

Before the Independent Hearing Panel
For the Queenstown Lake Proposed District Plan

Under the Resource Management Act 1991
In the matter of the Urban Intensification Variation to
the proposed Queenstown Lakes District
Plan

Statement of evidence of Jay Cassells

08 July 2025

Submitter's solicitors:
Maree Baker-Galloway | Laura McLaughlan
Anderson Lloyd
Level 2, 13 Camp Street, Queenstown 9300
PO Box 201, Queenstown 9348

p + 64 3 450 0700
maree.baker-galloway@al.nz | laura.mclaughlan@al.nz

**anderson
lloyd.**

Introduction

- 1 My full name is David James Cassells. I reside at 5 Brisbane St, Queenstown and have done so since 1999.
- 2 By way of background, I note that I am a lawyer admitted in New Zealand and Australia and have lived and practised in Australia for many years. This time included practice in the NSW Land and Environment Court jurisdiction which is concerned with urban and other planning and heritage matters. I am not an "expert" in urban design and other planning and heritage matters and am providing this evidence as a "lay expert".
- 3 The evidence is provided in relation to the proposed Urban Intensification Variation (**the Variation**), specifically in respect of the area bounded by Hobart St, Park St and Frankton Road – currently zoned MDRZ and proposed to be rezoned HDRZ.

Appended Evidence and Further Comments

- 4 The following documents are appended and are material to this evidence:
 - (a) Statement of Evidence dated 17 October 2018. I prepared this evidence on behalf of Friends of the Wakatipu Gardens and Reserves and Associated Residents regarding Topic 1 of Stage 1 of the Proposed District Plan Review (attached as **Appendix 1**).
 - (b) Statement of Evidence dated 09 June 2017. I prepared this evidence on behalf of DJ and EJ Cassells and Ors (#503) and Friends of the Wakatipu Gardens and Reserves (#506) regarding Topic 13 of the Proposed District Plan Rezoning Hearing (attached as **Appendix 2**).
 - (c) Statement of Evidence of Andrea Farminer dated 09 June 2017. This expert heritage evidence was prepared on behalf of DJ and EJ Cassells and Ors (#503) and Friends of the Wakatipu Gardens and Reserves (#506) regarding Topic 13 of the Proposed District Plan Rezoning Hearing (attached as **Appendix 3**).
 - (d) Jay and Jewell Cassells Submission on notified Variation to Queenstown Lakes Proposed District Plan (#413) (attached as **Appendix 4**).
- 5 I rely on this evidence on the grounds that since it was submitted in 2017 and 2018, nothing significant has occurred to erode its essential relevance, value and importance. Please pay just as much regard to the appended evidence as to this cover evidence. However, I make some additional comments below.
- 6 There has been no further development in the area to take advantage of the increased density zoning that resulted from the review processes referred to in

Appendix 1 and 2. In contrast, many low density style houses have been constructed or refurbished, many of which have been used for the purpose of short term visitor accommodation.

- 7 While the rationale for these various density changes was to make meaningful, substantive additions to the housing stock in the Queenstown region, the increased density zoning has instead resulted in more property speculation and land banking.
- 8 I am not opposed to the Variation overall and believe that there are areas in the Queenstown region where intensifying urban development is both appropriate and beneficial. However, as discussed in Appendix 4, the proposed intensification location around the Queenstown Gardens is inappropriate. It will degrade the special character value of the area and exacerbate the existing significant parking pressures, resulting in adverse effects for long-term residents of the area.
- 9 The comments made in reference to the cultural and heritage value of the area in Appendices 1, 2 and 3 have become more relevant to this intensification variation. Additionally, the argument for a special character area is stronger now more than ever.
- 10 As discussed by Ms Farminer in Appendix 3, the Park and Hobart Street area, is one of the last remaining parts of Queenstown that contains tangible residential development and pre-commercialised heritage character. The amenity and cultural values identified by Ms Farminer reflect the highly distinctive, unique sense of the place for the Park Street and its special character. I support Ms Farminer's expert heritage analysis and consider this is a good reason for the Intensification Variation to not enable densification, as that will inevitably erode that special character that is currently enjoyed by many.

Summary of reasons for the submission

- 11 In reference to Appendix 4, the proposed intensification and rezoning are not appropriate in this area for the following reasons:
 - (a) The area has a particular special and heritage character that is important to residents and visitors which should be protected.
 - (b) The area contributes to the unique character of the wider town centre and its development deserves careful management.
 - (c) There has been no assessment of the impact of densifying the area.
 - (d) The area is already subject to significant parking pressures from residents, visitors, and CBD workers.

- (e) Council giving effect to the National Policy Statement on Urban Development should not be achieved by destroying the values of the area.

Conclusion

12 I seek the relief as sought in my original submission (Appendix 4) which is summarised below:

- (a) To reject the proposed High Density Residential zoning and retain the existing Medium Density Residential zoning
- (b) To retain the existing Medium Density Residential zone's height and density standards
- (c) Under the current Proposed District Plan, the Medium Density Residential Zone includes a permitted 8-metre height standard and 250m² density standard. I seek to retain these standards under the MDR zone.
- (d) Update the PDP planning maps to include a Special Character overlay over the area.
- (e) Amend Chapter 9 to maintain the special residential and amenity character.

Jay Cassells

8 July 2025

Appendix 1 - Statement of Evidence of Jay Cassells on behalf of Friends of the Wakatipu Gardens and Reserves and Associated Residents regarding Topic 1 of Stage 1 of the Proposed District Plan Review (17 October 2018)

In the Environment Court of New Zealand
Christchurch Registry

I Te Koti Taiao o Aotearoa
Ōtautahi Rohe

ENV-2018-CHC-000098

In the matter of the Resource Management Act 1991

and

In the matter of appeals under clause 14 of Schedule 1 of the Act against
decisions of the Queenstown Lakes District Council on Stage 1
of the Proposed Queenstown Lakes District Plan

Between Friends of Wakatipu Gardens and Reserves, DJ and EJ
Cassells, the Bulling family, The Bennett family, M Lynch, John
Hayes, Neil Senauer, Mike Hall, Joce and Philip Sanford, Mike
Hall (**Friends of Wakatipu Gardens and Reserves and
Associated Residents**)

and all other appellants concerning Topic 1 of Stage 1 of the
Proposed Queenstown Lakes District Plan

And **Queenstown Lakes District Council**

Respondent

**Statement of Evidence of David James Cassells for Friends of Wakatipu Gardens
and Reserves and Associated Residents**

Topic 1: A Resilient Economy

17 October 2018

Appellant's solicitors:

Maree Baker-Galloway | Rosie Hill
Anderson Lloyd
Level 2, 13 Camp Street, Queenstown 9300
PO Box 201, Queenstown 9348
DX Box ZP95010 Queenstown
p + 64 3 450 0700 | f + 64 3 450 0799
maree.baker-galloway@al.nz | rosie.hill@al.nz

**anderson
lloyd.**

Introduction

- 1 My full name is David James Cassells. I reside at 5 Brisbane St, Queenstown and have done so since 1999.
- 2 I make this statement in support of Submission # 503 which is the submission made on behalf of myself and several residents of the affected area, and in support of the Friends of the Wakatipu Gardens and Reserves (Submission # 506) (collectively **the Friends and Residents**).
- 3 By way of background I note that I am a lawyer admitted in New Zealand and Australia and lived and practised in Australia for many years. This time included practice in the NSW Land and Environment Court jurisdiction which is concerned with urban and other planning and heritage matters.
- 4 In the 15 years prior to moving back to New Zealand in 1999, my wife and I owned a residential property in the Woollahra Council area of Sydney. Here the local council has long recognised the importance of the heritage and other special characteristics of the area under its control, and has developed policies and passed and enforced various bylaws designed to protect and enhance them for the benefit of its residents and its visitors. I became familiar with these policies and bylaws both as a lawyer and as a resident.
- 5 I am also aware of comparable policies and bylaws existing in some other towns and cities of the world and especially, recently, those with a dependence on or interest in the tourist industry.
- 6 I was a member of the Queenstown Town Centre Master Plan Advisory Group (**Advisory Group**). In that capacity I was given access to or made aware of details of long term planning by Queenstown Lakes District Council (**QLDC**), including planning proposals which necessarily concern the affected area the subject of these submissions, as it is immediately adjacent to the Town Centre.
- 7 I am Chair of the Friends of the Wakatipu Gardens and Reserves Incorporated (**Friends**). This is a society established to perpetuate a long tradition of local citizens maintaining, protecting and promoting the Queenstown Gardens (**Gardens**), (amongst other reserves in the district) and for the benefit of the community and its visitors.
- 8 This year the Friends and the district are celebrating the 150th anniversary of the establishment of the Gardens. This is worthy of celebration as the peninsula on which the Gardens are located was put aside for the community by the first council; an act of remarkable vision and understanding of essential community

needs given the clear prospective exploitation value of that land and the gold rush which was underway at the time.

Executive Summary

- 9 The area the subject of the appeal from the Friends and Residents is an area or precinct of unique character evocative of various developments of Queenstown, and is a location of special value for the CBD and the District and its visitors.
- 10 It deserves to be recognised, maintained and protected for the benefit of residents and visitors alike.
- 11 There is now an internationally recognized trend to value and enhance such areas as cultural districts because of the benefits they bring in economic activity and community enrichment.
- 12 There is a lack of sufficient recognition in the Queenstown Lakes Proposed District Plan (**PDP**), particularly in the strategic chapters, for special character areas, cultural districts, and enhancement of amenity values within residential / urban areas. These are section 7 Resource Management Act 1991 (**RMA**) matters.

Overview of Appeal

- 13 The Friends and Residents' appeal is concerned with the proposed zoning over the area of special character adjacent to the Gardens (as indicated in the appeal). These blocks of Park Street and surrounds are an integral part of an iconic Queenstown peninsula, where visitors meander in safety at all hours, enjoying the gardens, interesting houses and elevated views. In particular there is a concern the proposed zoning (of Medium Density Residential) will place unsustainable pressure on the area, not least in respect of infrastructure and parking. There is also a concern that the special character of the area will be adversely affected so that the attraction to visitors will be diminished or lost.
- 14 Further to this, and specifically in respect of this Topic 1 hearing, there is a concern that the strategic chapters of the PDP do not sufficiently provide for section 7 amenity factors, in particular within residential / urban (i.e. built) environments. This is evidenced in particular by the gap in the planning framework under current PDP Objective 3.2.3¹.
- 15 Strategic Objective 3.2.3 broadly provides for the following:

¹ I note that this particular SO and new policies sought under it are being considered in a subsequent hearing topic (Topic 3: Urban Development), however given the strategic framework of Chapter 3 and the broader relief sought by the Friends, consider it important to reflect on this matter at this stage.

3.2.3 A quality built environment taking into account the character of individual communities.

- 16 The Friends and Residents support this strategic objective as it spans across a range of Part 2 RMA matters and appropriately recognises individual character and community aspects of the built environment.
- 17 However, the only policy giving effect to that objective is directed towards historic heritage values. This means there is a gap at the strategic level providing for other types of special character and amenity which give effect to the above objective. The Special Character Area within the Friends and Residents appeal is an example of special character which is not simply evidenced by 'historic heritage'.
- 18 For these reasons, the Friends and Residents have sought to also include the following provisions to fill this gap:

New Strategic Policy 3.2.3.2:

Built form expresses the individual character and values of those communities and integrates well with its surrounding environment by quality urban design planning

Strategic policies

Social, cultural and economic wellbeing

3.3.x.x Provide for the economic wellbeing of the District's people and communities by enabling sustainable use and development of natural resources

3.3.x.x Provide for social and cultural wellbeing of the District's people and communities when undertaking subdivision, use and development of natural and physical resources

Cultural Districts

- 19 In connection with my roles with the Gardens and the Advisory Group, I recently accepted an invitation to attend a convening of an international organisation known as Global Cultural Districts Network (**GCDN**). GCDN was established by Adrian Ellis, a New York based internationally regarded cultural strategy adviser (**Mr Ellis**). Mr Ellis was engaged in both the Singapore *Gardens by the Bay* and the Sydney *Barangaroo* projects which is why my role in the Gardens led me to meet him.

- 20 GCDN has an international membership and is concerned with generating economic activity and wellbeing for communities of various sizes, through the promotion of what are generally described as 'cultural' activities or values i.e. to distinguish these from more conventional economic activities.
- 21 As the name suggests it does so via the concept of a Cultural District; the aim of a Cultural District is to 'leverage' culture for the benefit of communities. This is very much aligned to and supportive of the notion of a “resilient economy” and has come into existence to meet the same needs as I understand Topic 1 is designed to do.
- 22 It is important to understand that a fundamental characteristic of a Cultural District is that it operates as an economic driver for a town or city so that, whilst improving the daily cultural amenity for its locals, the community prospers through the ability to offer 'culture' as an attraction to visitors.
- 23 Culture is to be understood as having a wide meaning which includes those activities or things, including gardens, streetscapes and built environment, which exist or operate for the benefit and improvement of the wellbeing of human condition and civilisation generally.
- 24 The Cultural District concept also concerns planning and strategies and the use of existing 'assets' such as talented citizens, an engaged populace, and public spaces and reserves, as much as it concerns buildings such as performing arts centres, although these are often important focal points.
- 25 A primary benefit of the concept, when well executed and resourced, is that the community is provided for and is refreshed and enhanced. Indeed it is an established fact that visitors are attracted to and more likely to return to or recommend a vibrant and happy community with which they can engage.
- 26 I refer to the recent and very successful LUMA events in the Gardens which the Friends supported and for which it co-produced an exhibit. The LUMA event is a good example of the underlying rationale of a Cultural District; it has the effect of generating economic activity by attracting visitors to the region and the CBD area, but equally importantly it engages the (wider) resident community, especially young families, and inspires and generally benefits them and the district in which they live.
- 27 The GCDN convention was also specifically concerned with two other matters which are now common and growing in various tourist cities and towns. These are:
- (a) Establishing and maintaining the best balance between the demands and needs of tourists and residents; and (relevantly)

- (b) Ensuring that the tourist experience is one which takes place in and is made attractive by the existence of a vibrant local community which values its environment. In this latter regard, much importance is placed on the amenity of neighborhoods near or on tourist 'trails'. I can confirm this from my experience and observation of many tourists, some of whose time in Queenstown is spent visiting the Gardens and wandering the surrounding area so as to engage with the place and gain a sense of the character and history of the town. Many of these tourists are attracted to our area because it is not the dense, busy and noisy place from which they have come, many of them from many miles. This experience is therefore of real importance to them exactly because of the contrast with their lives. On their return home, they speak of it and encourage further visitors of this kind. They also return, which they may not otherwise do if their experience had been one of tourists only and not one involving a real local community.

The Cultural Plan

- 28 Arising out of the above I have since 2016 been engaged in a project, the aim of which is to assist QLDC to establish a Cultural Plan for the district (**District Cultural Plan**). Such a plan would, amongst other things, enable the identification and establishment of Cultural Districts for the purpose of securing the community benefits noted above including, without wishing to unnecessarily stress this benefit, the overarching benefit of a resilient economy.
- 29 QLDC has been very supportive of this concept and, at its invitation, in June of this year Mr Ellis visited the District so as to consider the potential of advising on the formulation of a District Cultural Plan, and as to the eligibility of some of the District's component parts for development as Cultural Districts.
- 30 It was a very successful visit with much interest from, and engagement with, various sectors of the community including Ngai Tahu, and various areas of the District. Arrangements are now underway by QLDC to have Mr Ellis return soon and formulate a District Cultural Plan, assist with the formation of the entities necessary to run and fund it, and explore the establishment of Cultural Districts.
- 31 One of the areas identified as suitable for the creation of a Cultural District is the area which the Town Centre Master Plan (**TCMP**) was concerned, which includes the subject area.
- 32 The area the subject of this appeal is a very good example of why a District Cultural Plan should be accommodated in planning instruments and policy; the Gardens are a central characteristic and the area surrounding them, including the street on which our property is located, form part of a unique quarter near and connected to the CBD and Queenstown Bay which is much visited by tourists and community alike.

- 33 The requisite character for the benefits (including economic) of a Cultural District is present; here, year round, visitors walk, recreate and engage with local residents and others daily. Their experience importantly is not one of being in a sterile tourist only area but one in which they can learn of the character and history of the District. Crucially, as noted above, they spread the word to other prospective visitors that this is a living community, one valued as to its past and present by the locals, and one worth visiting and returning to.
- 34 I am aware of the considerable work QLDC has done and is doing via or expressed in the TCMP: a Community Services Department cultural survey, the 10 Year Plan and, most recently, the establishment of the Vision 2050 process. All are germane to this appeal for appropriate provision to be made in the PDP.
- 35 Of immediate relevance and likely to be the first in time for implementation are the proposed changes to the CBD under the TCMP, centred around a proposed Civic Heart site on Stanley Street.
- 36 All the characteristics of these plans are consistent with the concept of a Cultural District (and in fact, it is likely that we have introduced much of the community/cultural elements into these processes).
- 37 Therefore, appropriate planning rules for the relevant area are elsewhere being considered from a wide community point of view and, with respect, I submit that our appeal should not simply be dismissed as only special pleading by the local residents or a community organisation.
- 38 In my role with the Gardens I can say that there is widespread public interest in the prospect that the area, the Gardens and the community be provided for as we contend.
- 39 I should note that the Cultural Plan project has been philanthropically funded to date, and it is proposed that the project will continue to have a philanthropic character. It is an important element of my evidence that whilst such philanthropic funding is prospectively available to QLDC and so to this community, it will not be invested unless there is a clear institutional encouragement and facilitation for philanthropic support for the community in this way.
- 40 QLDC's support to date is clearly important and welcome, but appropriate recognition and provision in the PDP and other relevant plans will be crucial for this reason too. As noted below, the hearing panel essentially found that this concept should be explored in respect of the subject area.

- 41 Mr Ellis will return shortly. I attach as **Appendix 1** an extract from his draft note for QLDC. I also refer to recent events in the District arising out of the extraordinary growth in visitor numbers.
- 42 I also attach as **Appendix 2** an article from Crux in which the Mayor (correctly) alludes to the need to change the District's offering for tourists. There is a demonstrable need to plan for a quality or premium tourism product, one which includes new elements. This too essentially relates to a resilient economy and, if overseas successes are considered, 'culture' should play a significant role as a new element.
- 43 I am aware from my engagement in the TCMP, The Cultural Plan Project and other involvement in district affairs, that some of this change will be in the cultural area. That is to say, amongst other more classically understood cultural events or provisions, such as concerts, recitals, rehearsal rooms, new media projects, music and dance tuition, there will be a greater development and promotion of the attractions of the District which are based on the appeal to visitors of elements such as wellbeing, refuge, quiet reflection, engagement with community, appreciation of our unique environment, and the general urban amenity of an alpine resort. Attractions of this nature are perennial, as the history of alpine or spa resorts throughout history may attest. It has certainly been the basis of the continued and increasing use by visitors and residents of the Gardens. Indeed I understand it was these considerations which, among other factors, led the Hearing Panel to recommend that QLDC further explore the relevant zoning of the Gardens area so as to provide for such amenity. I understand QLDC is doing so and I respectfully submit that is entirely appropriate from a district point of view, as well as consistent with the Friends and Residents' appeal.
- 44 It is important to recognise, as QLDC now has in the TCMP process, that Queenstown and the District are more than ever before operating on the world stage and we are being judged on that basis and in competition with many other places.
- 45 I note that QLDC, with the support and engagement of the Friends, has embarked on a program of works to enhance the attraction of the subject area. This began with the establishment of a new playground near the Bathouse, where Horne Creek flows into the Lake. This Play Space was opened last week by the Mayor. This initiative, like LUMA (which QLDC and Friends also support), is laudable in its intent to reengage the community with the old town centre area, the Gardens and Queenstown Bay and, ideally, prefigure the establishment of a Cultural District with the benefits this can bring to residents and visitors alike.

- 46 These are examples of the diverse nature of the District and its cultural elements, which are beginning to grow well beyond 'historic heritage' as it is generally understood. These are important matters which also deserve recognition at the strategic level of the PDP. They are presently lacking and I respectfully submit that appropriate provision should be made for such recognition.
- 47 Without appropriate recognition in the PDP of the roles of character and amenity in residential / urban areas (that is, as 'cultural' and beyond 'historic heritage'), as well as providing for social and cultural wellbeing, important special character values and community aspirations and needs may not be recognised, or worse, may be lost. This will have an adverse effect on the prospects for a sustainable and resilient economy for the District and, if so, that will be especially unfortunate at this time of truly significant change; a time when we need to improve our offering to an increasingly sophisticated and discerning world whilst also looking after our community and its future.

David James Cassells

17 October 2018

Appendix 1 – Cultural Development in QLDC (Extract of draft note by Adrian Ellis)

Cultural plans today generally tend to identify the broader policy goals that have been articulated for a community and then model the type of cultural provision that might support it and the investment required to create it. In the case of QLDC, the goals might be (not necessarily in order of priority):

- To diversify the tourism base and move toward higher added value tourism (higher *per capita* spend and lower impact);
- To diversify the economic base beyond tourism and to encourage the growth of the creative industries, which, in their more successful incarnation, are high growth, high added value and low environmental impact;
- To increase the vitality and distinctiveness of civic spaces by animating them with public art and arts programming;
- To increase civic pride and cohesion and attraction to visitors through telling the story of the District more fully and effectively, and by expressing (and implicitly managing) its distinct identity more proactively. The story both of Ngāi Tahu and subsequent Western settlement and their relationship and impact on place are largely opaque to visitors;
- To offer amenity value to residents by providing the infrastructure and support to encourage a wider and deeper range of cultural activities — amateur and professional — and by ensuring geographic and social equity is a consideration in considering access to artistic activities.

Appendix 2 – Crux article



Mayor on airport expansion freeze - "tourism is changing."

by **Peter Newport** :
Oct 2, 2018

Responding to today's freeze on proposed Queenstown airport expansion, Mayor Jim Boulton has told Crux that it's a sign of tourism moving away from being "a numbers game."

"We live in a world that is taking a different view to tourism than has been taken in recent years. Traditionally New Zealand and Queenstown for that matter, pursued numbers - straight out tourist numbers. Now we're beginning a different conversation which is about the value that we get from tourism."

Mayor Boulton also praised the Queenstown airport decision to put their expansion plans, that could have seen flights double to five million passengers a year, on hold today. This is in spite of the fact that the QLDC owns 75% of the airport and would have seen much higher financial dividends from the airport's continued growth.



Tourism - may no longer be a "numbers game" in Queenstown following today's airport decision.

"Putting the greater good of the district first, the airport has made a wise decision, they have taken onboard public feedback. This was a procedure to get the views of residents. Clearly a large majority feel some discomfort with the expansion plans put on the table, and now the the airport has come back and reported to us. So that dovetails rather nicely into a lot of other work that council is doing such as Frankton master plan and the 2050 future consultation group. This allows the airport to get on and do the master plan work around Wanaka and also to consider other options."

Crux asked the Mayor how Queenstown's big tourism operators would react to a changing environment where numbers, or sheer volume, were no longer the main drivers of the tourism industry.

"I think the big tourism operators are realising that this is a conversation we have to have now, especially if we want Queenstown to remain one of the most desirable places in the world to visit. I'm not going to pre-judge how this conversation ends - just that we need to talk."

<https://crux.org.nz/community/mayor-on-airport-expansion-freeze-tourism-is-changing/#comments-holder>

Appendix 2 - Statement of Evidence of Jay Cassells on behalf of DJ and EJ Cassells and Ors (#503) and Friends of the Wakatipu Gardens and Reserves (#506) regarding Topic 13 of the Proposed District Plan Rezoning Hearing (09 June 2017)

Before Queenstown Lakes District
Council

In the matter of The Resource Management Act 1991

And The Queenstown Lakes District proposed District Plan –
Rezoning Hearing Topic 13 – Queenstown Mapping

STATEMENT OF EVIDENCE OF DAVID JAMES CASSELLS FOR

DJ and EJ Cassells and Ors (#503)

Friends of the Wakatipu Gardens and Reserves (#506)

Dated 09 June 2017

Solicitors:

Maree Baker-Galloway | Rosie Hill
Anderson Lloyd
Level 2, 13 Camp Street, Queenstown 9300
PO Box 201, Queenstown 9348
DX Box ZP95010 Queenstown
p + 64 3 450 0700 | f + 64 3 450 0799
maree.baker-galloway@al.nz | rosie.hill@al.nz

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Introduction

- 1 My full name is David James Cassells. I reside at 5 Brisbane St, Queenstown and have done so since 1999.
- 2 I make this statement in support of Submission # 503 which is the submission made on behalf of myself and several residents of the affected area and in support of the Friends of the Wakatipu Gardens and Reserves (Submission # 506).
- 3 By way of background, I note that I am a lawyer admitted in New Zealand and Australia and lived and practised in Australia for many years. This time included practice in the NSW Land and Environment Court jurisdiction which is concerned with urban and other planning and heritage matters.
- 4 In the 15 years prior to moving back to New Zealand in 1999, my wife and I owned a residential property in the Woollahra Council area of Sydney. Here the local council has long recognised the importance of the heritage and other special characteristics of the area under its control and has developed policies and passed and enforced various bylaws designed to protect and enhance them for the benefit of its residents and its visitors. I became familiar with these policies and bylaws both as a lawyer and as a resident.
- 5 I am also aware of comparable policies and bylaws existing in some other towns and cities of the world and especially, recently, those with a dependence on or interest in the tourist industry.
- 6 I am presently a member of the Queenstown Town Centre Master Plan Advisory Group. In that capacity I have been given access to or made aware of details of long term planning by QLDC, including planning proposals which necessarily concern the affected area the subject of these submissions, as it is immediately adjacent to the Town Centre.
- 7 I am Chair of the Friends of the Wakatipu Gardens and Reserves Incorporated (**Friends**). This is a society established to perpetuate a long tradition of local citizens maintaining, protecting and promoting the Queenstown Gardens (amongst other reserves in the district) for the benefit of the community and its visitors.
- 8 This year and next, the Friends and the district are celebrating the 150th anniversary of the establishment of the Gardens. This is worthy of celebration as the peninsula on which the Gardens are located was put aside for the community by the first council; an act of remarkable vision given the clear prospective value of that land and the gold rush which was underway at the time.

Executive Summary

- 9 The area that is the subject of these submissions is an area or precinct of unique character, evocative of the various stages of residential development of “old” Queenstown, and is a location of special value for the CBD, the district and its visitors.
- 10 It deserves to be recognised, maintained and protected for the benefit of residents and visitors alike.
- 11 There is now an internationally recognized trend to value and enhance such areas, often as part of cultural districts. This is because of the benefits these bring in terms of economic activity and community enrichment.
- 12 There is no demonstrated need for density up-zoning for housing or commercial/visitor accommodation use in the area; properly understood, the present zoning provides sufficient capacity for increase in accommodation. This capacity has largely been ignored by developer/investor owners of land because, in their view, prospective profits have seemed insufficient.
- 13 In addition, there is a history of land banking and land speculation in the area which the proposed change in zoning will only exacerbate, as has been the case for at least 15 years, where there has been no real increase in accommodation commensurate with up-zonings.

Residents Submission #503

- 14 The house at 5 Brisbane St was built in the 1880s and is listed on the District Plan as a heritage feature. It has a connection with No 17 Brisbane St, also known as *The Stables*, as this was once the stables on the property on which our house was located. My wife and I bought the house when it was derelict in 1999 and have restored it.
- 15 I attach two photographs as follows:
- (a) a photograph of Queenstown provided by the Lakes District Museum as part of the 150th Anniversary celebrations and probably taken in the early 20th Century; and
 - (b) a Whites Aviation photograph of Queenstown taken in the early 1950's.
- 16 In each photo our house is readily seen on the right or western side of Brisbane St and on the crest of the rise.
- 17 However the utility of these photos is that they conveniently show the area the subject of our submissions with the Gardens reserve to the west, Brisbane St to

the east, more Gardens reserve, the town centre and the Bay immediately to the north and the lake to the south.

- 18 Each of the group submitting by or in support of submission 503 resides in this area.
- 19 The initial submitters are as follows
- (a) Bulling family: 3 Brisbane St
 - (b) Bennett family: 7 Brisbane St
 - (c) Lynch family: 24 Brisbane St
 - (d) Cassells family: 5 Brisbane St.
- 20 Since the filing of this submission, other families and parties have joined in support of it including those who are not resident in the area. We have also been supported by those who live overseas but visit the district and the area every year and who promote the region whenever possible.
- 21 In our time in the area, it has experienced a return of families attracted by its amenity and character and the sense of community. Like other residents, they are concerned that the proposed increase in density will adversely affect that amenity and render the character of the area such that it will no longer be attractive as a place to live and raise a family. We all take the view that, sensibly exploited, there is already sufficient planning capacity for increases in accommodation and housing in this area.
- 22 We are also all concerned that the history of the area has demonstrated that changes in zoning to increase density have not in fact operated to increase the supply of housing. Rather, they have added fuel to a cycle of speculation where land is banked and traded with profit taking on each occasion, usually by non-residents but with no increase in built accommodation, and areas of land so have remained vacant and uncared for.
- 23 The proposed zoning provisions will greatly exacerbate the potential for this kind of speculation which has no appreciable benefit to the community.
- 24 The residents of the area propose to stay, improve their properties and increase their capacity. The uncertainty of the present process has been very disturbing to many.
- 25 We are also aware that there appear to be a number of other town areas for which increased density is proposed, (without objection), or is possible.

- 26 It seems to us that it would be unfortunate, unnecessary and wasteful for an area of special character to be compromised or lost when there was no demonstrated need to do so.
- 27 If the proposed zoning is imposed, the set back and recession plane provisions, amongst others, and the potential for aggregation will result in present dwellings and streetscape being overshadowed or otherwise compromised. New buildings would be utilitarian, over scale and generally inimical to the character of the area and to the detriment of the area as an attraction for the district's residents and visitors.
- 28 The residents are in the best position to comment on the existing pressures of this near the CBD area including traffic and parking. Parking pressure is especially chronic and is worsening. It is often not possible for residents to find *on street* parking.
- 29 It is also already common for residents to have driveways blocked by cars parked by those working or visiting the CBD. In addition to these persons, the demands of the students and staff of the Queenstown Resort College, for which otherwise admirable institution no parking provision was ever required by QLDC or made, have exacerbated the pressure.
- 30 We are very concerned that any increase in density of dwellings without appropriate provision for parking, if any is indeed possible, will so increase pressure for parking space as to be unsustainable not only for residents but for those visitors, workers and students who need access to town.
- 31 Also, I am aware from my role on the Advisory Group, that a central element of the possible planning for the Town Centre will be the pedestrianisation of the Town Centre. This will involve the removal of car parks from the CBD and so it is possible that there will then arise a need for some 700 car spaces to be found in the surrounding areas. This prospect alone should discourage any further densification of the area of the kind now proposed and which in our submission is anyway unnecessary. A prospective removal by QLDC of car parks from the Gardens will further add to local parking pressure.
- 32 In that regard, we have noted or least respectfully questioned whether the essential trend and character of the proposed District Plan has been a desktop exercise derived from Auckland rather than been driven or informed by local experience or data?

Area of special character

- 33 I refer to the evidence of Origin Consultants and commend it.
- 34 I note that QLDC had earlier explored the appropriateness of giving the area a designation reflecting and protecting the special character of the area. That process, while never completed, did find favour with the council's then consultant Jackie Gillies and Associates. Mr Robin Miller, the principal of Origin conducted that study. The residents have sought and obtained council's permission to retain Mr Miller and his firm for this submission.
- 35 In addition, and without diminution of the matters advanced by Origin, I note the following by way of support for the proposition that there exists a special character and that it should be protected.
- 36 We wish to make it clear that none of the residents seek to constrain any growth or development which will sensibly allow the provision of accommodation for families and, generally, for a thriving local community.
- 37 The components of the special character include:
- (a) Whilst there are classic heritage buildings, (No 5, The Stables, the cottage on Park St), and other heritage features, our submission is not just founded on pure *heritage*. The character is of a wider compass than that and is derived from and informed by more recent Queenstown residential and recreational history. eg. No 24, where I note an additional house dwelling has recently been built by the residents.
 - (b) The relationships of the area with the town centre, the lake, including the old boat sheds, jetties and moorings and the pathways and, of course, the Gardens provide a character unlike anywhere else in the district. This is especially important when considering the attraction to visitors to which I refer further below.
 - (c) There is no single identifying component; it is the unique combination which provides the character.
 - (d) The character may be thought of as one which has, hitherto, not been immediately apparent to the ordinary observer. If so, it may have something in common with the Boatshed and Slip way project at Frankton Marina. I was involved with this project and, with others, took it from an unappreciated collection of buildings, none of which met the then favoured protection criteria, to what is, happily, now one of Queenstown's attractions. At the time we began, its character value, which included its

historicity and its evocation of local maritime history, including recreational history, was not widely appreciated, if at all.

- (e) Trees and other plantings for themselves and because they attract birds and birdsong should not be overlooked as important to all but not least the visitors.
- (f) The same is true of the locals' pride in maintaining the area and engaging with visitors.

The Friends Submission #506

38 The Friends' concern at the proposed zoning is essentially that of the residents, and that it will place unsustainable pressure on the area, not least in respect of infrastructure and increases in traffic and parking. It is also generally concerned that the special character of the area will be adversely affected so that an attraction to visitors will be diminished or lost.

39 In connection with my roles with the Gardens and the Advisory Group, I recently accepted an invitation to attend a convening of an international organisation known as Global Cultural Districts Network (**GCDN**). This has an international membership and is concerned with generating economic activity (often through tourism) and wellbeing for communities of various sizes, and through the promotion of what is generally described as "cultural" activities or values (i.e. to distinguish these from more conventional economic activities).

40 These include events like the recent and very successful LUMA event in the Gardens which the Friends supported and for which it coproduced an exhibit. The LUMA event is, in fact, a very good example in that it has had the effect of generating economic activity by attracting visitors to the region and, especially the CBD area, but, equally importantly, it engages the (wider) resident community and especially young families and inspires and generally benefits them and the district in which they live.

41 The GCDN convention was also specifically concerned with two other matters which are now common and growing in various tourist cities and towns around the world. These are:

- (a) Establishing and maintaining the best balance between the demands and needs of tourists and residents; and, relevantly
- (b) Ensuring that the tourist experience is one which takes place in and is made attractive by the existence of a vibrant local community which values its environment. In this latter regard, much importance is placed on the amenity of neighborhoods near or on tourist "trails". I can confirm this from

my experience and observation of the many tourists some of whose time in Queenstown is spent visiting the Gardens and wandering the surrounding area so as to engage with the place and to gain a sense of the character and history of the town. Many of these tourists are attracted to our area because it is not the dense, busy and noisy places from which they have come, many of them from great distances. This experience is therefore of real importance to them exactly because of the contrast with their lives. On their return home, they speak of it and encourage further visitors of this kind. They also return here, which they may not otherwise do if their experience had been one of tourists only-and not one involving a real local community.

- 42 It is important to recognise, as council now is in the Town Centre Master Plan process, that Queenstown and the district are more than ever before operating on a world stage and that we are being judged on that basis and in competition with many other places.
- 43 In our submission the extraordinary combination of the Gardens, surrounding area, the old town, the bay and the lake is the original and definitive attraction of "Queenstown" which is why it still features most prominently in all the photographs (often from the same location as in the two attached photos). What especially attracts the modern tourist, however, is the impression that such a place is demonstrably valued by its resident community, by, for example, ensuring an attractive built environment and by producing enlightened planning responses to the pressures of popularity.
- 44 I note that council, with the support and engagement of the Friends, is embarking on a program of works to enhance the attraction of this reserve and the town. This will include and begin with the establishment of a new playground near the Bathouse and where Horne Creek flows into the lake. This initiative, like LUMA which council and Friends also supported, is laudable in its intent to reengage the community with the old town centre area and the Gardens and so, perhaps, establish a cultural district with the benefits this can bring to residents and visitors alike. However, this initiative will require provision for parking in the area and so for that reason also, increased densification would be inappropriate.

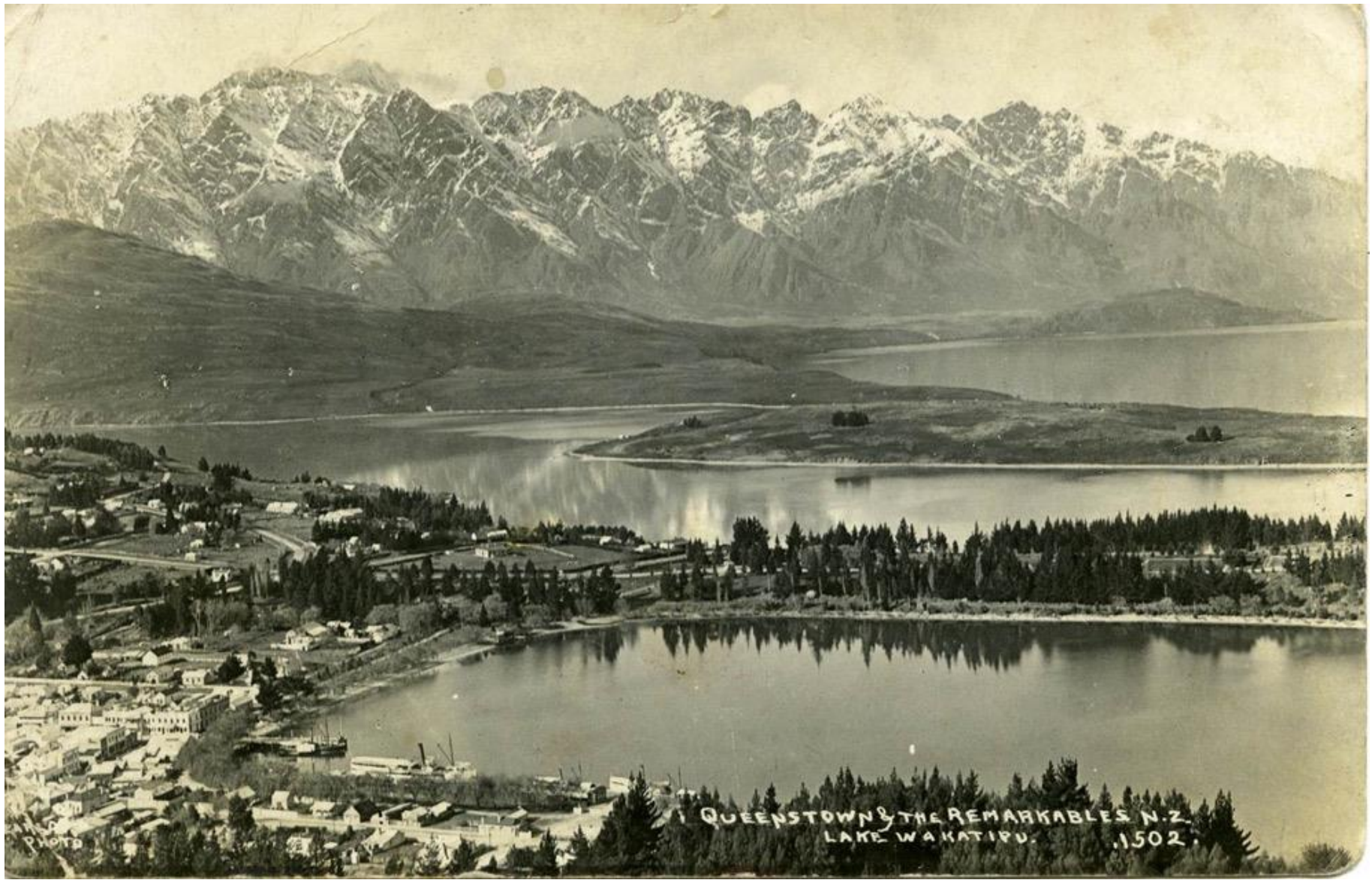
Conclusion

- 45 I respectfully request the submissions be adopted.
- 46 The present zoning should be maintained or equivalent amendments made to the PDP which except the area of Special Character from those rules which are not otherwise appropriate in this area.
- 47 Sensible design rules such as to allow appropriate development but also protect the area should be established and made operative.

Dated this 09th day of June

David James Cassells





Appendix 3 – Heritage Expert Evidence of Andrea Farminer heritage evidence prepared on behalf of DJ and EJ Cassells and Ors (#503) and Friends of the Wakatipu Gardens and Reserves (#506) regarding Topic 13 of the Proposed District Plan Rezoning Hearing (09 June 2017)

Before Queenstown Lakes District Council

In the matter of The Resource Management Act 1991

And The Queenstown Lakes District proposed District Plan –
Rezoning Hearing Topic 13 – Queenstown Mapping

STATEMENT OF EVIDENCE OF ANDREA FARMINER FOR

DJ and EJ Cassells and Ors (#503)

Friends of the Wakatipu Gardens and Reserves (#506)

Dated 09 June 2017

Solicitors:

Maree Baker-Galloway | Rosie Hill
Anderson Lloyd
Level 2, 13 Camp Street, Queenstown 9300
PO Box 201, Queenstown 9348
DX Box ZP95010 Queenstown
p + 64 3 450 0700 | f + 64 3 450 0799
maree.baker-galloway@al.nz | rosie.hill@al.nz

**anderson
lloyd.**

Introduction

- 1 My full name is Dr Andrea Susan Farminer and I am the Principal Archaeologist and Heritage Consultant for Origin Consultants Ltd, 9 Arrow Lane, Arrowtown. I have specialised in heritage consultancy and archaeology for over twenty-five years and have experience in the heritage and historic conservation field both in the UK and New Zealand. I am a member of the New Zealand Archaeological Association, ICOMOS NZ and a member of the Chartered Institute for Archaeologists with degrees in archaeology, building conservation, architectural conservation and cultural geography specialising in place-making and sense of place values (PhD).
- 2 I have read the Code of Conduct for Expert Witnesses in the Environment Court Practice Note 2014. This evidence has been prepared in accordance with it and I agree to comply with it. I have not omitted to consider material facts known to me that might alter or detract from the opinions expressed.
- 3 I have been asked by DJ and EJ Cassells to prepare evidence in relation to the special character of the Park Street area. This includes:
 - (a) The heritage character of the Park Street area; and
 - (b) The distinctive residential character of the area.
- 4 Origin Consultants Ltd, formerly as Jackie Gillies and Associates Ltd, previously undertook an assessment in 2013, on behalf of QLDC, on the heritage/character area potential of the Park Street area.

Executive Summary

- 5 The area enclosed by Park Street, Brisbane Street and Hobart Street, comprises a combination of small-scale, discrete residential homes and gardens erected from the 1870s onwards, and includes a small number of historic dwellings and slightly larger green spaces. The houses are generally set back from the pavement and feature front gardens and screening that enhance the sense of privacy and intimacy generated by the lower storey heights and smaller massing found across the Park Street area.
- 6 The historic pattern of sections within the area, which is still discernible unlike some other parts of Queenstown, is demarcated by the lines of Park and Hobart Streets; the western side is sheltered by the substantial tree screening of Queenstown Gardens. The southern group of sections slope towards the lake and this combination of natural and geographic features provides a sense of enclosure to the Park Street area that is a distinctive feature of its character and sense of place.

- 7 Conversely, the location and presence of the Park Street residential area offers an important buffer zone for the highly valued Queenstown Gardens through providing an intermediate zone of character housing and gardens that contributes to, and enhances, the Gardens' broader amenity and landscape values for both residents and visitors to Queenstown.
- 8 Together, these different elements combine to produce a highly distinctive sense of place and authentic residential character that reflects a hundred and forty years of settlement in Queenstown, and embody examples of domestic architecture from nearly every decade since the late nineteenth century to the present. Few, if any, other areas in the town have retained this historic settlement pattern and character whilst sustaining the addition of new development that has contributed to, and maintained, the distinctive and rich residential character of the Park Street area.
- 9 The full report on the Park Street 'Special Character Area' prepared by Origin Consultants Ltd is appended as Appendix 1 to this Statement of Evidence.

Conclusion

- 10 The small residential area enclosed by Park Street, Hobart Street and the lake is one of the last surviving parts of Queenstown where the residential development and pre-commercialised heritage character of the town remains tangible to its residents and visitors alike. As such it provides a level of amenity and social value through its production of a distinctive sense of place for the Park Street area that is vitally important to respect and sustain into the future.
- 11 Overall, it is a zone of unique character being evocative of the various stages of residential development of the original central Queenstown settlement, being contiguous with the Queenstown Gardens and the Queenstown Bay, and in deriving much of its character as a location of special value for the CBD and the wider district.

Dated this 09th day of June

Dr Andrea Susan Farminer, Origin Consultants Ltd

Park Street – Hobart Street, Queenstown

Appraisal of Special Character Area

Proposal

Commissioned by DJ & EJ Cassells

Prepared by Dr Andrea Farminer, Origin Consultants Ltd

June 2017



Architecture Heritage Archaeology

1. Introduction

This report has been prepared on behalf of DJ and EJ Cassells by Origin Consultants Ltd to undertake an appraisal of the area enclosed by Park Street and Hobart Street as part of the QLDC proposed district plan review process. It sets out the area of interest, its historical development and those elements that are considered to create and contribute to its special character and value.

Origin Consultants Ltd, formerly as Jackie Gillies and Associates Ltd, previously undertook an assessment in 2013, on behalf of QLDC, on the heritage/character area potential of the Park Street area.

2. Location

The area proposed for Special Character Area designation lies within the residential land area bounded by Park Street/Frankton Road and Hobart Street, and is transected by Brisbane Street. The area is enclosed on its north-west and western edges by the greenery of Queenstown Gardens; the waters of Lake Wakatipu along the southern edge, and mainly hotel and some residential development along the east and north-eastern edges. This area is shown on Figure 1.

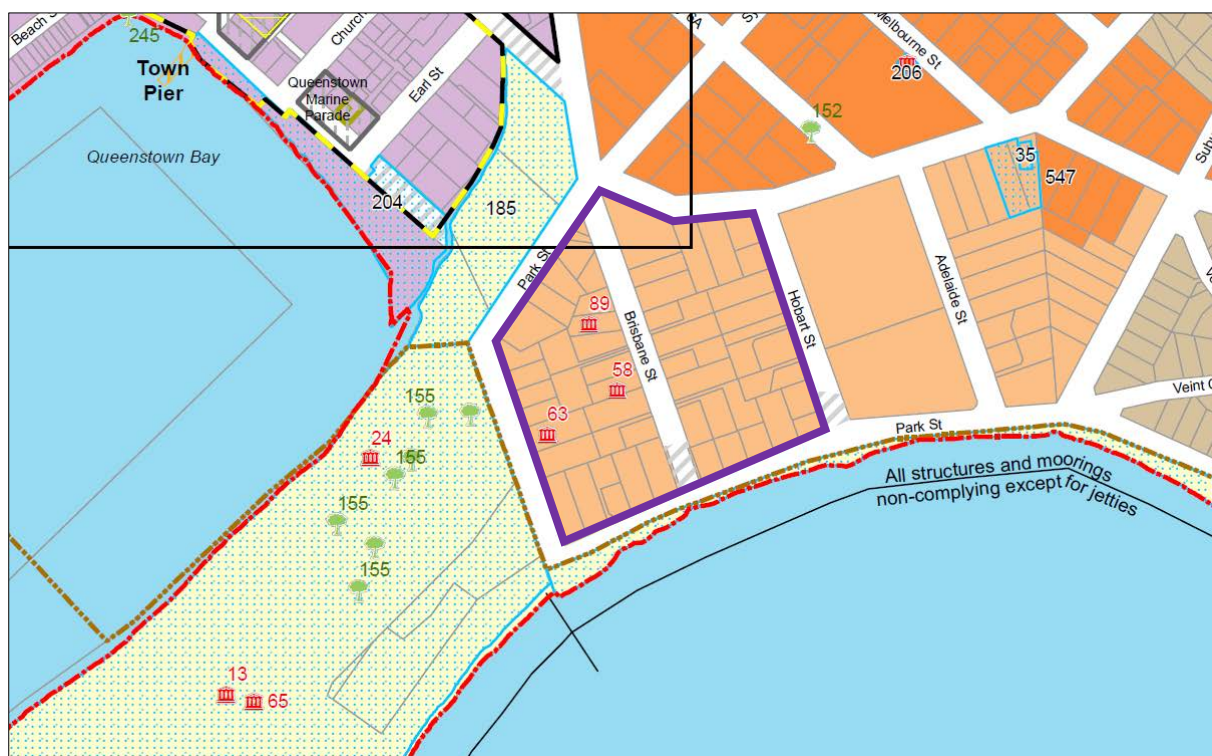


Figure 1: The Park Street, Brisbane Street and Hobart Street area (outlined in purple) as illustrated in the proposed Queenstown District Plan (10/16/2015). Map: Queenstown Lakes District Council

3. Historical Development of the Park Street Area

Historically, the Park Street boundary has existed since the early 1870s, initially marked as a fence line separating the Park Reserve from Blocks 38 and 39, and then as a road from about the 1880s onwards. Brisbane and Hobart Streets have a similar history, both being surveyed and established by 1872.

Early photographs of the area of Blocks 38 and 39 show a gently south-sloping terrace above Queenstown Bay and the town centre, occupied by three distinctive buildings (Figure 2). These are the stone house built by William Davis, c.1886 (now 5 Brisbane Street), its associated stone outbuilding or stable (now 17 Brisbane Street), and the timber cottage thought to be built by Joseph Rodgers around 1875 (now 28 Park Street).



Figure 2: An enlarged extract from a circa 1870s photograph of Queenstown taken by Herbert Deveril. The undeveloped Queenstown gardens are to the right of centre and the Park Street area indicated with an arrow. Photograph: University of Otago Hocken Collections

By the early twentieth century, the sections within the two blocks adjacent to the lakeside were beginning to see more residential development, with small cottages and houses erected, set within garden sections and shielded by maturing trees and hedges (Figure 3). The sections along the northern half remained more open, with only a few cottages and villas built neighbouring the original dwellings, mainly between Brisbane and Hobart Street.

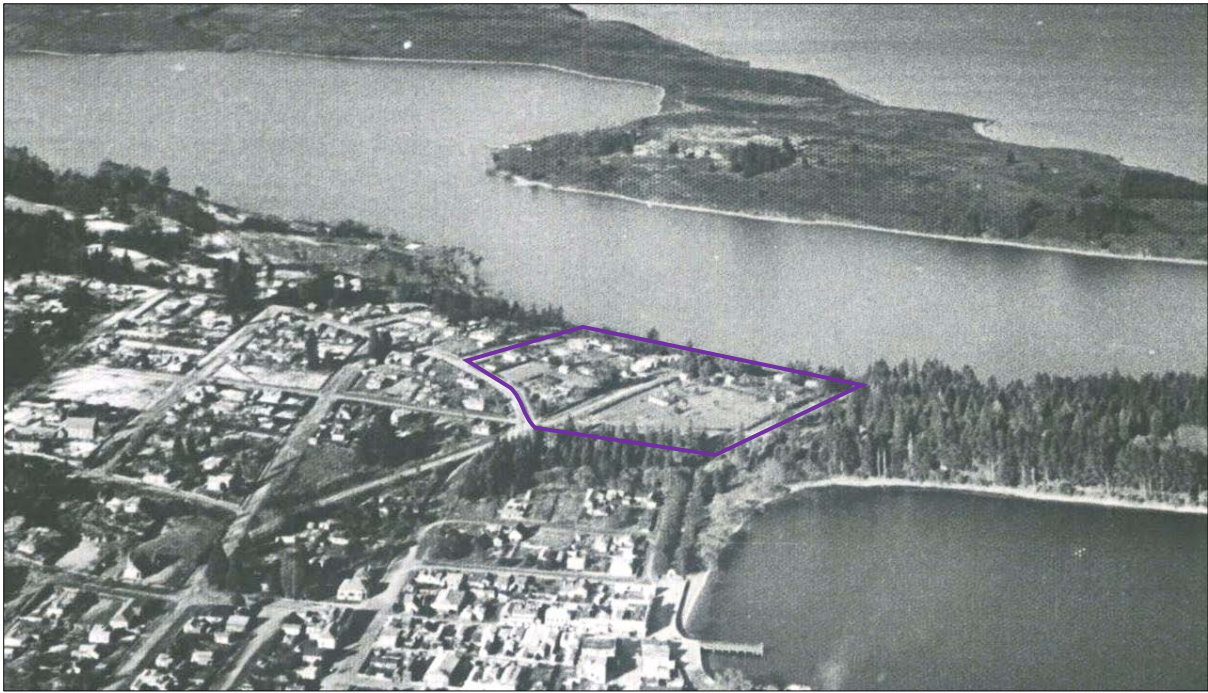


Figure 3: An extract taken from a circa 1930s aerial photograph of Queenstown recording the Park Street – Hobart Street area (outlined in purple) and adjacent Queenstown gardens to the right. Photograph: University of Otago Hocken Collections

Residential development very slowly increased over the decades, so that by the 1970s, aerial photographs record most of the sections as having a modest dwelling of one or two storeys, typical of the residential character of Queenstown in its pre-intensification era. The exception to this trend was the large, three storey building located in Section 3, Block 39 (13 Frankton Road) and built before 1962, which currently is the Black Sheep Backpackers. Today, the area within Park and Brisbane Streets still largely retains this arrangement, although there has been some slightly larger scale development along the lake boundary and the loss of the Lee family villa on the corner of Frankton Road and Brisbane Street in 2005. The eastern edge of Hobart Street was materially altered with the clearance of the northern sections to make way for the Copthorne Hotel complex in 1997.

4. Special Character Elements

4.1 Enclosure and Streetscape

The very clear demarcation of the area by the lines of Park Street, Brisbane Street and Hobart Street from the adjacent town centre zone, is significant for creating a sense of enclosure for the area within, whilst simultaneously providing a buffer from the noise and activity nearby. Likewise, the boundary formed by the lake edge provides a natural southern boundary that emphasises the role of the natural topography in contributing to the area's distinctive character. Finally, the presence of

the adjacent wooded screening to the west and north-west provided by the edge of the Queenstown Gardens, makes a significant contribution to the sense of enclosure, quietness and wholly residential character of the area within.

4.2 Residential Character

The distinctive character of the Park Street/Brisbane Street area is driven by the combination of small-scale, residential homes that have grown organically since the area was first settled in the 1870s. Homes from almost every decade nestle alongside each other, sometimes intimately, sometimes more spaciouly, and combine to produce a character that is both reflective of the area's historic origins and its residential heritage. As a result, a mixture of building fabrics has evolved that contribute significantly to area's distinguishing residential character; these combine historic stone, timber and corrugated iron juxtaposed with more modern timber, brick and rendered block. In combination with low storey heights, smaller masses and naturally offset footprints and boundaries, the built character of the Park and Brisbane Street area reflects a culture of extended development that has almost vanished from the remainder of Queenstown.

Together, these different elements combine to produce a highly individual sense of place and authentic residential character that reflects a hundred and forty years of settlement in Queenstown, and embody examples of domestic architecture from nearly every decade since the late nineteenth century to the present. Few, if any, other areas in the town have retained this tangible settlement pattern and character whilst sustaining the addition of new development that has contributed to, and maintained, the distinctive and rich special character of the Park Street area.

4.3 Greening & Enclosure

The vegetation and planting around and within the area of Park Street and Brisbane Street also play a highly significant role in creating the area's distinctive and individual character, through the extensive greening and natural space they provide. Although much of the planting has younger origins, some of the mature trees and hedges may be older; a sale notice from 1908 for the 1870s property at 5 and 17 Brisbane Street noted a 'macrocarpa hedge' enclosing the original sections (Lake Wakatip Mail, Issue 2690, 15 December 1908, Page 4).

Together, the attractive green planting, proximity to the lake edge and modest residential character of the Park Street/Brisbane Street area produces a calmer, quieter zone that is separated by the mature tree screen of the Queenstown Gardens from the commotion of the nearby town centre. In effect, the area acts as a breathing space for residents and visitors alike, one that still retains some

significant historic heritage character elements within its attractively mixed residential character and low-density development.

Simultaneously, the presence of the Park Street residential area offers an important boundary for the Queenstown Gardens through providing an intermediate zone of character housing and gardens that contributes to the gardens' broader amenity and landscape values.

5. Conclusions

Overall, the area encompassed by Park Street/Brisbane Street/Hobart Street holds a distinctive residential character founded on its heritage of gardens and dwellings that ultimately generates a strong sense of place for many of the residents who live there and call Queenstown their home. Although known as an international tourist destination and focus of much recent commercial and investment development, Queenstown increasingly lacks such a sense of place and has struggled to retain its built heritage that is a fundamental part of its settlement story. The area of Park Street/Brisbane Street still retains some historic built fabric alongside an even stronger sense of place derived from its authentic residential character both for its residents and those who pass through it. No area can or should remain static as Park Street has demonstrated itself, but retaining areas with a distinctive character and broader residential heritage values, such as Park Street offers, is considered to be of value to the CBD and wider district.

Appendix 4 - Jay and Jewell Cassells Submission on notified Variation to Queenstown Lakes Proposed District Plan (#413)

Submission on notified variation to Queenstown Lakes Proposed District Plan

Clause 6 of Schedule 1, Resource Management Act 1991

To: Queenstown Lakes District Council
pdpsubmission@qldc.govt.nz

Name of Submitter: Jay and Jewell Cassells

- 1 This submission is made on behalf of Jay and Jewell Cassells (**Submitter**) in relation to the Proposed Urban Intensification Variation (**Variation**) to the Queenstown Lakes Proposed District Plan (**PDP**).
- 2 The Submitter could not gain an advantage in trade competition through this submission.
- 3 The Submitter is interested in the Variation as it relates to the two blocks of land near the Wakatipu Gardens bounded by Hobart Street, Park Street and Frankton Road currently zoned MDRZ and proposed to be rezoned to HDRZ (**Special Character Area** or **Area**).
- 4 The specific parts of the Variation that this submission relates to are:
 - (a) Chapter 8 Medium Density Residential Zone (**MDRZ**);
 - (b) Chapter 9 High Density Residential Zone (**HDRZ**);
 - (c) Chapter 27 Subdivision and Development;
 - (d) The PDP planning maps; and
 - (e) The zoning and rules affecting the Special Character Area.

Background

- 5 The Submitter has an interest in land in the Area at 5 Brisbane Street, Queenstown, legally described as Lot 12 DP 9667 and held in Record of Title OT12C/811 (**Submitter Land**).
- 6 The Submitter is also the Chair of Friends of Wakatipu Gardens and Reserves Residents (**Friends**). Friends is the pre-eminent community representative group which acts as a voice for the Wakatipu Gardens and Reserves Areas (**Gardens**). Protection of the character of the Gardens also requires protecting the amenity of the immediate surrounds of the Gardens including the special residential and amenity character of the Special Character Area.

Reasons for the submission

- 7 The proposed intensification and rezoning are not appropriate in the Area. In particular:
 - (a) The Area has a particular special and heritage character that is important to residents and visitors. It contains three Listed Heritage Features¹ and is partly included within Wāhi Tūpuna 15a Tāhuna (Central Queenstown) and Wāhi Tūpuna 18 Te Kararo (Queenstown Gardens).

¹ Listed Heritage Features 58, 63 and 89.

Subdivision and development are listed as a potential threat in Wāhi Tūpuna 18 and while there are no listed threats no potential threats listed for Wāhi Tūpuna 15a, it "remains significant to manawhenua and cultural values".² It is a high profile area being adjacent to the Gardens and the CBD. Its values and character should be protected.

- (b) The Area contributes to the unique character of the wider town centre, including Council's "Gardens to Gondola Walkway", and its development deserves careful management.
 - (c) There has been no assessment of the impact of densifying the Area. The section 32 report makes no reference to the Gardens, Park, Brisbane or Hobart Streets or either of the relevant Wāhi Tūpuna.
 - (d) The Area is already subject to significant parking pressure from residents, visitors and CBD workers which has been exacerbated by the recent removal of Council parking to accommodate the Queenstown Arterial Road. This parking pressure has an adverse effect on the Area's amenity values. Further intensification of the Area and the CBD will make this problem even worse, and will decrease amenity values for Area residents and visitors to the Gardens alike.
 - (e) The Council's goal of meeting demand for housing and business land to give effect to the National Policy Statement on Urban Development should not be met by destroying the values of the Area. The benefits do not outweigh the costs. Urban growth should be confined to areas that do not have special character.
- 8 The proposed rezoning and intensification will not give effect to the purpose of the Act, and in particular:
- (a) Will not enable people to provide for their wellbeing;
 - (b) Will not protect historic heritage from inappropriate use and development;
 - (c) Is not an efficient use of the existing physical resources;
 - (d) Will not maintain or enhance the quality of the environment; and
 - (e) Will not maintain or enhance amenity values.

Relief sought

- 9 The Submitter seeks the following relief:
- (a) That the proposed HDRZ over the Area be rejected and that the existing MDRZ over the Area be retained;
 - (b) That the current MDRZ framework, including the 8 metre height standard and the 250m² density standard, be retained for the Area; and
 - (c) That the PDP planning maps be updated to include a Special Character Area overlay over the Area.

² Chapter 39 at 12.

- 10 Alternatively, the Submitter seeks Chapter 9 be amended to maintain the special residential and amenity character of the Special Character Area including retaining the 8 metre height standard and the 250m² density standard.
- 11 Without derogating from the generality of the above, the Submitter seeks any additional, amended, consequential, or further relief in order to reflect the intent of the matters raised in this submission.
- 12 The Submitter wishes to be heard in support of this submission.
- 13 If others make a similar submission, the Submitter will consider presenting a joint case with them at the hearing.

Jay and Jewell Cassells

Maree Baker-Galloway

Signed by their duly authorised agents

Anderson Lloyd Per: Maree Baker-Galloway

Address for service: maree.baker-galloway@al.nz | rosie.hill@al.nz | laura.mclaughlan@al.nz