

BEFORE THE QUEENSTOWN LAKES DISTRICT COUNCIL

IN THE MATTER

of the Resource Management Act 1991

AND

IN THE MATTER OF

Queenstown Lakes Proposed District Plan –
Stage 3 – Hearing Stream 17 – 101
Ballantyne Road

**STATEMENT OF EVIDENCE OF IAN GREAVES
ON BEHALF OF MORGAN WEATHINGTON – THE UPPER CLUTHA MATERNITY
TRUST (SUBMITTER 3403)**

(PLANNING)

101 BALLANTYNE ROAD REZONING

29th May 2020

Qualifications and Experience

- 1 My name is Ian Christopher Greaves. I hold the qualification of Bachelor of Applied Science (Environmental Management (Hons)) from the University of Otago. I am a full member of the New Zealand Planning Institute.
- 2 I have practiced in planning and land development since 2006. I am currently employed by Southern Ventures as their Planning and Development Manager. In this role I manage and deliver land and property development projects. Part of my role includes managing and implementing all resource management and planning aspects of the projects I am involved with.
- 3 Throughout my professional career, I have been involved in a range of resource management and planning policy matters in roles with Southern Ventures, Southern Planning Group, Queenstown Lakes District Council, the Environment Agency (UK) and Opus International Consultants (NZ). This experience includes over 10 years based in the planning field in Wanaka. I have made numerous appearances in front of hearing panels and I have also given evidence in the Environment Court.
- 4 I reside in Wanaka and I am familiar with the areas of Wanaka that I discuss within this evidence.
- 5 I have read the Code of Conduct for Expert Witnesses outlined in the Environment Court's Consolidated Practice Note and have complied with it in preparing this evidence. I have read the Section 32 reports and the Section 42A reports prepared by the Council officers with respect to this submission. I have considered the facts, opinions and analysis in this documentation when forming my opinions which are expressed in this evidence.

Executive Summary

- 6 My conclusions are as follows:

(a) I consider the Section 32 assessment undertaken to justify the rezoning of 101 Ballantyne Road to an Active Sports and Recreation Zone (ASRZ) was too narrowly focused and failed to identify a sufficient range of options for this site.

(b) I consider 101 Ballantyne Road represents an appropriate location for consideration of a range of community uses in conjunction with sports and recreation.

(c) Taking into consideration the identified inadequacies with the S32 assessment and the positive effects created by providing for community activities, I consider a permitted activity status for community activities is the most appropriate outcome at 101 Ballantyne Road.

Scope of Evidence

7 I have been engaged by the Upper Clutha Maternity Trust (Submission # 3403) to present planning evidence in relation to the rezoning of 101 Ballantyne Road notified under Stage 3 of the PDP.

8 This submission opposes the rezoning of 101 Ballantyne Road to an Active Sports and Recreation Zone (ASRZ) which does not provide for community activities (as defined by the Plan).

9 Ms Morgan Weathington, a local midwife, has provided evidence in support of this submission and I have relied on Ms Weathington's evidence in preparing this brief.

10 This evidence is set out as follows:

- (a) Statutory Framework
- (b) Section 32 Assessment
- (c) Community Activities at 101 Ballantyne Road
- (d) Part 2 Assessment
- (e) Summary

Statutory Framework

The Resource Management Act (RMA)

11 The RMA and in particular the purpose and principles in Part 2, require Councils to promote the use, development and protection of the natural and physical resources for current and future generations in order to provide for their social, economic and cultural wellbeing. While this submission does not relate to any matters of national importance (section 6) the following section 7 matters are relevant:

- a. The efficient use and development of natural and physical resources;*
- b. the maintenance and enhancement of amenity values;*
- c. maintenance and enhancement of the quality of the environment;*

12 Section 79 provides for a review of the district plans in the manner set out in Part 1 of Schedule 1 of the RMA.

13 In changing the district plan, the Council is required to:

- a) “give effect to” any national policy statement
- b) “give effect to” any regional policy statement
- c) “must not be inconsistent with” a regional plan
- d) “have regard to” any proposed regional policy statement.

Section 32 Assessment

14 I consider the Section 32 assessment undertaken to justify the rezoning of 101 Ballantyne Road to an ASRZ to be inadequate. In my opinion the Section 32 assessment was too narrowly focused and failed to identify a sufficient range of options for this site. At the outset I want to record that I support the use of 101 Ballantyne Road for recreation purposes, however I consider further examination is needed as to what other compatible uses could occur across this strategic 20 hectares of land centrally located in Wanaka.

15 Paragraph 6.7 of the Section 32 assessment identifies four key issues that the rezoning of 101 Ballantyne Road seeks to address. These are:

- **Issue 1 – Provide for sports fields that meets the current and future needs of Wanaka**
- **Issue 2 – Wanaka’s industrial land needs are met**
- **Issue 3 – Effects on adjoining sites**
- **Issue 4 – Need for the Building Line Restriction on the site**

16 The central problem underpinning these four issues is identified in paragraph 6.6 of the Section 32 assessment which outlines that the existing zone under the ODP has not resulted in any development and this provides an opportunity to consider a change in the intended use of the site.

17 The key concern I have with the Section 32 assessment is the lack of options considered for the change in the use of 101 Ballantyne Road. An important foundation to any Section 32 assessment is identifying a sufficient range of options to address the problem or issue, and critically compare these before narrowing in on a preferred option or options. In my opinion this has not occurred.

18 Whilst I accept that the Section 32 assessment provides sufficient justification that Wanaka has a shortfall of sports fields and 101 Ballantyne Road is an option to resolve this issue at no point within the S32 assessment has any analysis occurred as to how much land Wanaka requires to resolve this shortfall in sports fields.

19 The Section 32 assessment relies on a report entitled Supply and Demand for Winter Sports Fields dated October 2018 (Appendix 5 of the Section 32 Report). This report identifies that Wanaka currently has a shortfall of 78.1 Full Field Equivalent (FFE) hours which equates to 6 full sized sports fields. The area of a sports field is conservatively 10,000m² (1 hectare). Therefore, the current demand for sports fields in Wanaka is six hectares (plus car parks and vehicle manoeuvring).

20 The Supply and Demand for Winter Sports Fields report does identify that the demand for sports fields is expected to increase as Wanaka population grows

with a shortfall of 40.2 FFE hours for Football and 66.2 FFE for Rugby by 2028 if the current situation does not change. This future demand was not extrapolated into the number of sports fields required, although based on the current shortfall being six full sized sports fields at 78.1 FFE hours this is not expected to be a substantial increase.

21 The purpose of this analysis is to highlight that 20 hectares of land for sports fields is an oversupply even in the long term. Whilst this may have some merits, it raises an important question as to whether this is the most efficient use for all 20 hectares of the 101 Ballantyne Road site. This is the point where I would have expected the Section 32 report to provide greater analysis as to other options for this site where there maybe demand.

22 Evidently the S42a report prepared Mr Matthee provides some additional justification for rezoning the entire site mainly around future long-term demand and providing capacity for hosting large sports events or festivals. I consider these points to have some validity however, I still consider further analysis of other uses of this site should occur. In many respects the potential uses and opportunities for 101 Ballantyne Road are vast and represent a real opportunity for both Council and the wider community both in terms of social and economic benefits. I do not have scope or the resources to undertake this level of options assessment but it does provide a helpful background in the consideration of allowing community uses on this site in the context of the submission by the Upper Clutha Maternity Trust.

Community Activities at 101 Ballantyne Road.

23 I consider 101 Ballantyne Road represents an appropriate location for consideration of additional community uses in conjunction with sports and recreation. The evidence of Ms Weathington outlines the immediate demand for maternity services in Wanaka. Ms Weathington's evidence outlines that 101 Ballantyne Road is a suitable location for a maternity facility given its size, proximity to other allied professions such as the Wanaka Medical Centre and the potential to use the space available at 101 Ballantyne Road for an onsite heli pad for emergency retrieval of women needing urgent evacuation to hospital care.

24 Ms Matthee in the Section 42a for Council concludes that permitting community activities to establish at 101 Ballantyne Road could introduce activities not anticipated for the zone and locate incompatible activities in close proximity to each other, creating adverse environmental effects. I disagree with this position.

25 I consider that community activities are a compatible use to co-locate with recreation uses and this is reflected in the zone purpose that discusses the provision for community activities in open space zones. There are many examples of community activities positioned on or next to sports fields throughout New Zealand. For example, Council's Gorge Road office and library directly adjoin the Wakatipu Rugby Grounds in central Queenstown. Whilst maternity services are a relatively unique use to co-locate with sports and recreation uses, the size of 101 Ballantyne Road allows for sufficient spacing of activities to maintain privacy and avoid any reverse sensitivity type effects.

26 Whilst Mr Matthee maybe correct that there are other zones where the planning framework is a better fit for maternity services unfortunately, the Trust has explored numerous avenues to acquire land in various locations throughout Wanaka and due to high land prices and the limited availability of land at a suitable location and size this has proved unsuccessful.

27 I consider there to be three relevant options in terms of a planning framework to provide for maternity services at 101 Ballantyne Road. These are:

1. To provide a separate rule and more enabling activity status for any community activities within the ASRZ at 101 Ballantyne Road; or
2. To provide a separate rule and more enabling activity status for maternity services within the ASRZ at 101 Ballantyne Road; or
3. To rezone part of 101 Ballantyne Road to a more enabling zone for community activities.

28 Option 1 is my preferred option. I did consider whether it would be appropriate to provide a separate rule and more enable activity status solely for health services (option 2) within the ASRZ however in the context of the Section 32 analysis outlined above and in particular the size of 101 Ballantyne Road I see the site as having potential benefits for other community uses that have not yet been

identified. I consider that 101 Ballantyne Road represents a real opportunity for Council to support not only the facilitation of self-sustaining maternity services for the Districts growing population but also other community activities. Unquestionably community uses have wide-ranging positive benefits.

29 I recommend the following changes to the PDP:

Add a new policy 38.5.1.3:

38.5.1.3: Enable a range of Community Activities at 101 Ballantyne Road.

Add a new rule:

Community Activities at 101 Ballantyne Road: Permitted

30 The bulk, location and size of community buildings at 101 Ballantyne Road will be controlled by the existing rule framework within the plan including:

- 10m Building Height (38.10.1.3)
- 400m² Ground Floor Area of Buildings (38.10.2.3)
- Recession Planes (38.10.3)
- Setbacks (38.10.4)

31 I consider these provisions will ensure an appropriate size and scale of community buildings are established onsite. Consideration could be given to adding an additional rule setting a maximum allowable floor area for community activities across the site to avoid significantly diluting the available land for sports and recreation. However, I think the risk of this is low given Council is the land owner (and will likely retain this status) and can therefore control this outside of the regulatory process and given the overall size of the site.

32 Overall, taking into consideration the shortcomings with the S32 report which did not sufficiently address a range of uses for the site and the positive effects created by providing for community activities, I consider a permitted activity status for community activities is the most appropriate outcome at 101 Ballantyne Road. I consider this aligns with the higher order provisions of the Proposed District Plan, including Objective 3.2.1 providing for a prosperous, resilient and

equitable economy in the District and policy 4.2.1.4d recognising the need to make provision for the location and efficient operation of a range of community activities and facilities.

Part 2 Assessment

33 Section 32(1)(a) of the RMA requires an examination to the extent that a new objective is the most appropriate way to achieve the purpose of the RMA.

34 I consider that the changes discussed in this evidence are consistent with Section 5 which requires the use, development, and protection of natural and physical resources in a way, or at a rate, which enables people and communities to provide for their social, economic, and cultural wellbeing and for their health and safety while safeguarding of the life-supporting capacity of air, water, soil and ecosystems. In terms of other relevant matters inherent in Part 2 of the Act, it is my assessment that there are no relevant section 6 matters and I consider that the changes discussed have appropriate regard for section 7 matters. The proposed changes will provide for the efficient use and development of natural and physical resource, maintain amenity values and maintain and enhance the quality of the environment.

35 In terms of assessing the submission against section 8, there are no known Treaty principles that will be affected by this zone change.

36 I consider that the relief sought, as it relates to community activities at 101 Ballantyne Road, better achieves the purpose of the RMA when compared to the notified provisions.

Conclusion

37 Overall I consider that, subject to the amendments set out in this evidence, the proposed changes requested in the submission relating to community activities at 101 Ballantyne Road are consistent with meeting the purpose of the RMA, having considered the relevant matters inherent in Section 32.

A handwritten signature in black ink that reads "Ian Greaves". The signature is written in a cursive style with a prominent initial "I".

Ian Greaves

29 May 2020