

**BEFORE THE QUEENSTOWN LAKES
DISTRICT COUNCIL**

IN THE MATTER of the Resource Management Act 1991
(the "Act")

AND

IN THE MATTER of the Queenstown Lakes Proposed
District Plan

**Statement of Evidence of
Duncan Lawrence White**

For Glen Dene Ltd and Sarah Burdon #2407

24 August 2018

1.0 Introduction

- 1.1 My name is Duncan Lawrence White. I hold the qualifications of a Bachelor of Science in Geography, a Diploma for Graduates and a Post Graduate Diploma in Science. Both of the latter two qualifications are in Land Planning and Development. These qualifications are all from the University of Otago.
- 1.2 I have over 16 years experience as a planner. I have seven years planning experience with the Manukau City Council, including three years as a subdivision officer processing subdivision resource consent applications, followed by four years as an environmental policy planner undertaking district plan changes, policy development and the acquisition of reserves. For the past almost nine years I have lived in Wanaka and worked as a planner for Paterson Pitts Limited Partnership (Paterson Pitts). Paterson Pitts is a land development consultancy that undertakes a variety of rural and urban subdivision, resource consent applications and plan change work, primarily around Wanaka.
- 1.3 While this is a Council hearing, rather than an Environment Court process, I confirm I have read the Code of Conduct for Expert Witnesses contained in the Environment Court Practice Note 2014, and agree to comply with it. I can confirm that this evidence is within my area of expertise, except where I state that I have relied on material produced by other parties, and that I have not omitted to consider material facts known to me that might alter or detract from the opinions expressed.

2.0 Scope of Evidence

- 2.1 This evidence has been prepared in support of Proposed District Plan Stage 2 submission #2407 (Glen Dene Ltd and Sarah Burdon) in relation to the zoning of land around the Lake Hawea Holiday Park.
- 2.2 Submission #2407 is the most recent submission that Glen Dene Ltd and Sarah Burdon have made in relation to the planning framework for the Lake Hawea Holiday Park and surrounding area. Glen Dene Ltd is the lessee of the holiday park and the owner of adjacent land to the north and west of the holiday park. These submitters have also appealed the Stage 1 decision (ENV-2018-CHC-

000145 - identified as appeal #145 on the Stage 1 Planning Maps – Appeals Version) in relation to the zoning of the land around the Lake Hawea Holiday Park. The submitters also have an interest in the recent decision by Council to extend Designation 175 (Hawea Recreation Reserve – Motor Park) to cover all the Council administered campground (Pt Sec 2 Blk II Lower Hawea Survey District).

- 2.3 Submission #2407 supports the as notified Stage 2 rezoning of the Lake Hawea Holiday Park (Pt Sec 2 Blk II Lower Hawea Survey District) to Community Purpose - Camping Ground Zone. In addition this submission sought that Lot 1 DP 418972 (1.4 hectares) to the north also be rezoned to Community Purpose - Camping Ground Zone. These areas are shown below.



- 2.4 It is noted that Council advised that it would seek to withdraw (under clause 8D of the First Schedule of the RMA) the Community Purpose - Camping Ground

Zone from Lot 1 DP 418972 and part of Section 1 SO 2456 – part of Lake Hawea administered by Contact Energy. It should also be noted that Council sought to strike out (under section 41D of the RMA) submission #2407 in relation to the submission point seeking that Lot 1 DP 418972 be rezoned to Community Purpose - Camping Ground Zone. In the *Second Decision Relating to Submissions Not “On” the PDP* of 2 August 2018 the Hearing Panel Chair declined to strike out submission #2407 and provided an evidence exchange timetable. Further, that two points from the Stage 1 PDP submissions of Sarah Burdon (#282.3) and Glen Dene (#384.2) relating to the operation of the landscape provisions are being considered in this hearing.

- 2.5 The submission area (Lot 1 DP 418972) is shown in the above diagram. This land is owned by the submitter and is managed and operated in conjunction with, and as part of, the Lake Hawea Holiday Park. The submission also sought that the as notified zoning underlying designation #175 be confirmed as Community Facility - Campground. The S42A report recommends that the underlying zoning of the campground be confirmed as Community Purpose - Camping Ground Zone, this is supported and therefore this evidence focuses on the zoning of Lot 1 DP 418972 (Lot 1).
- 2.6 This submission is part of the submitter’s long term planning for the site that was covered in my evidence in relation to the submitter’s Stage 1 submissions. That evidence (at Para 3.2) notes the submitter’s desire *“to establish an integrated planning framework for the Hawea Campground that would enable expansion of campground activities and expand the camping season beyond the current summer season while ensuring that the effects of the campground were appropriately considered and avoided, remedied or mitigated. The submitter is one of the lessees and the operator of the Hawea Campground under a lease from Queenstown Lakes District Council. It is the lessee’s intentions to upgrade the facilities and develop the campground into a tree-dominated lakeside campground and to provide detached visitor accommodation units, camping, powered sites for motorhomes, permanent glamping sites and associated camp facilities such as events areas, kitchens and social spaces.”*

- 2.7 The Supplementary Statement of Evidence in relation to this submission (10 August 2018) focuses on the potential for Lot 1 to be zoned Visitor Accommodation sub-zone. That evidence focuses on the Stage 1 PDP submissions made by Sarah Burdon (#282) and Glene Dene Ltd (#254) in relation to the zoning of the land around the holiday park that has been held over for consideration as part of Stage 2. That evidence responds to a different position than that sought in the either of the Burdon or Glen Dene Stage 1 or 2 submissions.
- 2.8 The Stage 1 Burdon (#282) submission and the Glen Dene submission (#254) sought to have Lot 1 rezoned to Rural Visitor Zone. I have focused on Lot 1 in this evidence as the current Stage 2 submission (#2407) does not relate to Lot 2, the extent of the Lake Hawea Holiday Park Designation (Designation 175) has been satisfactorily resolved and there is agreement on the underlying zoning (Community Purpose - Camping Ground Zone) of the Council owned land of the holiday park. This leaves only the issue of the zoning of Lot 1 for discussion in this evidence. I note for completeness that the Burdons have lodged an appeal on the Stage 1 decision (ENV-2018-CHC-000145 - identified as appeal #145 on the Stage 1 Planning Maps – Appeals Version) that has been deferred by agreement until the Stage 2 decisions are released.
- 2.9 The S42A evidence concentrates on the potential for the site (Lot 1) to be zoned Visitor Accommodation sub-zone (VAS) and rightly concludes that this zoning would not be appropriate for the site. The evidence comes to this conclusion as the VAS zoning is intended for urban residential zones and rural sites such as this are subject to different resource management issues. However, respectfully, the evidence assesses a different proposition to that contained in either of the Burdon's Stage 1 or 2 submissions. The Stage 1 submission sought Rural Visitor zone over the site (Lot 1) and I note that the Rural Visitor zone is identified to be notified as part of Stage 3 (proposed notification in the first quarter 2019). I consider it may be preferable to roll the consideration of the submission over to Stage 3, rather than to consider it and make an assessment against an obviously unsuitable Stage 2 zone (VAS).
- 2.10 The result of this is that the supplementary evidence has not considered the potential for Lot 1 to be zoned Community Purpose - Camping Ground Zone as

sought by the Stage 2 submission, nor has it considered the potential for the site to be zoned Rural Visitor Zone as sought in the Stage 1 submissions.

- 2.11 This evidence examines whether it is appropriate for the subject site (Lot 1) to be zoned Community Purpose - Camping Ground Zone despite it being in private ownership, then considers the objectives from the Open Space and Recreation zone (Section 38 of Stage 2 of the Proposed District Plan) and compares these to those from the proposed Rural chapter (Section 21 – Appeals Version) to consider which of these represents the most appropriate way to achieve the sustainable management of natural and physical resources (the purpose of the Resource Management Act 1991) as required by Section 32(1)(a). In this evidence all references to the Act or the RMA are to the Resource Management Act 1991.
- 2.12 This evidence then considers whether the provisions (the policies and methods) are the most appropriate way to achieve the objectives (Section 32(1)(b)) by identifying other reasonably practicable options for achieving the objectives, and assessing the efficiency and effectiveness of the provisions in achieving the objectives.
- 2.13 This evidence has been prepared to provide the level of assessment required by Sections 32 and 32AA of the Act in relation to the provisions sought by the submissions (S32(3)) at a level of detail that corresponds to the significance of the anticipated effects from the proposed changes to zoning (S32(1)(c)).
- 2.14 In preparing this evidence I have reviewed (amongst other documentation) the following:
- The Stage 2 - PDP planning maps, primarily Maps 8 and 17;
 - The S32 Evaluation Report – Open Space and Recreation Zones;
 - S42A Hearing Report - Chapter 38 Open Space and Recreation Zones;
 - Statement of Evidence of Jeannie Galavazi on Chapter 38 Open Space and Recreation Zones;

- The Supplementary Statement of Evidence of Rosalind Devlin on the Visitor Accommodation Sub Zones.

3.0 Applicability of Community Purpose - Camping Ground Zone to Site

- 3.1 Paras 9.2 to 9.3 of the Chapter 38 Open Space and Recreation zone S42A report and Paras 6.1 to 6.5 of the Galavazi evidence cover the issue of whether it is suitable for the zone to apply to land that is not owned or administered by Council. These paragraphs conclude that the zoning is to be limited to land administered by Council on the basis that the proposed zone activity standards are designed to work in tandem with Council's Parks land owner approval process and are more enabling than the Rural provisions, potential for public confusion over administration of such land (both Para 6.3) and also as there is no guarantee that the land will be available in perpetuity.
- 3.2 In general I would agree with this reasoning, however in this case the circumstances are slightly different as the land is owned by the submitters who are the campground lessees and the land is run as part of, and in conjunction with, the adjacent campground and is already used for camping. The area is quite small (approximately 1.4 hectares) and separated from the farming operations of Glen Dene Station making managing it as part of the campground more rational. The Camping Ground subzone would be a way of ensuring the current camping uses continued rather than alternative possible uses. In these circumstances I do not place much weight on the public perception of who owns or manages Lot 1 as any issues with the management of the campground would be referred to the lessees in the first instance.
- 3.3 I can perceive no difference in resource management issues between Lot 1 and other Council controlled campgrounds such as the Outlet Motor Camp or Glendhu Bay Motor Camp which are both full service campgrounds on sensitive lake margins. The same issues equally apply to the Council owned component of the Lake Hawea Holiday Park. Therefore I consider that there is no resource management reason that the zoning could not apply to Lot 1.

4.0 Evaluation of Proposed Objectives – Section 32 (1)(a)

4.1 The following table compares the relevant Open Space and Recreation zone objectives for the Community Purpose - Camping Ground Zone as modified by the S42A report with the Rural objectives (appeals version) in order to consider which of these represents the most appropriate way to achieve the sustainable management of natural and physical resources (the purpose of the Act) as required by Section 32(1)(a).

Open Space and Recreation Objective	Rural Objectives and Status	Comparison of Appropriateness in Relation to Submission Area
<p>38.2.1 – The open space and recreation needs of the District’s residents and visitors are met through the provision of a wide range of quality Open Space and Recreation Zones that provide for passive and active recreation activities.</p>	<p>21.2.1 – A range of land uses including farming and established activities are enabled while protecting, maintaining and enhancing landscape, ecosystem services, nature conservation and rural amenity values.</p> <p>Note: This objective is subject to appeal.</p>	<p>I consider the Open Space objective to be more suitable for the site than the Rural objective as it recognises the existing open space campground use of the site and the specific benefits that this provides.</p> <p>There is a much more limited supply of land that is used specifically for open space camping purposes than Rural land.</p> <p>The Rural objective specifically includes reference to protecting, maintaining and enhancing landscape, ecosystem services, nature conservation and rural amenity values. These are important considerations for the site, reflect the submitters’ intentions for the submission area but given the site’s size and location on the margins of Lake Hawea are covered equally by other objectives.</p>
<p>38.2.2 - Recreation activities are undertaken and facilities constructed in a way that maintains or enhances the values of open space areas and the recreation opportunities available within the District.</p>	<p>21.2.2 - Sustain the life supporting capacity of soils.</p> <p>Note: Not subject to appeal.</p> <p>21.2.3 – The life supporting of water is safeguarded through the integrated management of the effects of activities.</p> <p>Note: Not subject to appeal.</p>	<p>This objective recognises that some development may be appropriate but only if it maintains or enhances open space values and recreational opportunities which include the factors contained in Objective 21.2.1, 21.2.2 and 21.2.3. I therefore consider this to be an appropriate objective for the site and enable a consistent approach with the nearby Council campground land.</p>

		Water quality and quantity are administered through the Regional Plan: Water. It is therefore considered that 21.2.3 is no more appropriate than no objective.
38.2.3 - Commercial activities are limited to those that have a functional requirement to locate within Open Space and Recreation Zones and maintain open space and recreation values.	<p>21.2.9 – Provision for diversification of farming and other rural activities that protect landscape and natural resource values and maintains the character of rural landscapes.</p> <p>Note: This objective is subject to appeal.</p> <p>21.2.10 – Commercial Recreation in the Rural Zone is of a nature and scale that is commensurate to the amenity values of the location.</p> <p>Note: Not subject to appeal.</p>	Objectives 38.2.3, 21.2.9 and 21.2.10 achieve similar outcomes in that they provide for diversification of activities (subject to constraints), however Objective 38.2.3 is more limited in the potential activities that it provides for and so might be more appropriate as it limits potential commercial activities to the extent that it would provide a higher level of protection for campground use rather than alternative diversification or commercial recreation that does not have a functional requirement to locate on the subject site.
38.2.4 - The interface between activities within the Open Space and Recreation Zones are managed to protect, maintain or enhance the natural character of waterbodies and their margins (refer also to Policies 38.2.2.5 a and b).	<p>21.2.12 - The natural character of lakes and rivers and their margins is protected, maintained or enhanced, while providing for appropriate activities on the surface of lakes and rivers, including recreation, commercial recreation and public transport.</p> <p>Note: This objective is subject to appeal.</p>	Both objectives are relevant as the site is close to the margins of Lake Hawea. Both objectives use similar wording and Objective 38.2.4 has already been considered appropriate for the adjacent Council administered campground. I note that Objective 21.2.12 has a wider scope than is necessary for the submission area as it applies to the surface of the lake and so is less appropriate in this case than Objective 38.2.4 which is more confined in scope.
38.2.5 - Activities sensitive to aircraft noise within the Queenstown Airport Air Noise Boundary or Outer Control Boundary are avoided or managed to mitigate noise and reverse sensitivity effects.	<p>21.2.4 - Situations where sensitive activities conflict with existing and anticipated activities are managed to minimise conflict between incompatible land uses.</p> <p>Note: This objective is subject to appeal.</p> <p>21.2.7 - An area that excludes activities which are sensitive to aircraft noise, is retained within an airport's Outer Control Boundary, to act</p>	<p>None of these objectives are relevant as the site is not adjacent to significant airports, located within an Outer Control Boundary, ore ever likely to be part of, or affected by an informal airport.</p> <p>Given the discrete location of the submission site it is unlikely that the site would be subject to, or the cause of, reverse sensitivity issues, although I note that campground activities on the submission site are a better fit with the Council managed campground than</p>

	<p>as a buffer between airports and Activities Sensitive to Aircraft Noise.</p> <p>Note: Not subject to appeal.</p> <p>21.2.11 – The location, scale and intensity of informal airports is managed to maintain amenity values while protecting informal airports from incompatible land uses.</p> <p>Note: This objective is subject to appeal.</p>	<p>rural activities on this site as there is a natural boundary to farming activities to the north of Lot 1 that would lessen the chance of stock management issues as a result of proximity to campers than would occur if Lot 1 were used for rural uses.</p>
No similar objective	<p>21.2.5 - Mineral extraction opportunities are provided for on the basis the location, scale and effects would not degrade amenity, water, wetlands, landscape and indigenous biodiversity values.</p> <p>Note: This objective is subject to appeal.</p>	Not relevant.
No similar objective	<p>21.2.6 - The future growth, development and consolidation of Ski Area Activities within identified Ski Area Sub-Zones, is provided for, while adverse effects on the environment are avoided, remedied or mitigated.</p> <p>Note: This objective is subject to appeal.</p>	Not relevant as the site does not include Ski Areas.
No similar objective	<p>21.2.8 – Subdivision, use and development in areas that are unsuitable due to identified constraints not addressed by other provisions of this Plan is avoided, or the effects of those constraints area remedied or mitigated.</p> <p>Note: This objective is subject to appeal.</p>	This objective is not of particular relevance as the site is already used for camping activities and any development would address any constraints to proposed development.
No similar objective	<p>21.2.13 - Rural industrial activities and infrastructure within the</p>	Not relevant.

	Rural Industrial Sub Zones, will support farming and rural productive activities, while protecting, maintaining and enhancing rural character, amenity and landscape values.	
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- 4.2 The proposed Community Purpose - Camping Ground Zone has been assessed against the higher level provisions of the PDP (Stage 1) as demonstrated in following paragraphs. The rezoning would be in accordance with Objective 3.2.1.1 as it would specifically recognise and provide for the socioeconomic benefits of tourism activities, and in accordance with policy 3.2.1.8 as it would enable the use and development of the site for camping in an area where these activities are already occurring and where character and rural landscapes can be maintained. Camping activities can be undertaken while protecting the natural environment and without adversely affecting the remaining natural character of the margins of the lake (Objectives 3.2.4 and 3.2.4.3 (Note Objective 3.2.4.3 is subject to appeal), and specifically achieving Objective 3.2.4.5.
- 4.3 Objectives 3.2.5.1 (subject to appeal), 3.3.19 (also subject to appeal) 3.3.30 (subject to appeal) can be achieved as campground activities can be either temporary or designed to ensure effects on natural character of the lake and its margins are less than minor or temporary in duration in a way that other activities cannot. Objective 3.3.21 (subject to appeal) would no longer be relevant as the site would not have a Rural zoning, but this issue would be Objectives described earlier in this paragraph.
- 4.4 Objective 3.3.1 (subject to appeal to remove limited applicability to urban areas and settlements) would be specifically achieved by the rezoning both in relation to the subject site and also for the benefit of Lake Hawea township. As noted in the preceding paragraphs the site is considered to have capacity for further appropriate development, and as the site is already used as part of a campground the circumstances are unusual such that development per se is not considered inappropriate. The proposed rezoning as therefore considered to be consistent with these objectives and policies.

5.0 Assessment Against Provisions of Regional Policy Statements

- 5.1 The proposal has been assessed against the Otago Regional Policy Statement (RPS) and the Proposed Otago Regional Policy Statement (PRPS). It is considered that the proposal is consistent with the provisions of the RPS and PRPS.

6.0 Evaluation of Proposed Provisions – Section 32(1)(b)

- 6.1 The following section considers whether the Community Purpose - Camping Ground Zone provisions are the most appropriate way to achieve the relevant objectives in relation to the submission area. This section also considers the costs and benefits of the proposed provisions.
- 6.2 The Council administered part of the Lake Hawea Holiday Park has the same characteristics as Lot 1, albeit with more development and in different ownership. Practically I see very little difference between the two areas and therefore consider it would be appropriate to manage Lot 1 under the same zoning regime as the balance of the campground and such a regime would be consistent with the relevant objectives and policies of the Strategic Direction (Chapter 3) and Landscapes (Chapter 6) sections of the PDP.
- 6.3. Section 32(2)(c) requires an assessment of the risk of acting or not acting if there is uncertain or insufficient information about the subject matter of the provisions. In the case of the proposed Community Purpose - Camping Ground Zone in the submission area there is very limited uncertainty and sufficient information in order to make a decision on the submission. The risk associated with the zoning sought is very low as it is a district-wide zoning, in an area where the same activity already occurs and in close proximity to the Lake Hawea Holiday Park. The only difference being that the site is not in the same ownership as the balance of the land in the Camping Gground subzone, although this of itself does not create any additional level of risk. The level of risk associated with the rezoning is considered very low.

7.0 Efficiency and Effectiveness of Provisions

- 7.1 The S32 and S42A reports consider Community Purpose - Camping Ground Zone to be efficient and effective. I agree with this assessment and note that the only difference sought by the submission is the extension of the zoning to nearby land that is already used for this purpose.

8.0 Conclusions

- 8.1 Submission #2407 (Glen Dene Ltd and Sarah Burdon) seeks to rezone land (Lot 1 DP 418972) around the Lake Hawea Holiday Park that is owned by Glen Dene Ltd (the lessees of the campground) Community Purpose - Camping Ground Zone. This is the zoning that is proposed (and supported by the submitter) to apply beneath the Campground designation over the Council administered Lake Hawea Holiday Park. The subject site is already run as part of the campground and used for camping. The submission seeks to rezone this land to recognise the existing use and to enable suitable development of the camping facilities to provide a wider range of built visitor accommodation facilities so as to extend the camp season beyond the summer period and to provide economic benefits for Council as the landowner of the majority of the land and to the businesses of Hawea.
- 8.2 This evidence considers the proposed rezoning against the requirements of Sections 32 and 32AA of the Act. It is considered that the Community Purpose - Camping Ground Zone objectives and policies are more appropriate to achieve the sustainable management of natural and physical resources in the submission area than those of the Rural chapter and would be efficient and effective in achieving sustainable management.
- 8.3 The proposed provisions avoid inappropriate development within the ONL and on the margins of Lake Hawea and are considered to appropriately avoid, remedy, or mitigate against adverse landscape effects, landscape character and visual amenity. It is considered that there will be limited adverse environmental effects, no cultural effects and some social and economic benefit benefits arising from the proposal.

- 8.4 The risks of acting or not acting have also been considered. It is considered that there is very limited uncertainty and sufficient information in order to make a decision on the submissions. The risk associated with the zoning sought is very low as it is a proposed zoning that is being extended to the submission site which has similar characteristics (although different ownership) and desired outcomes in an area where this activity already occurs.
- 8.5 As a result of the above it is sought that the submission to rezone Lot 1 DP 418972 to Community Purpose - Camping Ground Zone be accepted.
- 8.6 The submission also sought that the as notified zoning underlying designation #175 be confirmed as Community Purpose - Camping Ground Zone. The S42A report recommends that the underlying zoning of the campground be confirmed as such and therefore the position taken in the S42A report in relation to that land is supported.