would be beneficial to all for the facilities to be in the one place and a location and building design could be selected which would fit into the landscape. He highlighted the benefits of youth and families partaking in sporting activities together and expressed the view that this proposal would bring benefits for the whole community. In reply to a question about who would fund this development, he stated that contributions could come from local developers, the Council and the combined resources of all the users.

Tom Pryde (218)

Mr Pryde stated that he was involved in lake swimming, kayaking and rowing, had started the sport of triathlon in Central Otago and had also been involved in the beginnings of multi-sport. He believed that the location of proposed watersports building was perfect and he did not know where else it could go because all other potential locations had already been considered. He noted that Wanaka had become the triathlon and multisport capital of the region and this was something to be proud of and to hold on to, rather than seeking to jeopardise the project.

Marjorie Cook (271) and (48)

Ms Cook advised that she was speaking to her own submission (271) and also on behalf of the Wanaka Lake Swimmers Group (48). She noted that both she and the group were supportive of the proposed watersports facility. They also sought policies and objectives which would permit the continuation of lake swimming.

The meeting adjourned at 12.46pm and reconvened at 1.30pm.

Jan Caunter (240 and 330)

Ms Caunter read aloud from prepared evidence. Her submission raised the following key points:

- Her clients opposed any suggestion that new or relocatable buildings should be permitted on the lakefront.
- The weight of submissions in favour of the proposal was not indicative of overall community support for a watersports facility on the lakefront, but was simply indicative of the success of those publicising the submission process.
- The process adopted by the Board for adopting the draft plan had been unsatisfactory and there were concerns that the members had predetermined the final outcome. She believed that the Board was seriously exposed to legal challenge for this reason.
- Lake Wanaka as an Outstanding Natural Feature was protected from inappropriate use and development.
- The language of the reserve management plan needed to be consistent with the Reserves Act. The natural environment was the clear focus of the Reserves Act and buildings were not natural but manmade. The Act required that the qualities which contributed to a reserve's pleasantness should be conserved.
- Development had to be appropriate for the purpose of the reserve and it could not be claimed that they would conserve the pleasantness, harmony and cohesion of the natural environment.
- The facility would be accessed by a swipe card so it was private and it was untrue to claim that the general public would be able to use the facility. Public access to the

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reserve in total would be compromised by the placement of a large building in the reserve.

- There were questions over the long-term future of the facility, in particular whether the Council would have to take over eventual ownership and/or management of the facility.
- The District Plan provided context to the values of the environment and the policies consistently referred to protecting open space, clustering buildings and protecting outstanding natural features.
- If approved, the Council was effectively gifting high value real estate to watersports users and this did not sit well with elected members' statutory responsibilities.
- The difference between the northern and southern parts of Roys Bay was not reflected in the objectives and policies of the plan.
- The proposed development could affect listed trees and 12 trees (not 3) will be affected by this development.
- The current built infrastructure around Wanaka Yacht Club demonstrated how other buildings followed once an initial building had been established.
- The proposed site of the watersports facility was in area vulnerable to flooding. This meant that any building would need elevation above ground level to protect from flooding. The plan should also recognise the potential liquefaction risk in the area.
- It was not necessary for a building to be sited in this part of the reserve or in this reserve at all and it was recommended that instead it be constructed on the corner of the showgrounds.

Ms Brown stated that she was deeply personally offended at Ms Caunter's suggestion that the panel had predetermined the outcome of the hearing. She again stated that specific mention of the Watersports Facility Trust had been deliberately removed from the draft plan to remove the perception of predetermination. She added that she took her statutory responsibilities as a member of the Board very seriously, and as a JP recognised this importance.

Andrew Penniket (44) and (260)

Mr Penniket advised that he was speaking to the submission made by the Te Kakano Aotearoa Trust and his own personal submission. The Trust had been impressed with the philosophy of the plan and as the Trust's objective was to re-vegetate the foreshore on a voluntary basis, its submission was intended to provide some direction on operational matters. He raised the following points:

- There were almost no introduced plants at Glendhu Bay and the Trust would like to remove any willows and generally enhance the area, noting that it also needed some weed control.
- Rabbits were a huge problem and the Trust would like the Council to talk with property owners about installing rabbit proof fences.
- Willow trees were starting to develop in the Norman Creek area and the Council needed to contain the spread of willows and poplars because they would change the whole character of the beach.
- Broadcast spraying was a very primitive system of weed control and it damaged other vegetation. A weed control plan needed to be developed that did not involve broadcast spraying. In addition, it would be helpful if those undertaking weed control were able to identify plants accurately
- There was no rubbish bin at Waterfall Creek and Mr Penniket believed that it would be used if it was there.

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- Council publicity should stress that disposal in scrub of dog faeces in plastic bags was not a good idea as the plastic bags were not bio degradable.
- The plan should identify specific locations where exotics should be planted.

In relation to his personal submission Mr Penniket expressed his support for the proposed watersports facility. He endorsed earlier comments about the difficulty of having to carry boats a distance to the water. He opined that it was possibly the most distant storage area of boats from water in New Zealand and he agreed that this practice was dangerous. He also expressed some sadness that the issue had dragged on and hoped that a final resolution would be reached soon. He observed that the whole area had been modified by human habitation and the building would be a small modification of what was already in the area, notwithstanding the fact that it would be largely screened by trees.

Leigh Overton (180)

Mr Overton noted that he was not a member of the Watersports Facility Trust but had been approached by some of the members to assist. He made the following comments:

- Whilst he agreed that there was the potential for improvements to the area, he was opposed to the suggestion in policy 8.8.3.1 that the log cabin should be removed. He believed that there was a definite need for a commercial facility in that general area and it was logical to leave the log cabin where it is. He considered that the commercial area should be at the eastern end so that motorised craft were kept separate from non-motorised activities.
- Policy 8.8.3.2 allowing buildings consistent with the objectives of the management plan would not set a precedent for more buildings. The Trust did not want to facilitate a proliferation of buildings but quite the opposite, and this was the reason for the number of groups involved. In any case a precedent had been set from the 1991 management plan but there was a genuine need for these facilities to be on the lakefront and population and participation growth meant there was now a greater need for a building after 22 years. The panel had the ability to include additional rules in the plan to further limit or control buildings on the reserve and the Trust would not object to this approach.
- The Trust was not a 'minority interest group' and it had wide support for a proposal which would also provide toilet and showering facilities for all users. Mr Overton believed it would be possible to address the concerns raised in submissions through conditions on the resource consent. Policy 8.8.3.2 was also consistent with the Council vision that built structures for commercial use should be limited to those needing to be by the lake and those which would not affect existing use or amenity.

Alistair Madill (291)

Mr Madill stated that he was a registered architect and he had designed the proposed watersports facility building. He was also a Trustee of Challenge Wanaka and a member of the steering committee of the Watersports Trust. He noted that his views were not necessarily unbiased but he considered there was no technical reason why the site could not be used as the effects of flooding and liquefaction could all be addressed. He also pointed out that it was not a 'shed' and the brief for design had required provision to be made for storage space that would last 20 years.

In response to some of the comments made in opposition to the building that it would damage an otherwise untouched and pristine shoreline, he stated that there was not a single square metre of the lakefront from Edgewater that hadn't been modified following human habitation. He also rejected the claim that allowing the building would result in a plethora of buildings along the lakefront, pointing out that under the existing reserve management plan the two buildings permitted had not caused a plethora of buildings.

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Nic Blennerhassett (288)

Ms Blennerhassett stated that she was a member of the Wanaka Rowing Club and of the Wanaka Sports Facility Trust. The Trust had been formed in 2007 and Michael Sidey had been appointed as Chair in 2012. The Trust had undertaken extensive research into various different sites for the proposed building and there were various reasons why Roys Bay was the ideal location. Two of the key reasons were that it would serve to separate motorised watercraft from other lake users and would end the practice of having to carry boats a distance, a factor she observed which also impacted upon membership levels.

Ms Blennerhassett stated that she was a regular user of the lakefront reserves and empathised with the views of those who were opposed to the proposed watersports facility. She stressed that she would not have supported the building if she believed that its approval would set a precedent. She believed that the development could be undertaken without detracting from the natural state of the area.

In relation to earlier comments in the hearing, Ms Blennerhassett considered that the Council should take leadership on plantings and not just rely on volunteers. She also supported comments about having to control the spread of poplars.

Graeme Todd sought the panel's permission to address some of the issues raised in Jan Caunter's submission. They agreed that this was appropriate.

Graeme Todd

Mr Todd observed that Ms Caunter wanted to have the watersports building prohibited from Roys Bay Reserve but implied that it would be appropriate in other areas, which suggested a 'Nimby' stance. She had also failed to address issues under sections 51 and 52 of the Reserves Act, both of which anticipated buildings on reserves.

Integration of the use and development of reserves is clearly an outcome sought by the plan, and the watersports facility building will fulfil the recreation objective as well as increasing the economic viability of the area.

Ms Caunter referred extensively to the District Plan in her submissions and Mr Todd agreed with the importance of the management plan being consistent with the District Plan. He observed that it was now about 20 years since the last building had been built on the Wanaka waterfront and in this time the Council had been able to rely on the provisions of the management plan to control the incidence of buildings on the lakefront.

Julian Haworth, Wanaka Environmental Society

It was noted that this submission had been lodged on line but made after the time of closing of submissions and had therefore not been received. The panel agreed to accept the submission for consideration.

Mr Haworth agreed that provision should be made for a watersports 'shed' but the society did not agree with the current proposed position. The preferred site was tucked into the corner on the other side of Stoney Creek. Notwithstanding this, the plan should make provision for no other buildings on the foreshore.

Closing statement

Ms Brown thanked all submitters for their submissions. She noted that the panel would take time to consider the information presented and will consider amendments to the draft plan. It would be redrafted to reflect these changes and the final draft would be presented to the Wanaka Community Board for recommendation to approve to the full Council.

The hearing concluded at 3.30 pm.