

Christine Edgley for QLDC: Summary of Evidence, Stream 18 – Open Space Variation (text and mapping)

1. I have assessed and made recommendations on the submissions on the variation to the Open Space and related chapters (Chapters 38, 36 and 29) and on rezoning requests relating to land adjacent to Queenstown Bay.
2. Stage 2 of the District Plan Review introduced an Open Space zoning regime to Council-administered reserves. This replaced the Operative District Plan regime, where reserves were often zoned Rural, or the same zoning as the adjoining land.
3. The Open Space variation in Stage 3 seeks to resolve unintended consequences arising from the Open Space zoning undertaken in Stage 2. These include rezoning Council-administered reserve land previously missed, and varying the rules relating to land adjoining Town Centre Zones, to ensure that these areas do not unduly restrict activities undertaken in the adjoining Zones.
4. Having considered the submissions and evidence, I consider that my recommended amendments to the text of Chapters 38 (Open Space and Recreation) and 36 (Noise) will provide the following benefits in terms of efficiency and effectiveness:
 - 4.1 Recognition that the effects of greater encroachment by outdoor commercial dining into public spaces can be anticipated and increase opportunities for more flexible and improved design of these facilities through a restricted discretionary consent approach; and
 - 4.2 Providing greater consistency with the Town Centre Zone noise limits by including the LAF maximum while protecting reserves for public use.
5. The key outstanding matters of disagreement between myself and submitters are:
 - 5.1 Whether an Open Space zoning is the most appropriate for the land adjoining Queenstown Bay;
 - 5.2 Whether there should be a requirement to obtain a resource consent for new areas of commercial outdoor dining in those areas adjoining the Active Frontage Area of Queenstown Bay; and
 - 5.3 Whether specific policy support is required in Chapter 38 for water-based activities and related commercial activities in Queenstown Bay.
6. The retention of an Open Space zoning for the land adjoining Queenstown Bay will ensure consistent treatment of Council-administered reserve land across the

District and, with the amendments proposed by the variation, will provide for appropriate recreation-related activities that support the vitality of the adjacent Queenstown Town Centre Zone while maintaining the purpose of the land for public use as part of the public realm.

7. The introduction of a rule relating to commercial outdoor dining in the areas adjoining the Active Frontage area of Queenstown Bay is necessary to avoid the application of the default activity status of Non-Complying for non-listed activities. A restricted discretionary activity status will recognise the role outdoor dining plays in achieving an active waterfront interface while retaining the ability to assess the effects on the reserve.
8. The existing objectives and policies of the Open Space chapter, when read as a whole, seek to maintain and protect the recreation and amenity values of the Open Space-zoned land for the benefit of the public. They do however also provide for activities (including commercial and commercial recreation activities) where these have a functional need to locate within the Open Space zone, or can demonstrate that they will maintain the values of the zone. Water-based activities in Queenstown Bay would fall to be assessed under these provisions where they occurred on Open Space zoned land.
9. In summary, the reserve land adjoining Town Centre Zones typically have a high public use function, and in my opinion the level of oversight that I have recommended is appropriate to maintain the balance between retaining the reserve land for the benefit of the public and ensuring the vibrancy of the Town Centre Zones.