

**BEFORE THE HEARINGS PANEL
FOR THE QUEENSTOWN LAKES PROPOSED DISTRICT PLAN**

UNDER THE Resource Management Act 1991 ("**Act**")

IN THE MATTER OF Stage 3 of Proposed District Plan Stream 17:
Chapter 18 (General Industrial Zone)

BETWEEN **WAYFARE LIMITED**
Submitter #31022

AND **QUEENSTOWN LAKES DISTRICT COUNCIL**
Planning Authority

PLANNING EVIDENCE OF BEN FARRELL

12 JUNE 2020

PROFESSIONAL DETAILS

Qualifications and experience

1. My full name is Ben Farrell. I am an independent planning consultant based in Queenstown. I am the Owner and Director of Cue Environmental Limited, an independent consultancy service I established in 2018. My qualifications and experience are set out in my evidence in chief dated 29 February 2016 in relation to the Proposed District Plan (PDP) Council Hearing Stream 1b. I have worked as a planner across New Zealand and I am familiar with the Otago Regional Policy Statement (RPS), Proposed Otago Regional Policy Statement (PORPS), and District Plan Review (DPR) processes. Since preparing my evidence on Hearing Stream 1b I have:
 - (a) Presented expert planning advice on the PORPS council hearing, as well as provision of strategic planning advice in relation to the High Court appeal process.
 - (b) Provided expert planning evidence to the Environment Court in relation to the Strategic Direction Chapters (Topics 1, 2, and 4).
 - (c) Prepared submissions and provided planning evidence and strategic advice to a range of parties in respect of numerous Hearing Streams, and Stages 2 and 3 of the DPR.
 - (d) Participated in numerous appeal and mediation processes in relation to the DPR, including on Chapters 21 (Rural) and 25 (Earthworks).
 - (e) Provided expert planning evidence to the Environment Court in relation to development proposals within the Outstanding Natural Landscapes (ONL).
 - (f) Presented expert planning evidence to the Environment Court on behalf of the Royal New Zealand Forest and Bird Protection Society and Southland Fish and Game on the proposed Southland Water and Land Plan.
 - (g) Also, over the last three years I have represented the New Zealand Resource Management Law Association in the preparation of submissions. I have also provided commentary/feedback to Central Government in respect of numerous Resource Management Act 1991 (RMA) related guidance documents, legislative reform, and policy development.
2. I have resided in the lower South Island since 2013 and Queenstown since 2015. In preparing this evidence I rely on my experiences as a planning expert working and residing with my family in Queenstown.

SCOPE OF EVIDENCE

3. I have been asked by Wayfare Limited (#31022) (**Wayfare**) to provide planning evidence regarding in respect of their reasonably discrete submission on Chapter 18 (General Industrial Zone).
4. I have read and my evidence focuses on the reporting officer's response to the Wayfare submissions (set out in paragraphs 5.95-5.97 of the s.42A Report).

EVIDENCE

5. As a matter of statutory context:
 - (a) The National Policy Statement on Urban Development Capacity (NPS-UDC) is about recognising the national significance of: a) urban environments and the need to enable such environments to develop and change; and b) providing sufficient development capacity to meet the needs of people and communities and future generations in urban environments.
 - (b) I am not aware of any provision in the PORPS or PDP Strategic provisions which direct, or seek to avoid or discourage, commercial recreation and community activities in urban locations. Objective 18A.2.2 is particularly relevant to this matter. This objective seeks to insure Industrial and Services activities are not undermined by incompatible land uses.
 - (c) There is strategic direction in the PDP directing that "The Frankton urban area (including the Remarkables Park mixed use centre) functions primarily as a major commercial and industrial service centre, and provides community facilities, for the people of the Wakatipu Basin" (SO 3.2.1.3).
 - (d) Accordingly, as a matter of statutory context, there is a strategic objective in the PDP promoting the provision for a major commercial and industrial service centre, including community facilities, for the people of the Wakatipu Basin, with no discouraging policies for commercial recreation and community activities that may be compatible with industrial and service activities.
6. My observation is that the Reporting Officer is possibly overstating the potential consequences of the relief being sought by Wayfare. Firstly, I am not aware of evidence confirming this is having a discernible or inappropriate adverse impact on the availability of industrial land supply in Queenstown. My observation is that this is because there has been insufficient supply in commercial or open space land. Also, there is no suggestion that conversion of large buildings in the Zone for commercial recreation or community activities would be permanent.

7. As a planning consultant and parent with young children participating in a range of indoor activities in Queenstown, my eyes have been opened as to how difficult it can be for recreation providers and community groups to establish activities in Queenstown. My observation is that there is a shortfall of practical land supply and that recreation providers can have difficulties finding appropriate bases for their recreation activities. I also observe that there can often be a transient aspect to some indoor commercial recreation activities, particularly new activities which are yet to find a "permanent home".
8. In my opinion community activities and commercial recreation activities can be undertaken without creating any significant adverse effects, especially if the activity is located within an existing building and occurs on the basis that the activity will be temporary. In addition, in my opinion some commercial recreation activities can also be appropriate in an industrial area, especially where the activity / facility is industrial in nature and scale. Examples include indoor bowling, indoor go-karting, and indoor golf. Such activities may require large utilitarian designed buildings where there is insufficient cashflow or return on investment for these activities to justify high quality building design (which is increasingly becoming a design requirement for non-industrial zones).
9. In response to the Wayfare submission the s.42A Report notes:
 - 5.96 The definition of Commercial Recreation activities implies that there is a substantial 'commercial' component to the activity, being the provision of recreational type services to clients. Recreation activities refers to the provision of activities for personal enjoyment, satisfaction and sense of wellbeing. These types of activities also fall into the category of 'destination type' activities, attracting staff, visitors and customers to the Zone and their associated vehicle and pedestrian movements. These activities are likely to have similar effects on the Zone to those associated with Office, Commercial and Retail activities that are not ancillary to Industrial and Service activities, and create reverse sensitivity effects due to their unique characteristics associated with training, instructing, personal enjoyment and wellbeing.
 - 5.97 The Wayfare Group Limited suggests there is a short supply of community and recreation facilities but provides no further evidence of any supply needs in regard to these activities. They suggest that the conversion of large buildings in the Zone would be an efficient use of land. I disagree with this statement as it is known that Industrial and Service activities face challenges finding appropriate sites within the Zone. These types of activities are best located in zones with levels of amenity that are suitable for their unique characteristics.
10. Neither Wayfare or I can provide detailed or quantified economic analysis on this matter. However, I had taken the general application of the NPS-UDC to place an obligation on QLDC to undertake the analysis required to robustly develop, comprehensive and frequently update an evidence base to inform planning decisions in urban environments. Accordingly, it would

be helpful in this matter if QLDC could clarify on what basis it is able to inform you that:

- (a) There is such an insufficient supply for Industrial land that it cannot accommodate Commercial Recreation and Community Activities.
 - (b) There is sufficient land supply for Commercial Recreation and Community Activities, including indoor commercial recreation that would be compatible with industrial surrounds (e.g. indoor activities of the nature discussed above).
11. I acknowledge it is possible that some commercial recreation and community activities may create reverse sensitivity effects, but I do not agree that all commercial recreation and community activities will create reverse sensitivity effects.
12. I do not agree that Commercial Recreation and Community Activities are likely to have similar effects on the Zone to those associated with Office, Commercial and Retail activities.
13. The policy addition proposed by Wayfare provides guidance when recreation or community activities and facilities may be appropriate. Wayfare is not requesting or suggesting that commercial recreation and community activities be enabled. I think their relief could potentially be amended or refined to apply to clarify that these activities will only be granted resource consent where the adverse effects are no more than minor or temporary, for example:

Provide for recreation and community activities and facilities, including commercial recreation, only where:

A The adverse effects will be no more than minor or temporary: or B:

- i The applicant demonstrates it is difficult or impractical to locate the activity in other zones; and
- ii. The activity is compatible with the use of industrial land and buildings; and
- iii. The activity is compatible with neighbouring land uses.

Ben Farrell
12 June 2020