

Before an Independent Hearing Commissioner appointed by Dunedin City Council

In the matter of a notice of requirement by Dunedin City Council to designate the
Mosgiel Community and Recreation Area

Evidence of Robert Paul West

31 January 2019

Applicant's solicitor:

Michael Garbett
Anderson Lloyd
Level 10, Otago House, 477 Moray Place, Dunedin 9016
Private Bag 1959, Dunedin 9054
DX Box YX10107 Dunedin
p + 64 3 477 3973 | f + 64 3 477 3184
michael.garbett@al.nz

**anderson
lloyd.**

Qualifications and experience

- 1 My name is Robert Paul West.
- 2 I am employed by the Dunedin City Council as Group Manager – Parks and Recreation Services. I have held this position since 11 December 2017. I hold the qualifications of a Masters of Fine Art (**MFA**). I am authorised to give this evidence on behalf of Council, in its capacity as Applicant for this notice of requirement (**NOR**).

Scope of evidence

- 3 My evidence in relation to the Mosgiel Community and Recreation NOR includes:
 - (a) The Council's objectives;
 - (b) Importance of flexibility;
 - (c) Value to community;
 - (d) Positive effects; and
 - (e) Driver of designation.

Executive summary

- 4 The proposed designation covers Mosgiel's primary community and recreational space, an area invaluable to the community. The site is currently used for a wide range of community and recreation uses such as both indoor and outdoor recreation spaces including sports fields and lighting, clubrooms, playground and skate park, library, rose garden, community pool, established trees and both paid and freedom camping spaces.
- 5 The designation, while driven primarily by the demand for a new aquatic facility, is broad enough to enable the development and improvement of the aforementioned uses, but with appropriate conditions to protect the amenity of residential neighbours and built form in the reserve.
- 6 There is clear value to the community from this designation, enabling the construction and use of a new aquatic facility as well as the opportunity for the development of other community and recreational facilities in the future as demand and population growth arises.
- 7 There has been general support for the NOR as well as for the aquatic facility in the Long Term Plan and Taieri Community Facilities Trust (**TCFT**)-led surveys.

- 8 Positive effects of the designation include ease of maintenance and continual improvement in the area, a central-sporting and community hub for Mosgiel-Taieri, protection of amenity values for both park-users and neighbours, and flexibility in future planning.

The Council's objectives

- 9 The Council's objectives in relation to this NOR are:
- (a) To operate, maintain, upgrade and expand the facilities within the Mosgiel Community and Recreational Area to provide for a range of sporting, cultural and community activities.
 - (b) To provide for, maintain and upgrade the facilities, services and amenities within the Mosgiel Community and Recreational Area in a manner that provides for the current and future needs and social and economic wellbeing of the Mosgiel and surrounding community.
 - (c) To enable an efficient and flexible approach to the maintenance and development of the Mosgiel Community and Recreational Area, while also managing any actual or potential adverse effects of future development on the surrounding community.
- 10 These objectives are focussed on enabling Council to operate the Mosgiel Community and Recreational Area in a manner that allows for a flexible approach to future maintenance and upgrade of community facilities on the site. The community's preferred use of facilities such as this one can, and do, change over time. Council needs to be able to plan and amend the delivery of sporting, cultural and community activities in a manner that is most beneficial for the community. In addition there is the community desire to establish a new Aquatic Centre. The designation is an important step in realising that ambition and providing Council with the ability to proceed with that facility.
- 11 The objectives also recognise that managing actual and potential adverse effects of future development is an important consideration. As Applicant, Council has adopted a set of conditions which I understand its' independent experts support to appropriately manage the effects on the community and particularly the surrounding neighbours.
- 12 On behalf of the Applicant it is considered that the proposed NOR is the most appropriate way to achieve these objectives.

Importance of flexibility

- 13 The designation will enable an efficient and flexible approach to maintenance and development in the Mosgiel Community and Recreation Area.

- 14 The flexibility of the designation will enable Council to undertake due-diligence on site options, while enabling the TCFT to undertake fund-raising initiatives with a degree of certainty that the Aquatic Centre is able to proceed. This can be important for some funders to be able to pledge funds.
- 15 This flexibility is also essential to provide for a growing Mosgiel population and meeting the community and recreational demands of multiple stakeholders which can change over time, and sometimes quickly.

Value to community

- 16 The Memorial Park, Memorial Gardens and Peter Johnstone Park are of significant value to the community and provide valuable recreation activities in Mosgiel.
- 17 The designation seeks to enable these range of uses, while complying with appropriate conditions.
- 18 The existing aquatic facility built in 1935 is outdated, under sized and only open for seven months of the year. The designation will enable the future development of a new, larger swimming complex on the site to service Mosgiel and surrounding communities that will be open year round.
- 19 The TCFT have lobbied for the new pool complex for some time, with substantial community support (a 2015 survey of 2553 people resulted in 99.1% support for a new aquatic centre in Mosgiel).
- 20 There is strong support from the Mosgiel/Taieri Community board for a new aquatic facility.
- 21 There were 427 comments received on the Mosgiel Pool on feedback forms and feedback cards in the 2018 LTP submissions. The majority of the comments received requested that Council provide a greater level of financial contribution to the pool project. The reasons for the requests for a greater level of funding from the Council were largely around the need for facilities to accommodate the growing Mosgiel population, and an existing pool that is past the end of its asset life.
- 22 As a result, DCC have committed \$10.8m in the 2018-2028 LTP over a three year period commencing 2019 through 2021.
- 23 TCFT have generated the Council target of \$3.2m to date towards the new aquatic facility, and continue to fundraise. As mentioned, the success of this designation will enable further fundraising initiatives.

- 24 DCC staff ran two community consultation events in September 2018 on the proposed designation – one for users of the area, including football, rugby, cricket and athletics clubs, and one for neighbours of the area, alerted via letter drop and community board.
- 25 There was general acknowledgement by the sports clubs that the designation will cater to the needs of the sportsfield users.
- 26 The drop-in session was attended by a number of neighbours and interested members of the public. The issues raised have been considered by the applicant and Council's experts and addressed in their evidence. Where possible, conditions have been proposed to address these concerns.
- 27 Overall support has been received on the NOR for the proposed designation, with 12 submitters in support and 1 neutral, to 9 in opposition.
- 28 Council staff have since spoken with the one neutral submitter A. Coleman whose concerns were alleviated.

Positive effects of the designation

- 29 The designation will assist to realise the following positive effects:
- (a) Ease of maintenance, development and improvement of community and recreation amenities in the future;
 - (b) Simplification of planning processes;
 - (c) Flexibility around the location of future developments, including the aquatic centre;
 - (d) Clear demarcation of Mosgiel's primary sporting, recreational and community hub;
 - (e) Enabling the future provision of all sporting recreational and community activities in one place; and
 - (f) Protection of existing amenity values for both users of the space and neighbours.

Driver of designation

- 30 The provision of a new aquatic facility is an important driver of the proposed Mosgiel Community and Recreational Designation.
- 31 The incorporation of the surrounding reserve space in the designation will help to contribute to the establishment of a community and recreational hub into the

future, simplifying planning processes and enabling a cohesive approach to future-proofing the area.

Reserve and Reserves Act 1977

- 32 The Peter Johnstone Park, Memorial Park and Memorial Gardens are all held by Council as a reserve under the Reserves Act except the lower half of memorial gardens, and the land for the existing pool (see plan **attached**). This means that there are statutory requirements for Council to follow in managing the reserves. Council has a role as administrator of the reserve and also needs to make decisions that are consistent with the Reserves Act and the general policies on management of reserves. As manager of all these facilities, Council needs to balance the competing uses of the reserves and make decisions on the most appropriate uses and configurations. These uses change with the seasons, for example requiring cricket pitches in the summer and rugby fields in the winter, as well as over time, with sports codes declining or increasing in popularity. There are a range of considerations that need to be balanced and it is considered that these decisions are most appropriately made by the Council in its capacity as reserves manager. This explains why the designation is designed to provide flexibility so that community and sporting uses are recognised as appropriate under the Resource Management Act but the specific location and types will need to be balanced and provided for by Council in its capacity as reserve manager.
- 33 A good example of this is the new Aquatic Centre. The Aquatic Centre has not yet reached the stage of detailed design, and the designation is key to further fundraising efforts to ensure that it is fully funded and can proceed. Once fully funded then the Aquatic Centre can be designed in detail. The design will need to take into consideration a range of other uses and constraints that already exist at the parks. Many of the submitters have expressed concerns that the new Aquatic Centre will be built within the Memorial Gardens, and thereby destroy a valued and important community amenity. While Council has not yet selected a site for the new Aquatic Centre, there is no intention to place the new facility on this site, as Council recognises the importance of protecting the Memorial Gardens as a significant community amenity. The Memorial Gardens have been included in the overall designation site to ensure the same level of protection as Memorial and Peter Johnstone Parks. On behalf of the Applicant, the Council has offered a condition on the designation that the new Aquatic Centre or its carpark is not to be located in the Memorial Gardens to provide a level of certainty that this is not the intention. I am satisfied that this is an appropriate condition, that Council can properly comply with when it comes to carry out final site selection of the new Aquatic Centre.
- 34 I confirm on behalf of the Applicant that the other conditions recommended in Ms Taylor's evidence are acceptable to the Applicant and should provide the right

balance enabling activities to occur, while respecting the existing amenity of nearby neighbours.

Conclusion

- 35 In summary, this designation will secure the future of Mosgiel Memorial Park, Memorial Gardens and Peter Johnstone Park for the enjoyment of the Mosgiel Community and the wider recreational and sporting demands of Dunedin City. The designation will enable the development of a new aquatic facility and other community or recreation facilities to support the Mosgiel community, whilst protecting the many amenities and features that make the area so valued.

A handwritten signature in black ink, appearing to read 'Robert West', with a stylized, cursive script.

Robert West

31 January 2019



Pt Sec 6 Blk VI East Taieri SD
Owner: DCC
Title: OT281/68
Freehold - Not a reserve

Lot 1 Blk V DP 3697
Owner: DCC
Title: OT281/68
Freehold - Not a reserve

Pt Lot 2 Blk V DP 3697
Owner: DCC
Title: OT281/68
Freehold - Not a reserve

Lot 3 Blk V DP 3697
Owner: DCC
Title: OT269/299
Freehold - Not a reserve

Sec 1 SO 11828
Owner: DCC
Title: 296322
Pleasure grounds and sports grounds
(Reserve under Reserves Act 1977)

Lot 1 DP 9385
Owner: DCC
Title: 289571
Recreation Reserve

Lot 2 DP 9385
Owner: DCC
Title: 289572
Recreation Reserve

Lot 8 DP 25666
Owner: DCC
Title: OT17D/61
Freehold

Sec 25 Blk VI East Taieri SD
Owner: DCC
Title: OT3A/968
Local Purpose Reserve (Scout Hall)

Pt Lot 15 DP 8961
Owner: DCC
Title: OT3A/968
Recreation Reserve