

Before Queenstown Lakes District Council

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In the matter of            The Resource Management Act 1991

And                            The Queenstown Lakes District Proposed District Plan  
Hearing Stream 13 Queenstown Mapping and Rezoning

And                            Submission 338 Middleton Family Trust

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**STATEMENT OF EVIDENCE OF WARWICK PETER GOLDSMITH FOR**

Oasis in the Basin Association (Further Submitter #1289)

Dated 9 June 2017

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**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.**

## Qualifications and Experience

- 1 My name is Warwick Peter Goldsmith. This evidence is given on behalf of Oasis in the Basin Association (**Oasis**) in respect of Further Submission #1289 lodged by Oasis (**Oasis Submission**) in respect of primary Submission #338 by Middleton Family Trust (**Middleton Submission**).
- 2 In summary, the position of Oasis is that:
  - (a) Oasis opposes all aspects of the Middleton Submission which seek rezoning of, and would enable development within, any part of the land subject to the Middleton Submission which is identified as Outstanding Natural Landscape (**ONL**) in the Proposed District Plan (**PDP**) as notified (**ONL Development**). This position includes opposition to the proposed roading link from SH6 extending northwards to service the proposed ONL Development.
  - (b) Oasis has no concerns about the rezoning proposed by the Middleton Submission on Middleton land located outside the ONL, being Rural Residential (**RR**) and/or Low Density Residential (**LDR**) as shown on the plans attached to the Middleton Submission.
  - (c) If any rezoning of any part of the Middleton land is confirmed in the PDP, Oasis seeks provision for consideration of a public trail link from the Tucker Beach area through the Middleton land to Lake Johnson in order to improve public access to Lake Johnson.

## Lake Johnson

- 3 For the purposes of this evidence the following plans are attached:
  - (a) Plan A – the larger scale plan attached to the Middleton Submission which shows the full proposed LDR Zone, most of which is located within the ONL but the northern part of which is located outside the ONL, and the full proposed roading link from SH6;
  - (b) Plan B – a plan attached to Submission #501 by Woodlot Properties Limited which requested extensive RR rezoning around Lake Johnson (Submission #501 has since been withdrawn).
  - (c) Plan C – the smaller scale plan attached to the Middleton Submission which focuses on the proposed LDR zone.
- 4 Plan A shows a legal road running vertically in the centre of Plan A, from the bottom (in the Frankton area) right to the top (in the Tucker Beach area). That legal road is Hansen Road. The southern part of Hansen Road (**Hansen Road**

**South**), commencing at SH6 and running northwards, is a formed and gravelled road. The northern part of Hansen Road (**Hansen Road North**), commencing at Tucker Beach Road and running south, is also a formed and gravelled road. The central part of Hansen Road is an unformed legal road. A public pedestrian trail has been created through that central part of Hansen Road which provides a pedestrian and cycling link between Hansen Road South and Hansen Road North.

- 5 Plan A shows a small east – west segment of legal road which runs from Hansen Road westwards to the southern end of Lake Johnson and connects to a public esplanade reserve which runs northwards around the eastern side of Lake Johnson up to and across the northern end of Lake Johnson. Lake Johnson itself is Crown land and accessible to the public. There is currently no public access around the southern end and the western side of Lake Johnson.
- 6 The east – west section of legal road just referred to is an unformed length of legal road which, at its eastern end, connects to Hansen Road at the northern end of the formed part of Hansen Road South. I will refer to that east – west section of unformed legal road as the '**Lake Johnson Pedestrian Link**'.
- 7 Plan A shows a small title (marked with an 'X') adjoining the junction of Hansen Road South with the Hansen Road pedestrian link. That property contains my family home, which therefore has Hansen Road South adjoining its eastern boundary and the Lake Johnson Pedestrian Link adjoining its northern boundary.
- 8 The ONL Development proposed by the Middleton Submission will have no effect on our property or our residential amenities, including views. I have no personal interest in the Middleton Submission other than my interest in the values and potential of Lake Johnson as a peaceful oasis in the middle of the Wakatipu Basin.
- 9 Despite its somewhat hidden location, Lake Johnson has a reasonably extensive degree of public use and enjoyment. Many people drive up Hansen Road South to a parking area beside the gate where the formed Hansen Road South finishes, climb over the gate and fence which currently provides a stock barrier across the eastern end of the Lake Johnson Pedestrian Link, and walk down to and around Lake Johnson. Some people just go for a walk, some people go to take photographs, and many people visit Lake Johnson to go fishing and sometimes canoeing (and, on one occasion I saw, paddleboarding).
- 10 From my family home I have a clear view of cars parking in the parking area at the northern end of Hansen Road South and of people walking down the Lake Johnson Pedestrian Link towards Lake Johnson.

- 11 The public use and enjoyment describe above occurs on a year round basis, with a greater of degree of use during the summer months compared to the winter months. Whenever I spend most of a day at home, primarily on weekends or during the holidays, it would be a rare day that I do not see or hear people using the Lake Johnson Pedestrian Link provided the weather is not inclement.
- 12 I believe that Lake Johnson is a hidden jewel in the centre of the Wakatipu Basin. Public access to and enjoyment of Lake Johnson has steadily increased over the twenty plus years we have owned our property at Lake Johnson, despite the fact that Lake Johnson is somewhat hidden and is not widely known about. However many locals are aware of it, and many visitors follow the signposts to Lake Johnson off SH6 up Hansen Road South and then down to the lake. I believe that, as Queenstown continues to grow, there is considerable scope for much more extensive public use and enjoyment of Lake Johnson which I and my family support and encourage.
- 13 Lake Johnson supports a reasonable extent of aquatic birdlife. There are what appear to be resident populations of paradise ducks, mallard ducks, scaup, black swans and Australasian grebes. On occasion a native falcon flies past or overhead (and one once landed in a tree on our property).
- 14 The ecological values surrounding Lake Johnson are somewhat limited due to the fact that the land surrounding Lake Johnson is a working farm. One possible future for the land surrounding Lake Johnson could involve retirement from farming which I believe would provide scope for significant ecological enhancement. I also believe that there is potential for a considerably greater extent of public access to and around Lake Johnson, depending of course on the future plans and views of the Hansen family which owns almost all of the land surrounding Lake Johnson.
- 15 The values of Lake Johnson and its surrounds are summarised in the Oasis Submission. They very much depend upon the peaceful, natural, ONL surrounding in which Lake Johnson is set. If urban development were to take place around Lake Johnson, in locations where it overlooks and/or is visible or experienced from Lake Johnson and its immediate surrounds, I believe that those values would be severely compromised.
- 16 The extent of potential development anticipated by Plan A and Plan B would have an obvious and severely detrimental impact on those values. Reading the submissions containing Plan A and Plan B gave rise to considerable concern on my part. The withdrawal of the rezoning proposed in the Woodlot Properties Limited Plan B has significantly lessened those concerns. However those

concerns remain in respect of the proposed ONL Development requested in the Middleton Submission.

## **Oasis**

- 17 My concerns resulted in the formation of Oasis. Oasis was formed for the purpose of providing a method (albeit somewhat unscientific) providing a degree of independent verification that Lake Johnson is used and enjoyed by many people.
- 18 I established Oasis in late 2015. Schedule B to this evidence contains a copy of the Constitution of Oasis which sets out the Purpose and Objectives of Oasis.
- 19 Schedule C contains a Membership Application Form to join Oasis. That Membership Application Form was carefully drafted to ensure that any person becoming a member of Oasis reasonably understands, and therefore supports, the Purpose and Objectives of Oasis.
- 20 Oasis currently has about 50 members. About all of those members joined Oasis during a period of approximately 3-4 weeks during the 2015/2016 Christmas/New Year period. During that period I spent most of the time at home. Whenever anybody visited our house, or whenever I saw anybody using the Lake Johnson Pedestrian Link, I took the opportunity of approaching that person, showing them Plans A and B, explaining what Plans A and B illustrated, explaining the Purpose and Objectives of Oasis, and asking them to read the Membership Application Form. Virtually every single person approached in that manner, during that period, signed a Membership Application Form and became a member of Oasis. In fact the only exception was a couple who said their religion prevented them from becoming involved in other peoples' affairs.
- 21 I appreciate that this is only a "snapshot" as it were, taken over a short period of time. I also appreciate that it amounts to 'preaching to the converted' to a certain degree as anyone visiting Lake Johnson, to enjoy the attributes and values of Lake Johnson, would be likely to react adversely to the potential development indicated on Plan A and Plan B. However I only spoke to the people I actually saw visiting Lake Johnson, and there would have undoubtedly been many people that I missed. That snapshot at least gives some indication of the current extent of use and enjoyment of Lake Johnson. It requires little imagination to envisage how that extent of use could increase if Lake Johnson were better managed and promoted as a public recreational resource.

## Trail Link

- 22 As I stated above, Oasis has no concern about potential development (whether RR and/or LDR) of the land north of the notified ONL boundary. To clarify this point, referring to Plan C in Schedule A:
- (a) A vertical title boundary runs from the northwest corner of Lake Johnson vertically up to intersect Tucker Beach Road.
  - (b) All of the land within the proposed LDR zone located to the right (east) of that title boundary is owned by the Hansen family (excluding two small triangular areas of Crown land which can be seen on Plan C).
  - (c) All of the land subject to the Middleton Submission to the west of that vertical legal title boundary is owned by the Middleton family.
  - (d) That land owned by the Middleton family includes all of Section 21 Block XXI which adjoins the northwest corner of Lake Johnson, and therefore also connects to the public esplanade reserve at the northern end of Lake Johnson.
- 23 From the description in the previous paragraph it can be seen that the Middleton family owns all of the land between Tucker Beach Road (including an informal extension of Tucker Beach Road not shown on Plan C) at the northern end through to the northwest corner of Lake Johnson connecting to the public esplanade reserve. Oasis has no difficulty with possible rezoning of the non-ONL part of that land for RR and/or LDR purposes (although I personally believe that RR zoning would make more sense as that is a reasonably efficient use of land which does not require a reticulated wastewater disposal system because disposal of wastewater to ground can be achieved).
- 24 If any part of the Middleton land was to be rezoned for development purposes that would result in a community of people which could enjoy significant benefit from public access to Lake Johnson if such public access were available. Public access from Tucker Beach Road to the northern end of Lake Johnson would also enable a public access through route from Tucker Beach Road southwards to and past Lake Johnson connecting to the Lake Johnson Pedestrian Link and then out to Hansen Road South. That would create a very enjoyable trail which I have no doubt would be used by many people.
- 25 In the event that any part of the Middleton land is rezoned for development purposes, Oasis considers that District Plan provisions applicable to that specific zone should be inserted which require subdivision to include at least consideration of enabling public access from Tucker Beach Road to Lake Johnson.

26 I note that Part 27 Subdivision of the PDP does contain the following objectives and policies relevant to the consideration of public trails:

*"27.2.2 Objective – Subdivision design achieves benefits for the subdivider, future residents and the community.*

...

*27.2.2.4 Subdivision will have good and integrated connections and accessibility to existing and planned areas of employment, community facilities, services, trails, public transport and adjoining neighbourhoods.*

*27.2.2.5 Subdivision design will provide for safe walking and cycling connections that reduce vehicle dependence within the subdivision.*

*27.2.2.6 Subdivision design will integrate neighbourhoods by creating and utilising connections that are easy and safe to use for the pedestrians and cyclists.*

..."

27 These policies could be bolstered, in this case, by the inclusion of the following provisions specific to any proposed rezoning which would enable subdivision and development of any of the land subject to the Middleton Submission:

*"27.7.21 Objective – Greenfields [Rural Residential/Low Density Residential] Zone at Tucker Beach (legally described as [insert legal description]– Subdivision design that incorporates a public trail through the site.*

*27.7.21.1 Enable subdivision which provides for establishment of a public trail connecting Tucker Beach Road with the public esplanade reserve adjoining Lake Johnson.*

*27.7.22 Greenfield [Rural Residential/Low Density Residential] Zone at Tucker Beach – Matters of Discretion for Restricted Discretionary Activities.*

*27.7.22.1 The District Wide objectives and policies in Part 27.2, with discretion also restricted to establishment of a public trail connecting Tucker Beach Road with the public esplanade reserve adjoining Lake Johnson."*

## Conclusion

28 Queenstown and the Wakatipu Basin are becoming increasingly pressured and increasingly busy. The population is projected to at least double, if not increase further, and that pressure will continue to increase. I believe it is important that people have quiet places to visit, in order to enjoy the natural amenities which attract people to this area, which are also reasonably accessible to where people live.

29 Lake Johnson is a peaceful oasis in the centre of the Wakatipu Basin located in a natural ONL setting of very high value. Whatever benefits might arise for some future residents if the ONL Development were to take place, I believe those benefits are significantly outweighed by the benefits to the wider community of preserving the ONL setting of Lake Johnson so that people can enjoy the values of Lake Johnson without the perception of being surrounded or overlooked by urban residential development.

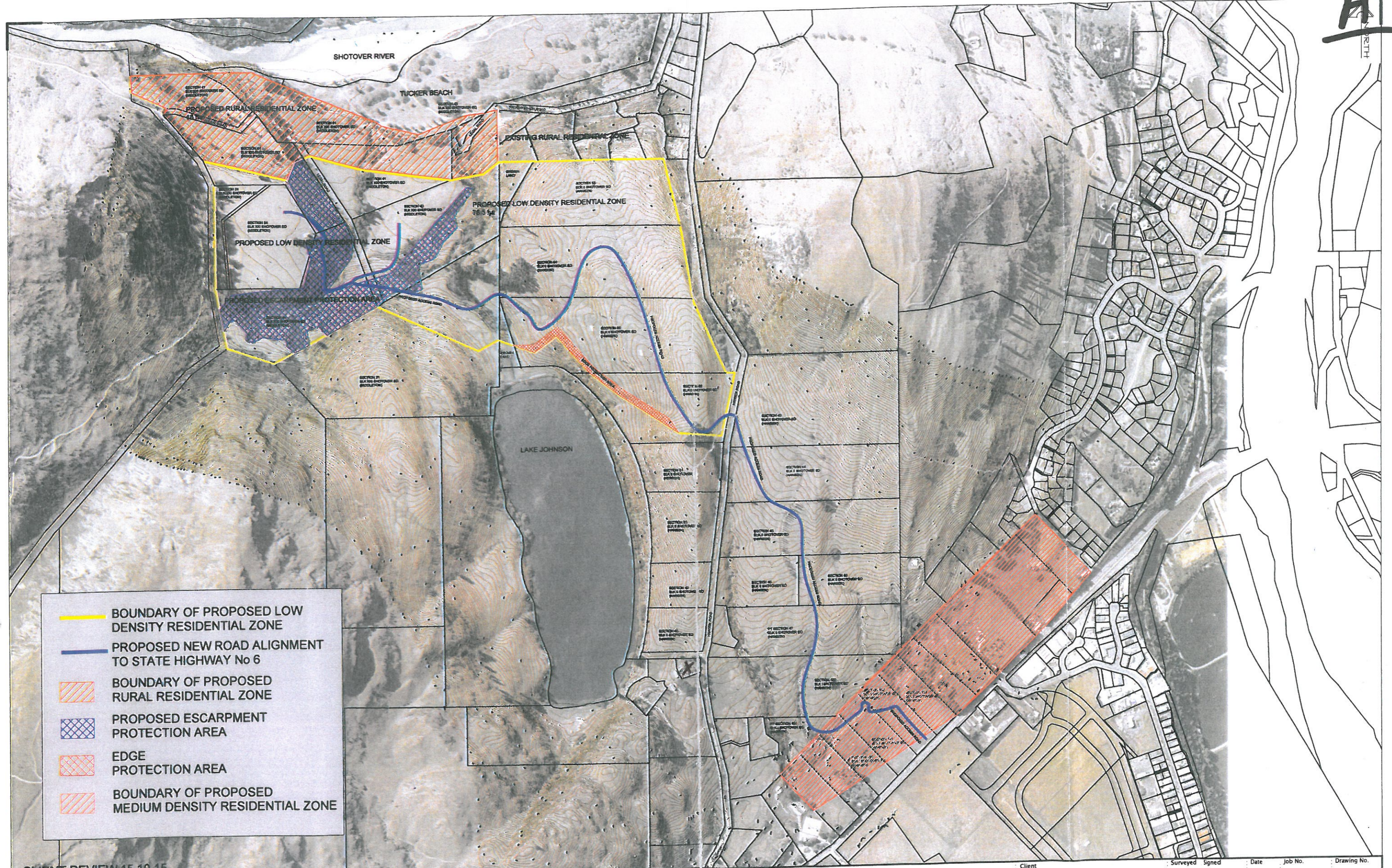
**Dated this 9th day of June 2017**

**Warwick Peter Goldsmith**



## **Schedule A**

- 1 Plan A – larger scale plan attached to Middleton Submission #338
- 2 Plan B – plan attached to Woodlot Properties Limited Submission #501 (now withdrawn)
- 3 Plan C – smaller scale plan attached to Middleton Submission #338



CLIENT REVIEW 15.10.15

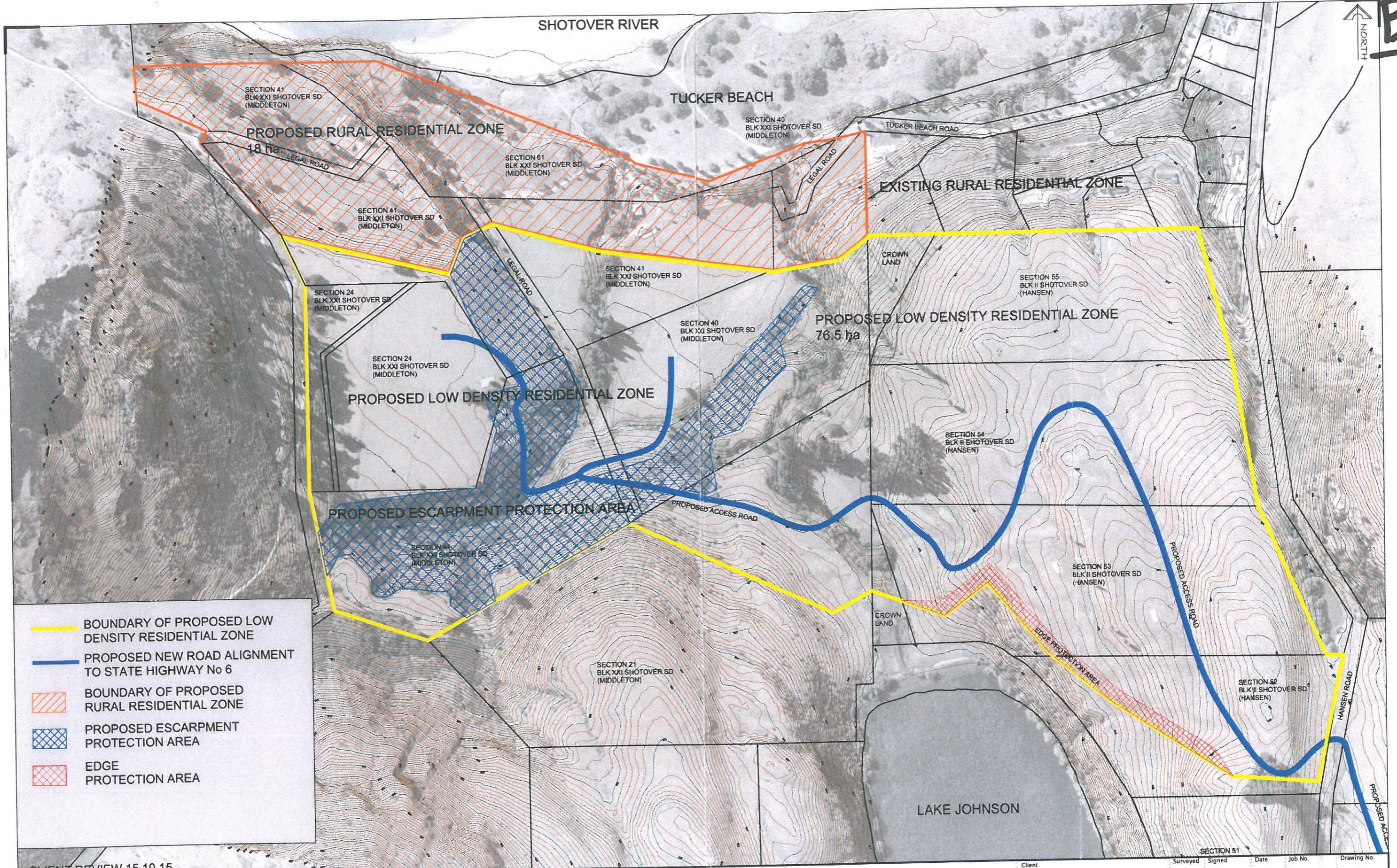
Shotover Design Limited trading as  
**Clark Fortune McDonald & Associates**  
 Licensed Cadastral Surveyors - Land Development - Planning Consultants  
 309 Lower Shotover Road, P.O. Box 553 Queenstown  
 Tel. (03)441-6044, Fax (03)442-1066, Email admin@cfma.co.nz  
 Shop 2, Otago House, 475 Moray Place, P.O. Box 5960  
 Tel. (03)470-1582, Fax (03)470-1583, Email admin@cfma.co.nz

**PLAN OF PROPOSED LOW DENSITY RESIDENTIAL ZONE AND RURAL RESIDENTIAL ZONE, AND NEW ACCESS ROADING**

Rev.	Date	Revision Details	By

Client	Surveyed	Signed	Date	Job No.	Drawing No.
MIDDLETON FAMILY TRUST	NM	Signed	29.08.10	11439	01
	Drawn	Signed	Date	Scale	1:5000 @ A1
	NM		15.10.15	1:10000 @ A3	
	Designed	Signed	Date	Datum & Level	Rev.
	NM		15.10.15	Mt Nic 2000 & MSL	A

Notes:  
 All dimensions shown are in meters unless shown otherwise.  
 Any person using Clark Fortune McDonald drawings and other data accepts the risk of:  
 - Using the drawings and other data in electronic form without requesting and checking them for accuracy against the original hard copy versions.  
 - Ensuring the information is the most recent issue.  
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- BOUNDARY OF PROPOSED LOW DENSITY RESIDENTIAL ZONE
- PROPOSED NEW ROAD ALIGNMENT TO STATE HIGHWAY No 6
- BOUNDARY OF PROPOSED RURAL RESIDENTIAL ZONE
- PROPOSED ESCARPMENT PROTECTION AREA
- EDGE PROTECTION AREA

CLIENT REVIEW 15.10.15

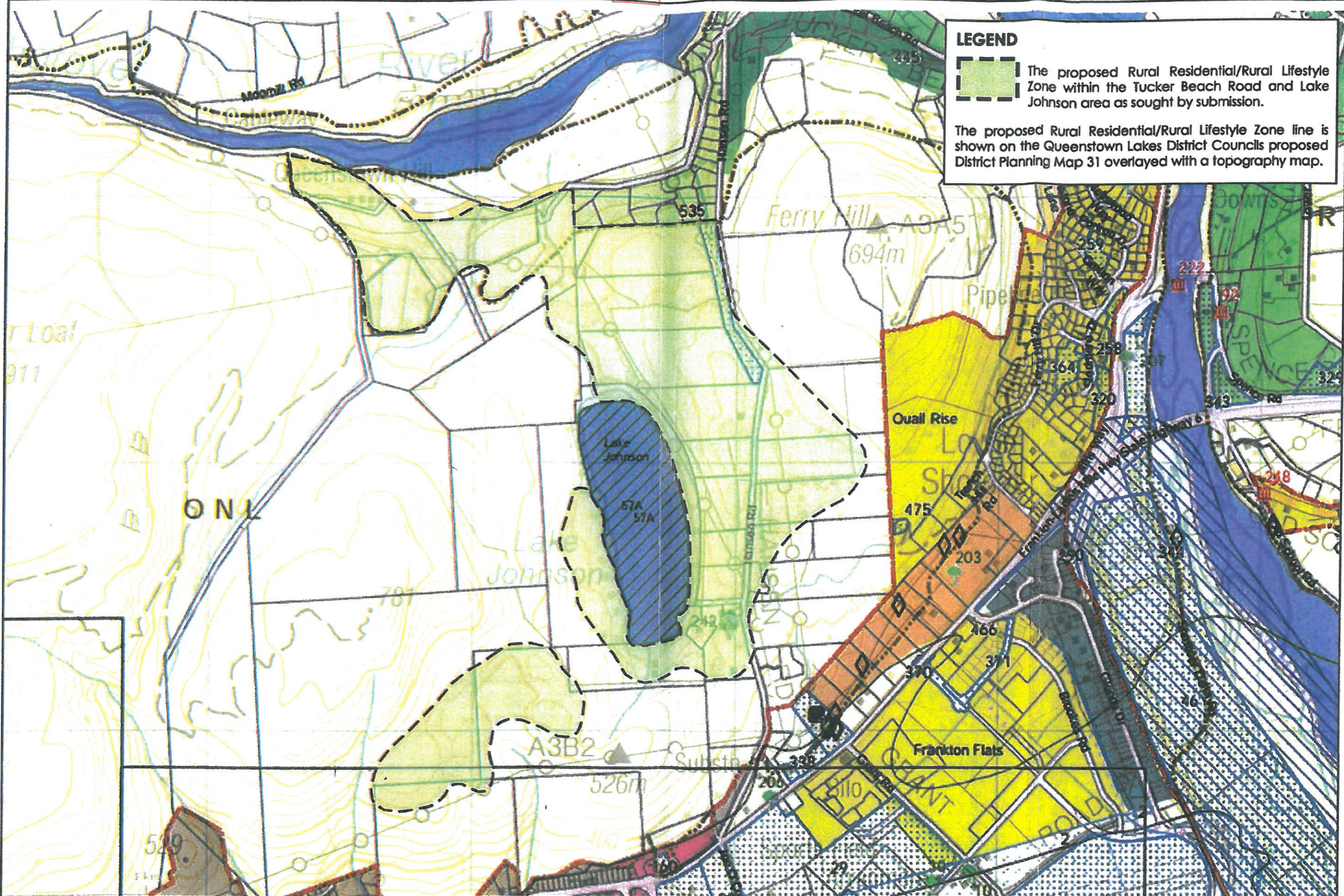
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	NM	Signed	15.10.15	1:2500 @ A1	
	Designed	Signed	Date	Datum & Level	Rev.
	NM	Signed	15.10.15	Mt Nic 2000 & MSL	A

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**LEGEND**

 The proposed Rural Residential/Rural Lifestyle Zone within the Tucker Beach Road and Lake Johnson area as sought by submission.

The proposed Rural Residential/Rural Lifestyle Zone line is shown on the Queenstown Lakes District Councils proposed District Planning Map 31 overlaid with a topography map.

Proposed Rural Residential / Rural Lifestyle Zone Line - Tucker Beach Road / Lake Johnson, Queenstown

## **Schedule B**

Constitution of Oasis in the Basin Association

# Oasis In The Basin

Association Constitution



## ABOUT US

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 Oasis In The Basin Association Constitution

WPG-N-841-V1

The Oasis In The Basin Association ("**Oasis**") was established as a voice for Lake Johnson and its surrounds ("**Lake Johnson**"). The Association welcomes new members.

## **OUR PURPOSE**

*"To protect, enhance and promote Lake Johnson and its surrounds as an oasis of public recreation, ecological values, and peaceful enjoyment in the centre of the Wakatipu Basin"*

## **OUR OBJECTIVES**

- To promote the protection and enhancement of the natural environment and qualities of Lake Johnson.
- To promote the enhancement of the ecological values of Lake Johnson.
- To enable greater public access to, and enjoyment of, Lake Johnson.
- To have a strong and active voice within the Wakatipu Community so that the values of Lake Johnson are taken into account in local decision making.
- To educate residents and visitors about the values and opportunities of Lake Johnson.
- To act as guardian for Lake Johnson, recognising its significance as a treasure within the Wakatipu Basin.
- To undertake any action required to achieve the above Purpose and Objectives

## **OUR ACTIONS**

In order to achieve those objectives, Oasis will:

- Maintain a watching brief for any proposed activities or proposals which may affect Lake Johnson.
- Lodge submissions to, and take part in, any planning processes relating to activities or proposals which may affect Lake Johnson.
- Investigate the current ecological values of Lake Johnson and explore opportunities to improve those ecological values.
- Seek to enable practical and accessible public access to and around Lake Johnson.
- Facilitate and encourage public recreational activities which enable people to enjoy the values of Lake Johnson.



- Pursue the acquisition or vesting of Lake Johnson by or in a public or community body or organisation in order to maintain public access to Lake Johnson in perpetuity.
- Seek to secure funding or other assistance.
- Inform the public of issues relevant to Lake Johnson through Facebook, newsletters, or other social media.
- Provide a forum for the expression of public concerns about Lake Johnson and work towards addressing such concerns.
- Inform the public accurately, to stimulate public awareness and to encourage public participation.
- Proffer a point of contact for establishing communication for residents, Local Body departments, Government departments and other organisations.

## OUR RULES

1. Any person or body with an interest in Lake Johnson is eligible to be a member.
2. Any eligible person or body may become a member by completing a Membership Application Form.
3. Any person wishing to resign may do so in writing at any time.
4. Notification of the Annual General Meeting will be given to members twenty-one days prior to the meeting.
5. Meetings may be held by a social media forum.
6. Voting shall be decided by a show of hands or other indication of a majority.
7. The Annual General Meeting shall be held not later than May 31st in any year. Other meetings shall be called as appropriate. A Special Meeting may be called at any time by not less than three members, on a notice of motion to the Secretary or Chairperson.
8. The Executive Committee shall comprise the Chairperson, the Secretary and one other member. Any Executive Committee member shall be eligible for re-election.
9. The Chairperson shall take the chair at all meetings. In the event of the absence of the Chairperson, the chair will be taken by the Secretary.
10. The Chairperson and Secretary shall prepare the agenda for each meeting.



11. The Secretary shall take the minutes of the meetings, conduct all correspondence at the instruction of the Executive Committee and keep all records.
12. The Chairperson and another member appointed by the Executive Committee shall deal with publicity and public relations.
13. Written nominations for the election of Officers and the Committee must be received by the Secretary one week prior to the annual meeting. Written nominations must carry the names of the nominator and seconder (who must be members) and shall be signed by the nominee.
14. A quorum of five (5) is required for Special or for Annual General Meetings. A quorum of three (3) is required for regular meetings.

## **OUR CONTACTS**

We welcome your feedback, ideas and comment by email or Facebook

**Email:** [oasisinthebasin@gmail.com](mailto:oasisinthebasin@gmail.com)

**Facebook:** Oasis In The Basin

**Schedule C**

Oasis Membership Application Form

# Oasis In The Basin

## Membership Application Form

### ABOUT US

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- To act as guardian for Lake Johnson, recognising its significance as a treasure within the Wakatipu Basin.
- To undertake any action required to achieve the above Purpose and Objectives

**I support the above. I apply to become a Member:**

Oasis Member	
Name of Member	
Address	
Contact email	
Signature	
Date	