

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)

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**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).
- 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 Bathhouse 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



