



**QUEENSTOWN LAKES DISTRICT COUNCIL
PLAN CHANGE HEARING COMMITTEE**

**PLANNER'S REPORT FOR
PLAN CHANGE 4:**

To rezone North Three Parks as Three Parks Special Zone to enable development for low and medium density residential and business activities

FOR HEARING COMMENCING: 27 June 2012

REPORT DATED: 11 June 2012

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Council

FOR AND ON BEHALF OF THE QUEENSTOWN LAKES DISTRICT COUNCIL

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1. QUALIFICATIONS AND EXPERIENCE

My name is Sue Mavor. I hold the qualifications of BA (Hons) Town Planning and a post graduate Diploma in Planning Studies from Oxford Brookes University. I have 20 years' experience in planning in New Zealand. I have been employed by the Queenstown Lakes District Council as Senior Policy Analyst since 2008.

2. INTRODUCTION

This report has been written in accordance with Section 42A of the Resource Management Act 1991 (RMA) to consider all submissions and further submissions received following the public notification of Plan Change 4 and to make recommendations on those submissions.

As outlined in further detail below, the Plan Change seeks to rezone approximately 46.8 hectares of land to the north of Three Parks, Wanaka as Three Parks Special Zone. This will allow for low and medium density residential and business activities to develop on this land.

Although this report is intended as a stand-alone document, a more in-depth understanding of the plan change, the process undertaken, and the issues and options considered can be gained by reading the Section 32 report and associated documentation. These are available on the Council's website: www.qldc.govt.nz.

The relevant provisions in the Queenstown Lakes District Council's District Plan which are affected by the Proposed Plan Change are:

- Part 12 (Special Zones) by adding some specific provisions for the North Three Parks area of the Three Parks Special Zone to this section.
- Part D Definitions Section by adding a definition of the North Three Parks area.
- Planning maps by changing the zoning of the North Three Parks area from Rural General to Three Parks Special Zone.

This report discusses the general matters raised by submitters, in an effort to assist the Commissioners to reach decisions, and makes recommendations as to whether these submissions should be accepted or rejected.

3. PROPOSED PLAN CHANGE

The purpose of the plan change is to rezone the area of land referred to as North Three Parks area as Three Parks Special Zone to enable development for low and medium density residential and business activities. Such development is in accordance with the Wanaka Structure Plan thus meeting many of Wanaka's needs as a growing community. Refer to Appendix A (proposed plan change) for detail.

The plan change area (as notified) is shown in Figure 1 below.



Figure 1 – Plan Change area

The rezoning of this land stemmed from the Wanaka 2020 community workshops in 2002, which identified the area and its proposed uses. Following this, the Council produced a Growth Options Study which paved the way for the Growth Management Strategy, which established the Council's policy on where growth should occur. In line with the Growth Options Study and the Wanaka 2020 Plan, the draft Wanaka Structure Plan was produced. The first version was adopted in 2004 as a working draft only, in order to enable full consideration of the transport effects of the development proposed and more consideration of the amounts of land needed to cater for the next 20 years of growth prior to adopting it in its final form.

The transport implications were considered as part of the Wanaka Transport and Parking Strategy while a report produced for the Council entitled Wanaka Land Demands outlined the rationale for the quantities of land provided for in the Wanaka Structure Plan 2007. The Wanaka Structure Plan 2007 was then adopted in its final form by the Council with the resolution that it be implemented through a series of plan changes. Plan Change 4: North Three Parks rezones a proportion of the growth foreseen by the Wanaka Structure Plan.

4. BACKGROUND

4.1 Relationship to other documents and Plan Changes

As outlined above, this Plan Change has a long history stemming back to the Wanaka 2020 community workshop and resultant Community Plan in 2002. In addition to those technical documents specifically produced in the preparation of the Plan Change (as listed in the Section 32 report), the following Council policy documents provide the strategic direction for the Plan Change:

- Long Term Plan
- Wanaka 2020 (2002)
- Growth Options Study
- Growth Management Strategy
- Wanaka Structure Plan (2004)
- Reports on Land Demands
- Wanaka Structure Plan (2007)
- Wanaka Transport and Parking Strategy (2008)

The reports and plan changes referred to above can all be viewed on the council's website:
<http://www.qldc.govt.nz/planning>

4.2 Submissions received and the issues raised

A total of 12 original submissions and 6 further submissions were received. Appendix B contains a summary of the decisions requested, including the further submissions received.

The submitters are as follows:

- Ballantyne Investments Ltd
- NJ Harris
- Loris King
- Ted (CE) Lloyd
- Ministry of Education
- RS Moseby and MF Gordon
- Queenstown Lakes District Council
- Susan Robertson for Robertson Family Trust
- Simon Spencer-Bower
- NZ Transport Agency (NZTA)
- Wanaka Golf Club
- Willowridge Developments Ltd

The following made further submissions:

- Ballantyne Investments Ltd
- NJ Harris
- RS Moseby and MF Gordon
- Susan Robertson for Robertson Family Trust
- NZ Transport Agency (NZTA)
- Willowridge Developments Ltd.

Ballantyne Investments Ltd and RS Moseby and MF Gordon further submitted on their own original submissions, as well as other original submissions. It is presumed that this is an error. Ballantyne Investments Ltd also further submitted on original submissions PC4-17 and PC4-36 but stated that they were neutral and neither supported nor opposed these submissions respectively. These further submissions do not fulfil the requirements of Section 8(2) of the First Schedule of the RMA which states that "*A further submission must be limited to a matter in support of or in opposition to the relevant submission made under clause 6.*"

4.3 Late submissions

The following late submissions were received after the date specified in the public notice for the close of original submissions:

- Ministry of Education
- Wanaka Golf Club
- Ted (CE) Lloyd

Under Section 37(1)(b) of the Resource Management Act 1991 the Council is able to waive a failure to comply with the closing date for submissions.

The commissions need to take into account the requirements of Section 37A to determine whether these late submissions should be accepted.

Section 37A states:

“(1) A consent authority or local authority must not extend a time limit or waive compliance with a time limit, a method of service, or the service of a document in accordance with section 37 unless it has taken into account—

- (a) the interests of any person who, in its opinion, may be directly affected by the extension or waiver; and*
- (b) the interests of the community in achieving adequate assessment of the effects of a proposal, policy statement, or plan; and*
- (c) its duty under section 21 to avoid unreasonable delay.*

(2) A time period may be extended under section 37 for—

- (a) a time not exceeding twice the maximum time period specified in this Act; or*
- (b) a time exceeding twice the maximum time period specified in this Act if the applicant or requiring authority requests or agrees.”*

As these late submissions were received prior to the ‘summary of decisions requested’ being finalised there are no adverse effects in accepting these submissions.

4.4 Report Format

The Resource Management Act (RMA) as amended in October 2009 no longer requires this report to address each submission point but, instead, requires a summary of the issues raised in submissions. Specifically, the Act states:

“To avoid doubt, the local authority is not required to give a decision that addresses each submission individually”

The Act now requires that the submissions are addressed by grouping them according to the provisions of the proposed plan to which they relate or the matters to which they relate. As a result, the individual submission points are not specifically addressed in the following report but, rather, the issues raised are considered. As outlined above, a full list of the submitters, and further submitters, to the plan change is provided in Appendix B. In order to get a more complete understanding of the issues raised, the main body of this report considers the submissions under the following issues.

1. Consistency with the Wanaka Structure Plan
2. Integrated development
 - 2.1 Release of land
 - 2.2 Staging and servicing
3. Roading
 - 3.1 Arterial Road
 - 3.2 Access for the northern part of North Three Parks from State Highway 84
4. Reverse sensitivity effects
 - 4.1 Reverse sensitivity - Golf Course
 - 4.2 Reverse sensitivity - State Highway 84
5. Location and size of open space areas
 - 5.1 Buffer reserve between the Three Parks Commercial Core and medium density sub zone on North Three Parks
 - 5.2 Size of kame and kettle mound reserve
6. Urban design
7. Impact of rezoning on rates and timing of services
8. Appropriateness and details of the Spencer-Bower’s land
9. Policy 4.6. Education facilities
10. Support for the plan change

For each issue the report is structured as follows:

- The issue and submission points – general summary of the issue and main points raised in the submissions.
- Discussion – the reporting planner’s consideration of the submission points for this issue.
- Recommendations and reasons – the recommended approach to responding to the issue and the reasons why the recommended approach is considered appropriate in relation to the RMA.

Appendix F contains draft amended provisions that align with the recommendations made in this report.

5. DISCUSSION OF THE ISSUES RAISED BY SUBMITTERS

Issue 1 - Consistency with the Wanaka Structure Plan

The issue and submission points

The following individuals/organisations submitted and further submitted on the issue of consistency with the Wanaka Structure Plan:

- Willowridge Developments Ltd
- Ballantyne Investments Ltd
- Susan Robertson for Robertson Family Trust
- RS Moseby and MF Gordon

The matters raised are:

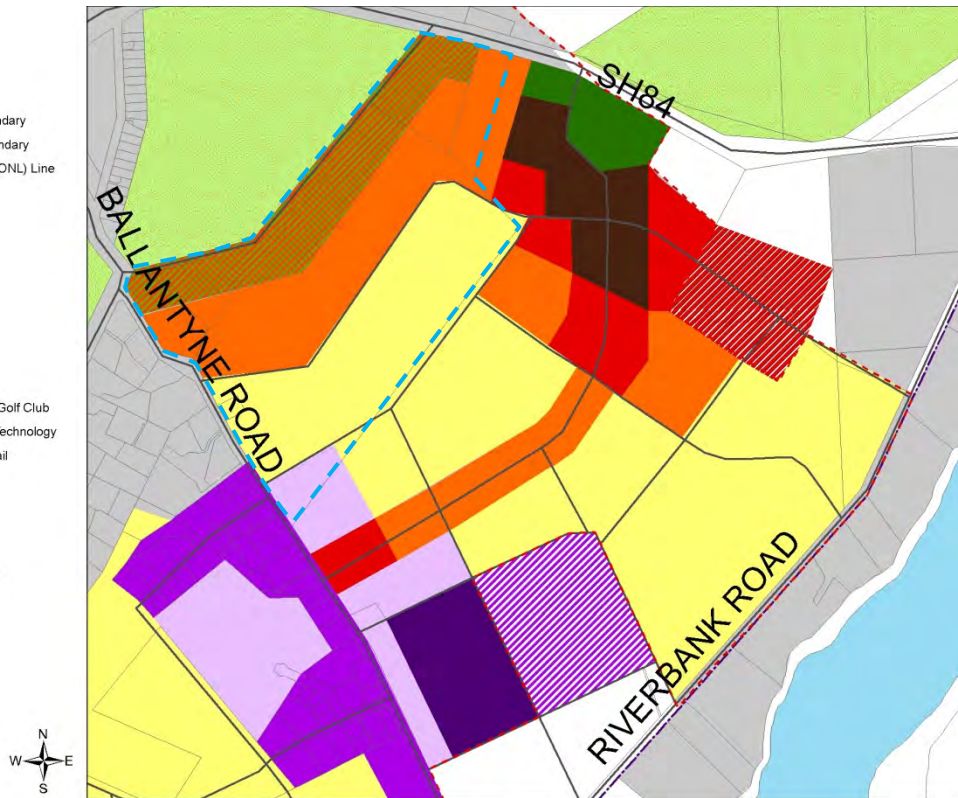
- The proposed zoning in the plan change is inconsistent with the Wanaka Structure Plan in terms of extent and location of land to be zoned for low and medium residential purposes, the mix of visitor accommodation, the extent of the business sub zone and does not include the road connecting Ballantyne Road with State Highway 84.
- The Wanaka Structure Plan had extensive community buy in so the plan change should accurately reflect the Wanaka Structure Plan.
- Support the proposed sub zoning in the plan change as it provides for the best resource management and urban design outcomes.
- No area is zoned for the Wanaka Sports Facilities.
- The Wanaka Structure Plan is 5 years old and the plan change takes into account the changes that have occurred in this area since 2007.

Discussion

The Wanaka Structure Plan was reviewed and adopted by the Council in December 2007. The purpose of the Structure Plan is to provide a tool for the Council to manage growth in Wanaka over the next 20 years. The Wanaka Structure Plan zoning plan for this area is shown below.

Zoning Proposed

- - - Structure Plan Inner Growth Boundary
- - - Structure Plan Outer Growth Boundary
- Outstanding Natural Landscape (ONL) Line
- - - ONL Line Not Confirmed
- Road Network (Indicative)
- Retail Core
- New Open Spaces/Reserves
- Wanaka Town Centre
- Education
- Area Subject to Further Study
- Visitor Accommodation Overlay
- Urban/Landscape Protection
- Existing Open Spaces/Reserves/Golf Club
- Deferred Mixed Business/Office/Technology
- Deferred Future Commercial/Retail
- Commercial/Retail
- Mixed Business
- Existing Business/Industrial
- Industrial Yard based
- Medium/High Density Residential
- Low Density Residential
- Landscape Protection Area
- Mixed Use Zone
- Existing Zoned/Developed Areas
- Water
- Plan Change area



Indicative zone boundaries only, subject to review at implementation stage

Figure 2 – Wanaka Structure Plan Zoning Plan

Relevant extracts from the Structure Plan are:

“The Structure Plan is intended to provide a framework to guide growth management in Wanaka. It is an expression of the strategic intent of the Council. Council’s intention is to translate the actions identified in the Structure Plan into appropriate statutory documents.

This means that the Council will undertake Plan Changes to enable the implementation of key aspects of the Structure Plan through the District Plan, which includes defining the identified growth boundaries for Wanaka within the District Plan; consider rezoning areas identified as being within the inner growth boundary; and ensuring that appropriate objectives, policies and rules are provided within the District Plan to ensure that the intended development outcomes for these areas are achieved.”

The Structure Plan provides a tool to manage growth but does not and cannot outline the precise location for zoning on specific land. Such a strategic document cannot go down to this level of detail. The exact location for the low and medium density residential and business sub zones in the North Three Parks area was determined based on the overall urban design outcomes for the area. This is consistent with key recommendation numbers 19 and 23 from the Wanaka Structure Plan below:

“19. Ensure that the layout of new development areas responds to the site context, site characteristics, setting, landmarks and views...”

...23. Ensure that any higher density development is appropriately designed and located to enable for diversity of housing choice while retaining the overall low density character and feel of the settlement.”

The subzones in the Three Parks Structure Plan are not exactly consistent with the Wanaka Structure Plan. However, the sub zone areas and types are generally consistent with the Wanaka Structure Plan. A visitor accommodation overlay has not been included in accordance with the Wanaka Structure Plan. This is because the rules within the Three Parks medium density residential sub zone allow for some visitor accommodation. The road connecting Ballantyne Road with State Highway 84 shown on the Wanaka Structure Plan is inconsistent with the Wanaka Transportation and Parking Strategy 2008 so is not proposed through this plan change.

This demonstrates that the Wanaka Structure Plan is tool for strategic planning. The detailed planning has occurred based on urban design principles and other resource management matters at the more detailed plan change stage. This will be further refined through the Outline Development Plan/Comprehensive Development Plan and subdivision process.

No area is zoned for the Wanaka Sports Facilities as when this plan change was drafted the exact location had not been determined as the stakeholder agreements were still to be signed by the landowners. A notice of requirement for the Wanaka Sports Facilities is planned to be lodged with Lakes Environmental in June 2012. The sports facilities are proposed to be located adjacent to the recreation reserve in the south eastern part of the plan change area and on Three Parks. See Appendix C.

Recommendations and Reasons

It is recommended that the Structure Plan for North Three Parks remains unchanged. The detail of the location and amount of low and medium density zoning, and business zoning has been formulated based on urban design principles and other resource management matters. These principles and the proposed layout will ensure coordinated development with the adjacent Three Parks Zone and integration with the existing surrounding uses.

Issue 2 - Integrated development

2.1 *Timing of release of land*

The issue and submission points

The following individuals/organisations submitted and further submitted on the issue of timing of release of land:

- Willowridge Developments Ltd
- Loris King
- Ballantyne Investments Ltd
- Susan Robertson for Robertson Family Trust
- RS Moseby and MF Gordon

The matters raised are:

- There should be clear evidence of sufficient demand before residential or business land is released.
- A thorough and current analysis needs to be done to determine actual residential demand and supply requirements before residential land is released.
- No business land should be developed in the plan change area until all available land zoned commercial in the Wanaka Town Centre and expansion of the commercial zoning has been developed.
- Use of a deferment mechanism for residential zoning will ensure that there is no piecemeal development and the comprehensive planning approach of the Three Parks Zone is not undermined.
- There should be no deferment of residential zoning.
- Willowridge Development Ltd is a trade competitor and seeking to gain a commercial advantage.

- Business zoning in the plan change area is for light industrial uses rather than for retail or other Town Centre commercial uses.
- The development of the business zone will not be to the detriment of the Wanaka Town Centre so no deferment mechanism is required for the business zoning.
- A deferment mechanism should be linked to the staging of development in the plan change.

Discussion

Residential land

Increasing the supply of residential land can be beneficial so long as it does not undermine the urban form of Wanaka. The strategic planning in the Wanaka Structure Plan indicates that growth in North Three Parks is appropriate. In fact the Structure Plan states that:

“The Structure Plan will not incorporate a detailed ‘staging plan’, but will consider preferred staging principles when the structure plan is implemented into the District Plan. Initial investigations indicate that urban development is preferred south of the existing golf course (bound by SH84 and Ballantyne Rd)... “

In this plan change it is recognised that there is no shortage of undeveloped residentially zoned land in Wanaka. The section 32 report states that:

- *“Although the recent update of the dwelling capacity model (July 2010) shows that there is a considerable amount of land capacity already zoned for residential in Wanaka much of this land is for low density residential development. The Plan Change zones land for medium density residential development as well as low density development. This Plan Change provides for a range of housing densities that are not currently widely available in Wanaka e.g. medium density residential.*
- *It is important to provide for some housing at the more affordable end of the market. Having a large supply of land for housing can be positive, so long as the other outcomes sought by the community are not undermined.*
- *Development will be staged to ensure the market is not flooded with residential land.”*

While there is a lot of residential land provided within both Three Parks and North Three Parks, it is sensible to identify the future use of all this land at the outset in order to be able to provide certainty of outcome and to avoid discretionary resource consents being applied for on what would otherwise be Rural General zoned land.

It is not considered necessary or useful to undertake an analysis to determine actual residential demand and supply requirements and then include a deferment method to ensure that no further residential land is released for residential development until sufficient demand is created and evident. Wanaka has an adequate supply of residentially zoned land to cater for many years. However the projected growth figures for Wanaka do show that this land will be needed to cater for future growth.

Developers will not develop residentially zoned land unless there is a demand for it and a market for it. This plan change is being pursued now as it:

- provides long term planning for growth.
- creates a long term vision for the form and type of development of this area that integrates with the existing surrounding uses.
- coordinates development on the site with the Three Parks Zone instead of development occurring through ad hoc resource consents.

- the land lies between the Wanaka Town Centre and the Three Parks Special Zone and is a logical progression of development from the urban area in accordance with the Wanaka Structure Plan.

The residentially zoned land in Three Parks is also over and above the immediate future demand for residential zoned land. It was not considered necessary to put deferment provisions relative to demand for residentially zoned land in the Three Parks Special Zone. This is because the commissioners for Plan Change 16 felt that the policies, staging requirements of the zone, the policies and assessment matters for the ODP, together with the market and the availability of services, will control where and when residential land will be developed. It is exactly the same for this plan change.

Business land

The purpose of the Business sub zone is outlined in the District Plan provisions for the Three Parks Special Zone. This subzone provides for *“light industrial activities, wholesaling, showrooms, trade-related retail, and those retail activities which are inappropriate in the Commercial Core or can locate in the Business subzone of the Three Parks Zone without detracting significantly from the Town Centre or the Commercial Core within the Three Parks Zone. The intention is to ensure that main street retail aimed at the general public does not ‘leak’ into this area and undermine the Wanaka Town Centre or the Commercial Core and cause competition in the Business subzone between business uses and retail.it is accepted that buildings and activities in the remainder of the business area (not the main street precinct) will not necessarily always provide an attractive street frontage or be of such high quality design.”*

This sub zone provides for a very different type of business use than in the Wanaka Town Centre Zone or Three Parks Commercial Core Sub Zone. As it does not provide for main street retail it will not affect development in the Wanaka Town Centre Zone or in the Commercial Core subzone of Three Parks. So there is no need to defer development in this business sub zone until all the available land zoned commercial in Wanaka Town Centre Zone and Commercial Core subzone of Three Parks has been developed.

The business sub zone in the plan change is a logical extension, along Ballantyne Road, of the existing Business sub zone in Three Parks up to the existing electricity substation within North Three Parks. It provides for 1.5 hectares of business land. It is not considered necessary to include a deferment method into this plan change to ensure that no business land in North Three Parks is developed until sufficient existing business land is developed. The amount of business land is small and business activity already exists across Ballantyne Road for much of the area. Therefore the effect of piecemeal business development in this area will be minimal. The policies, staging requirements of the zone, the assessment matters for the Outline Development Plan, together with the market and the availability of services, will control where and when business land will be developed. It is acceptable to let these matters determine which business sub zone areas are developed first.

Staging of development within the Three Parks Special Zone

Policies 4.3 and 4.5 of the Three Parks Special zone address staging and state:

Policy 4.3 To ensure development is staged in a manner which results in a logical progression of development, the cost effective provision of infrastructure, an appropriate mix of uses, and a consolidated urban form.

Policy 4.5 To ensure that development and subdivision does not occur unless appropriate infrastructure is in place to service it.

These policies and the requirement as part of the Outline Development Plan that previous stages need to be intensified prior to moving onto new ones will ensure that residential development is not 'opened up' on too many fronts (which would otherwise result in inefficiencies and disjointed development). More specific deferment provisions linked to the staging of development in the Plan Change are not therefore necessary.

However because this plan changes adds land to the already existing Three Parks Zone there will be two Indicative Staging Plans (the existing indicative staging plan for Three Parks and the indicative staging plan (from this plan change) for the North Three Parks area). To ensure that residential land is not opened up in distinct unconnected areas at the same time the staging plans should be amalgamated into one overall Indicative Staging Plan for the Three Parks Special Zone. However as the Three Parks Indicative Staging Plan is not part of this plan change this can only be achieved with the agreement of the landowners through another process such as the District Plan Review.

Recommendations and Reasons

It is recommended that:

- no deferment mechanisms for residential and business development are added to the Three Parks Zone for the North Three Parks area.
- the Council and the landowners work together to formulate an overall Three Parks Indicative Staging Plan for the whole of the zone through another process, such as the District Plan Review.

The staging requirements of the zone, the policies and assessment matters for the ODP, together with the market and the availability of services, will control where and when residential and business land will be developed. The staging plan for the overall Three Parks Special Zone should be amended to ensure there is comprehensive staging for the whole of the residential development within the Three Parks Special Zone. It is suggested that the main landowners work with the Council through another process, such as the District Plan Review, to determine this overall staging plan.

2.2 Staging of servicing

The issue and submission points

The following individuals/organisations submitted and further submitted on the issue of timing of release of land:

- Willowridge Developments Ltd
- Ballantyne Investments Ltd
- RS Moseby and MF Gordon

The matters raised are:

- There is a need for servicing agreements to be established between Willowridge Developments Ltd. and Ballantyne Investments Ltd. for the provision of the services for North Three Parks that come over Three Parks land.
- An agreement already exists.
- There is more than one developer for North Three Parks.

Discussion

Many of the services for North Three Parks do come across Willowridge Developments Ltd land. Therefore much of the development of North Three Parks is dependent on the timing of the provision of these services. This matter has been raised by Council staff through the development of this plan change. Ballantyne Investments Ltd representatives have assured Council staff that such agreements are already in place. If these are not in place or do not contain sufficient detail the Council encourages the landowners to make such

arrangements. These discussions should include all landowners in the North Three Parks area.

Recommendations and Reasons

It is recommend that the landowners work together to create servicing agreements to ensure sensible progression of development of this area of Wanaka.

Issue 3 - Roading

3.1 Arterial Road

The issue and submission points

The following individuals/organisations submitted and further submitted on the issue of the alignment of the arterial road through North Three Parks:

- Willowridge Development
- Ballantyne Investments Ltd

The matters raised are:

- That the current arterial road shown on the North Three Parks Structure Plan is incompatible with Three Parks.
- That the current arterial road shown is compatible with the Three Parks Structure Plan.
- An additional road linkage, an arterial road, linking Golf Course Road corner to the Three Parks commercial core should be considered as it would be a more efficient link to Wanaka Town Centre and alleviate pressure on the access to and from State Highway 84.
- This proposed new arterial road would not be feasible.

Discussion

The collector road shown on the North Three Parks Structure Plan links the commercial area in Three Parks and Ballantyne Road. The intersection with Ballantyne Road is currently in the approximate location as shown on the Wanaka Structure Plan. This alignment was chosen as it links to the collector road on Three Parks and is a central route which enables local roads to feed off it in a grid format. The maximum distance to the collector road from within the suburban and urban areas in North Three Parks ranges from 150 to 250 metres.

Policy 3.1 of the Three Parks Zone requires the urban structure (including roads) to be well connected and specifically designed to... *“reduce travel distances through well connected streets”*. Policy 12.1.2 requires the street layout and design to be well connected and to be safe for vehicles, cyclists and pedestrians. The Urban Design Framework seeks to achieve connectivity by providing a roading hierarchy. The central collector road has been designed and located to be the primary route for vehicle and pedestrian movement and to connect to the surrounding street network outside the plan change area. The collector road has medium density urban form along much of it providing a strong edge to help define the road as a principal street.

The advice from the Council’s consultant Traffic Engineer, Appendix D, states that *“The proposed PC4 collector road provides a connection from Ballantyne Road to the Three Parks commercial core, and is considered to provide a functional layout that achieves a sound framework for the PC4 area network as well as integration with the Three Parks network and land uses. The proposed hierarchy will be further reinforced through design standards that make the class of the road easily understood by road users.”*

The exact location of the intersection of the collector road with Ballantyne Road has not been determined as more detailed design work is required to ensure the location of the intersection is safe.

It is not clear why Willowridge Developments Ltd consider that the current arterial road shown is incompatible with Three Parks. It links to the collector road on the Three Parks Structure Plan shown along the north eastern edge of the Three Parks commercial core.

The new alignment for the collector road suggested by Willowridge Developments Ltd is a more direct route to connect to the Wanaka Town Centre. This alignment crosses the western side of the plan change area (Spencer-Bower property) which is described as a terminal moraine landform. It is steep hummocky terrain with deep hollows. This type of terrain would be expensive to develop a collector road through due to the amount of earthworks required. Also this part of the plan change area is under a different ownership (Spencer-Bower) from the main bulk of the land. It is expected that this area will be developed at a much later stage than the main part of the plan change area. The collector road needs to be built at the early stages of development to enable local roads to be built off it and for connectivity and good urban design outcomes to result.

The new alignment for the collector road suggested by Willowridge Developments connects onto Ballantyne Road at Golf Course Road corner. There have been two reported accidents at this corner one of which resulted in a serious injury. The Council's consultant Traffic Engineer states that that this location, for an intersection, has geometric deficiencies that will require detailed design to resolve. This is likely to include some realignment of Ballantyne Road with associated land acquisition. He states that the intersection location proposed on the North Three Parks Structure Plan also has *"geometric deficiencies that will require detailed design to resolve."*

Due to the matters outlined above the location proposed by the submitter for the collector road will not be feasible.

Recommendations and Reasons

It is recommended that the location of the collector road on the North Three Parks Structure Plan remains where it is. This is because the revised alignment proposed by the submitter will not be feasible.

3.2 Access for the northern part of North Three Parks from State Highway 84

The issue and submission points

The following individuals/organisations submitted and further submitted on the issue of access for the northern part of North Three Parks from State Highway 84:

- Willowridge Development
- Ballantyne Investments Ltd
- NZTA
- RS Moseby and MF Gordon
- Susan Robertson for Robertson Family Trust

The matters raised are that:

- The two main developers need to agree on intersection design and cost sharing and ensure that there will be no capacity issues for the roundabout with State Highway 84.
- An additional access for North Three Parks to the State highway is necessary to resolve capacity issues and provide for good connectivity for landowners fronting State Highway 84.

- An additional access for North Three Parks northern properties via an additional leg onto the proposed roundabout is needed.
- Single access off State Highway 84 does not provide a satisfactory outcome for all landowners in north North Three Parks as:
 - they are then dependant on the development of land owned by Ballantyne Investments or Willowridge.
 - that State Highway 84 access to North Three Parks via Three Parks is not a logical roading connection.
 - such access is dangerous in emergency situations and dependent on the timing of North Three Parks project.
- One access point to the State highway is supported as an additional access from the State highway could adversely affect the highway's safety and functionality.
- An alternative access point to State Highway 84 could be from the Three Parks main street around the Tourism and Community Facilities subzone to the two properties in the northern area of North Three Parks.
- The design of the roundabout is not a matter for this plan change.

Discussion

Access to the State highway from North Three Parks is proposed utilising the proposed roundabout for Three Parks. This confines access to the State highway in this area to a single point. This is supported by NZTA.

One of the issues raised in submissions is that the two main developers need to agree on intersection design and cost sharing and ensure that there will be no capacity issues for the roundabout with State Highway 84. This is a sensible suggestion and is encouraged. However this plan change process cannot require this to happen.

The other issue relates to direct access for the northern two properties in North Three Parks to the State highway. Currently RS Moseby and MF Gordon and Susan Robertson for Robertson Family Trust each have individual access to the State highway from their properties. NZTA has stated that when these properties have reasonable practicable alternative legal access to some other road then the existing additional State highway accesses will be permanently and physically closed.

The North Three Parks Structure Plan shows that these properties have two proposed access points. One is proposed via local roads from the Three Parks main street. This access is not directly to the Three Parks main street but via a number of local roads prior to joining Three Parks main street. The other roading access is via roads from the intersection with Ballantyne Road. These landowners state that the proposed access to State Highway 84:

- is dependent on the development of land owned by Ballantyne Investments Ltd or Willowridge Developments Ltd.
- is not a logical roading connection for them.
- is dangerous in emergency situations and dependent on the timing of North Three Parks project.

Under Section 95 of the Land Transport Management Act NZTA has the function, amongst other things, to:

- promote an affordable, integrated, safe, responsive and sustainable transport system.
- manage the State highway system.
- to assist, advise and co-operate with approved organisations (such as local territorial authorities).

NZTA have stated that they anticipate that both Three Parks and North Three Parks will utilise a common connection to State Highway 84. This is because having additional accesses onto the State highway could adversely affect its safety and functionality.

Council has no authority for decision making regarding access to State highways. However Council's consultant Traffic Engineer states that *"Provision of an additional access onto SH84 is not supported based on it not being consistent with the Structure Plan and Transportation Strategy, reducing the functionality and efficiency of the State highway and not meeting the minimum recommended intersection separation requirements."*

He also provides comment regarding some of the alternative options for access suggested in submissions. For the suggested provision of a fourth leg onto the roundabout he states that *"the provision of a fourth leg onto the roundabout (resulting in a "K" layout) cannot be supported based on the likely negative impacts on operation, safety and the road hierarchy. It is likely the currently proposed roundabout will have dual circulating lanes linking the two arterial roads. The suggested fourth leg would be a local access road, which good planning would link to a local connector at a minimum safe distance from the roundabout, as is proposed."*

So neither access directly to the State highway for these properties or another leg onto the roundabout are supported by NZTA or the Council's consultant Traffic Engineer. So neither are considered an acceptable solution to this issue.

An alternative solution has been suggested by a submitter as access directly from the Three Parks main street through Three Parks land to link directly with these two properties. This access would be more direct route to the State highway. This proposal is not supported by Council's consultant Traffic Engineer who states that *"this is not supported based on the resultant road hierarchy that would link a local road/home zone to an arterial. The proposed PC4 hierarchy provides access to this area via a local connector, which is considered appropriate. It is likely that a direct link would be used as a 'rat run' by other residents, due to the route being shorter than the proposed local connector route, resulting in complaints from the northern area residents it was intended to serve."*

Council's consultant Traffic Engineer does not agree that the proposed roading layout for the northern area of North Three Parks would be inconvenient or dangerous for residents in an emergency situation.

Recommendations and Reasons

It is recommended that:

- the roading layout on the North Three Parks Structure Plan remains as it is.
- Willowridge Developments Ltd, Ballantyne Investments Ltd and NZTA are encouraged to meet to discuss and agree on intersection design and cost sharing and ensure that there will be no capacity issues for the roundabout with State Highway 84.

The reasons for these recommendations are:

- Amended access directly to the State highway or via a fourth leg on the proposed Three Parks roundabout is not acceptable as they could result in adverse effects on the safety and functionality of the State highway.
- Access directly to Three Parks main street is not acceptable as it is not consistent with the roading hierarchy and is likely to be used as a 'rat run'.
- It is important that Willowridge Developments Ltd, Ballantyne Investments Ltd and NZTA meet to discuss and agree on intersection design and cost sharing and ensure that there will be no capacity issues for the roundabout with State Highway 84 but this cannot be required through this plan change.

Issue 4 - Reverse sensitivity effects

4.1 Reverse sensitivity - Golf Course

The issue and submission points

The following individuals/organisations submitted and further submitted on the issue of reverse sensitivity effects-Golf Course:

- NJ Harris
- Loris King
- Simon Spencer-Bower
- Wanaka Golf Club
- RS Moseby and MF Gordon
- Ballantyne Investments Ltd
- Susan Robertson for Robertson Family Trust
- Willowridge Developments Ltd

The matters raised are:

- Reverse sensitivity - the golf course:
 - Shading of new development by golf course trees
 - Ball strike of new development from the golf club
 - Other possible conflicts
 - Fear of pressure to remove the trees as a result of complaints from owners of new development adjacent to the linear park.

Discussion

The Urban Design Framework and Structure Plan recognise that development close to the golf course may result in adverse effects on the proposed residential/visitor accommodation development. These effects have been identified as possible ball strike from wayward golf balls and shading from the double row of Douglas Fir trees just inside the golf course boundary. The Urban Design Framework, Structure Plan and plan provisions address these potential reverse sensitivity issues by:

- Identifying a linear reserve for a walking and cycling track along the boundary of the Golf Course on the Structure Plan and Open Space Plan.
- Including a rule requiring buildings on properties adjacent to this linear reserve to set back 10 metres from the boundary of the linear park.

Submitters suggest the following to address this reverse sensitivity issue:

- Set the residential zoning back further than proposed from the golf course boundary.
- Put a “no complaints covenant” on the residential properties regarding shading from the golf course trees.
- Put a “no complaints covenant” the residential properties regarding ball strike.
- Construct a road along the full length of the golf course boundary to partially alleviate shading of residential dwellings and protect the golf club from litigation from property owners who have damage from stray golf balls.
- Set a maximum tree height for the golf course trees to mitigate shading effects.
- Retain the proposed linear park and set back of development rule.

Two parallel rows of Douglas fir trees are located on the golf course along the full length of the boundary. These trees are about 25 metres in height.

The combination of the 15-20 metre linear reserve and the 10 metre set back rule means there is between 25 and 30 metres separation between future residential development and

the golf course boundary. This separation distance is more than adequate to address ball strike issues for any golf balls that manage to penetrate this thick line of trees.

As a result of the height of these trees and their orientation the greatest shading effects will be felt on winter afternoons. The effects will be greatest along the western side of this boundary with the golf course. No detailed shading diagrams have been created at this stage as the land and the height of the trees have not yet been surveyed. However it is likely that some of the properties along this western edge will be in partial shade in the afternoon in winter.

Two remedies have been suggested for this potential effect. Firstly to increase the setback of development from the golf course by increasing the width of the linear reserve. Secondly to set a maximum tree height that the golf course trees must be kept under.

The Urban Design Framework establishes some urban design principles about the use of the reserve and how residential development relates to it. The linear park *“provides an activated edge to the golf course consisting of a pedestrian walkway and a designated cycle path. The linear form capitalises on the north-westerly aspect, while offering greater perimeter edge to the higher intensity built form thereby maximising overlooking”*.

Council’s Urban Designer disagrees with increasing the setback of the residential zoning from the boundary. He states that *“any further increased width of the park environment should be viewed in the context of the relationship between built form and the overall experience of people utilising this environment. In this regard increasing the width of the park has the potential to degrade the positive relationship the future built form can present to the park by providing for passive surveillance, providing a strong edge to the park and ensuring this park is integrated into the overall development as opposed to simply providing a setback from the golf course.”* He concludes that there would be *“potential negative effects associated with an increased setback in reducing the relationship between the built form and the park and the ability of the park to be successfully integrated into the overall development.”*

The suggestion of a requirement to keep the golf course trees trimmed within a certain height would reduce shading effects. There is a rule within the Three Parks Zone that controls the height of boundary planting (rule 12.26.4.3.10). However such a rule cannot be established for the boundary trees on the golf course as part of this plan change as the trees are not located on the plan change land. Control of the height of the golf course trees can, however, be the subject of a separate agreement between the landowner and the golf course.

The Structure Plan is designed to establish broad layout for development on the North Three Parks area rather than set out the precise location of individual activities. All development is expected to be consistent with the Three Parks Structure Plan. The provisions of the plan change allow for the movement of subzone boundaries up to 20 metres from their location on the Structure Plan. All roads and other elements shown as ‘indicative’ on the Structure Plan may be moved or varied provided they are generally in accordance with and achieve the Three Parks Structure Plan and the relevant objectives and policies. The precise location of activities will not be established until the Outline Development Plan/Comprehensive Development Plan stage. Survey information will be available at that stage to ensure the potential shading effects are accurately addressed. Assessment matter 12.26.4.5(ii)(w) addresses reverse sensitivity issues and issues arising from potentially incompatible uses.

Recommendations and Reasons

It is recommended that the width of the linear reserve adjacent to the Golf Course and the rule requiring development to set back 10 metres from the boundary with the linear reserve are not changed.

The width of the linear reserve and the rule requiring development to set back from the boundary with the reserve are adequate to protect from ball strike. Any increase in the width of the linear reserve will have potential negative effects as it will reduce the relationship between the built form and the park and the ability of the park to be successfully integrated into the overall development. The provisions for Outline Development Plan/Comprehensive Development Plan will ensure that detail of this shading effect is determined and addressed at this time.

4.2 Reverse sensitivity – State Highway 84

The issue and submission points

The following individuals/organisations submitted and further submitted on the issue of reverse sensitivity effects in relation to State Highway 84:

- NZTA
- RS Moseby and MF Gordon
- Ballantyne Investments Ltd
- Susan Robertson for Robertson Family Trust
- Willowridge Developments Ltd

The matter raised is:

- Reverse sensitivity between sensitive uses (residential, visitor accommodation and retirement villages) and traffic noise from the State highway.

Discussion

NZTA are concerned about the potential reverse sensitivity effects of State highway noise on the future residential development in the plan change area. They propose either:

- increasing the width of the open space land adjacent to the State Highway 84 road reserve to 80 metres or
- requiring all residential dwellings, visitor accommodation and retirement villages within 80 metres of the seal edge of State Highway 84 to be designed and constructed to meet noise performance standards for noise from traffic on State Highway 84 that will not exceed 35dBA Leq(24hr) in bedrooms and 40dBA Leq(24hr) for other habitable rooms in accordance with the satisfactory sound levels recommended by Australian and New Zealand Standards AS/NZ2107:2000 Acoustics - Recommended design sound levels and reverberation times for building interiors.

Their submission states that either of these methods will take account of any increases in noise from projected traffic growth during a period of not less than 10 years from the commencement of construction of the development.

Other submitters consider both that the increased setback and a sound attenuation rule for new buildings are unnecessary as when the roundabout is constructed on the State highway the speed is likely to be lowered so the depth of reserve required will reduce.

The plan change proposes a landscape buffer of reserve of 20 metres between the medium density residential sub zoning and the State highway. The purpose of this is to buffer development from the State highway and provide an attractive entrance to Wanaka when traveling along the State highway.

Under the NZTA Planning Policy Manual if the speed environment is greater than 70km/h a setback of 80 m is required. If the speed limit is less than 70km/h a setback of 40 m is required. The current speed limit along this part of State Highway 84 is 80km/h. It would be helpful if NZTA could provide further expert evidence at the hearing on whether the proposed roundabout will result in a reduction of speed limit along this part of the State highway thus reducing the required setback of residential type development from the State highway.

Council's Urban Designer states that it is *"important to consider the context of this environment where a new roundabout on the State Highway will present a signal to people entering Wanaka. The roundabout will represent a 'gateway' element from which point people will begin to enter Wanaka. Therefore, it is considered appropriate that built form provides a presence to the highway from this point to strengthen this gateway and entry experience.*

Providing for an 80m setback as suggested in submissions would push development significantly further away from the highway creating a large area of land that would need to be landscaped to ensure an appropriate treatment contributes positively to the entry experience. Given the urban nature of this environment and the fact that the roundabout will signal a change, retaining a limited setback as promoted in the plan change (and therefore adopting other means to address reverse sensitivity issues) would ensure the development can positively contribute to the entry experience into Wanaka. This more 'urban' response is considered appropriate given the roundabout will have signalled a transition from the rural highway context to a slower more urban context as people begin to enter Wanaka. "

It is considered inefficient and undesirable from an amenity and urban design perspective to require an 80 metre setback from the State highway.

The effects of noise from traffic on the State highway may become an issue for residential development in this part of the North Three Parks area. Therefore it is prudent to plan for this possible reverse sensitivity effect by inserting a rule into the Three Parks Special Zone regarding acoustic insulation of residential buildings within a specified distance of the State highway. Such a rule will not affect residential development in Three Parks as the medium and low density residential sub zones are further than 80 metres from the State highway.

NZTA have not stated whether the speed limit of this part of State Highway 84 will reduce to less than 70km/h once the roundabout is constructed. If the speed limit is reduced then the proposed acoustic insulation rule should apply to all residential dwellings, visitor accommodation and retirement villages within 40 metres of the seal edge of State Highway 84. If the speed limit doesn't alter then the rule should relate to all residential dwellings, visitor accommodation and retirement villages within 80 metres of the seal edge of State Highway 84. Non-compliance with this rule will result in a non-complying activity status.

Recommendations and Reasons

It is recommended that:

- The landscape buffer from the State highway is not increased.
- A rule is included to require all residential dwellings, visitor accommodation and retirement villages within 80 metres or 40 metres (dependant on advice from NZTA at the hearing) of the seal edge of State Highway 84 to be designed and constructed to meet noise performance standards for noise from traffic on State Highway 84 that will not exceed 35dBA Leq(24hr) in bedrooms and 40dBA Leq(24hr) for other habitable rooms in accordance with the satisfactory sound levels recommended by Australian and New Zealand Standards AS/NZ2107:2000 Acoustics-recommended design sound levels and reverberation times for building interiors. This is the rule to be inserted into section 12.26.4.3. Performance Standards of the Three Parks Special Zone.

Ref	Standard - Three Parks Low Density Residential, Medium Density Residential, and Medium Density Residential (mixed use) Subzones	Resource consent status if standard not met – All residential subzones, including deferred mixed use		
		LDR	MDR	Deferred MDR (mixed use)
22	<p>Noise –residential activities in the MDR subzone within 40 /80 metres of State Highway 84</p> <p>Buildings for residential activities and visitor accommodation within 80 metres or 40 metres (dependant on advice from NZTA at the hearing) of the seal edge of State Highway 84 shall be designed and constructed to ensure that noise from traffic on State Highway 84 will not exceed 35dBA Leq(24hr) in bedrooms and 40dBA Leq(24hr) for other habitable rooms in accordance with the Australian and New Zealand Standards AS/NZ2107:2000 Acoustics-recommended design sound levels and reverberation times for building interiors.</p>	N/A	N-C	N/A

Any increase in the width of the landscape buffer with the State highway will be undesirable from an amenity and urban design perspective. Therefore a rule regarding acoustic insulation is the appropriate method of ensuring noise from the State highway does not create nuisance effects for adjacent residential development in North Three Parks.

Issue 5 - Location and size of open space areas.

5.1 Buffer reserve between the Three Parks Commercial Core and medium density sub zone on North Three Parks

The issue and submission points

The following individuals/organisations submitted and further submitted on the issue of the buffer reserve between the Three Parks Commercial Core and medium density sub zone on North Three Parks

- Ballantyne Investments Ltd
- Willowridge Developments Ltd
- RS Moseby and MF Gordon

The matters raised in submissions were generally that the Open Space Plan is inconsistent with the Urban Design Framework. The buffer area between the Three Parks commercial area and the medium density housing on North Three Parks is in the Urban Design Framework but is not on the Open Space Plan. This buffer is necessary.

Discussion

This open space area is shown in the Urban Design Framework as a stormwater treatment area incorporating public open space (pg 17). The Structure Plan and Open Space Plan only show the fixed open spaces that relate to key landscape features and the indicative key open space areas. The detailed location of and type of open spaces is to be provided in the Outline Development Plan/Comprehensive Development Plan. Only the indicative key stormwater management open spaces are shown on the Structure Plan with the detailed location and type of stormwater management open spaces being shown on the Outline Development Plan/Comprehensive Development Plan.

Some stormwater soakage and attenuation/storage areas and stormwater treatment areas are shown on the Structure Plan and Open Space Plan as open space. This is because it is proposed that they will have dual use for stormwater treatment and disposal as well as a local reserve. They are located within the landscape buffer adjacent to the State highway (14 on The Open Space Plan), within the reserve over the terminal moraine (15 on the Open Space Plan), and a possible additional stormwater attenuation area over the recreation reserve (16 on the Open Space Plan).

Ballantyne Investments Ltd requested that the stormwater treatment area and soakage area adjacent to the commercial zoning in Three Parks was not included on the Structure Plan or Open Space Plan. This is because they were not certain, at this point in time, that this area would be used for stormwater treatment and disposal. This level of detail would be provided at the Outline Development Plan/Comprehensive Development Plan for Stage 1 of the development.

As the commercial zoning on Three Parks, where it backs onto medium density residential sub zoning on North Three Parks, is an irregular shape it is not certain what form the commercial development will take within this zoning yet. Until this is known it is difficult to know what sort of buffer will be necessary.

Policy 4.4 seeks to ensure that issues relating to potentially incompatible uses are taken into account during the Outline Development Plan/Comprehensive Development Plan process as follows:

4.4 To ensure that issues relating to potentially incompatible land uses are taken into account as part of the Outline Development Plan or Comprehensive Development Plan application.

Also the assessment matters for Outline Development Plan in the residential subzones (12.26.4.5(ii)(w)) and Commercial Core subzone(12.26.7.4(ii)) require Council to consider whether and to what extent reverse sensitivity issues and issues arising from potentially incompatible uses have been minimised. The rules (standard 12.26.7.3.5) within the Commercial Core subzone require buildings to be set back at least 4.5m where the site adjoins a residential sub zone. These requirements will ensure that any reverse sensitivity issues between commercial activities and residential activities will be addressed at the Outline Development Plan stage.

Recommendations and Reasons

It is recommended that no changes are made to the Structure Plan and Open Space Plan regarding the buffer area between the Three Parks Commercial core area and the medium density housing on North Three Parks.

The reasons for this recommendation are that the location of the storm water treatment and disposal reserve are subject to detailed design and final location and the District Plan provisions require the reverse sensitivity effects of locating commercial activity adjacent to medium density residential (and vice versa) to be addressed at the ODP stage.

5.2 Size of kame and kettle mound reserve

The issue and submission points

The following individuals/organisations submitted and further submitted on the issue of the size of the kame and kettle mound reserve.

- Ballantyne Investments Ltd
- Willowridge Developments Ltd
- RS Moseby and MF Gordon

The matters raised in submissions were generally that the Open Space Plan is inconsistent with Urban Design Framework. The kame and kettle reserve is smaller in the Urban Design Framework than on the Structure Plan and Open Space Plan. The landowner wants certainty about the minimum area for the park.

Discussion

The landscape assessment identifies much of the area of land owned by Ballantyne Investments Ltd as being a kame and kettle landform. (See Figure 4. Existing landform in the North Three Parks Assessment of Landscape Character and Values). This landform is *“fluvial deposition which appears to have occurred in close association with retreating glacial ice from the Mt Iron advance, with kettle hollows forming as a result of the melting buried ice. Much of the terrain is softly rolling with a rather irregular arrangement of forms. Humps are generally no more than 2-5m higher than the floors of the hollows. A particularly prominent steep sided and higher hump lies on the west side at the northern end of this type of terrain, adjacent to the golf course.”*

The plan change seeks to protect this prominent landform by putting a reserve around it. It is important that the size of the reserve is sufficient to protect the integrity of the landform. Council’s Urban Designer states that *“providing for the full extent of the kame & kettle mound is considered important to provide some context to the future development of this residential environment and also the meaningful preservation of the original geological landform. This feature and associated open space can provide a landmark and point of interest. Therefore, the size of this space should relate to ensuring the legibility of this feature.”*

The area for this reserve shown on the Structure Plan and Open Space Plan is approximately 90 metres by 100 metres. However it is shown as approximately 75 metres by 90 metres in the Indicative Lot Plan on page 51 of the Urban Design Framework.

Ballantyne Investments Ltd has not surveyed this area so the location and size of the hillock reserve in the Urban Design Framework is purely indicative. The details of the location and the extent of the hillock reserve will be determined at Outline Development Plan stage and subsequent subdivision when a full survey will be undertaken. The provisions for the Three Parks Special Zone allow for *“All roads and other elements shown as ‘indicative’ on the Three Parks Structure Plan may be moved or varied provided they are generally in accordance with and achieve the Three Parks Structure Plan and the relevant objectives and policies.”* Therefore once the survey work has been done it will be possible to delineate exactly the necessary area of reserve to ensure the protection of the integrity of this part of the kame and kettle landform.

It is important to ensure that the reserve is large enough to protect most of the landform. When the contours in the Council GIS system are examined it seems that the area on the Structure Plan and Open Space Plan should be amended to be 95 by 140 metres. See Figure 3 below. This will ensure that the indicative size of the reserve is realistic until more detailed survey work is undertaken.

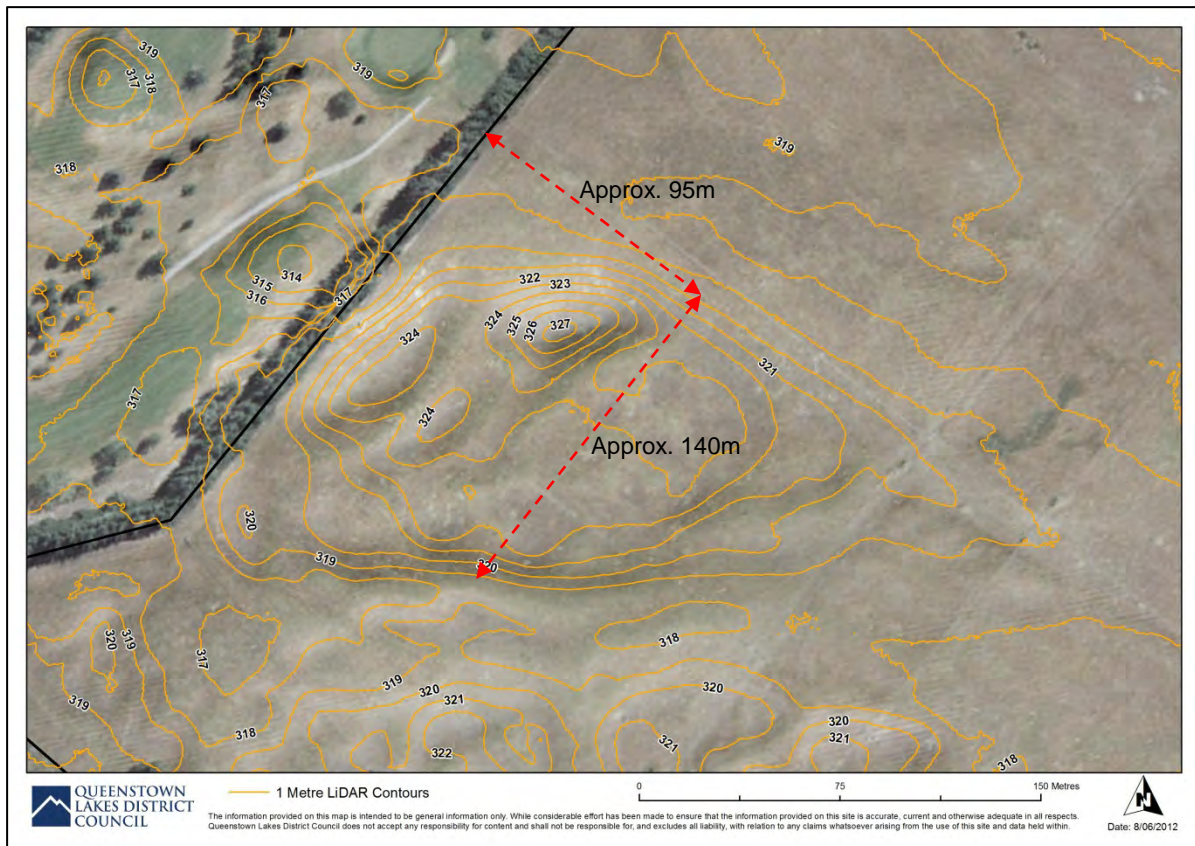


Figure 3 - Plan showing the kame and kettle mound and 1 metre contours

Recommendations and Reasons

It is recommended that the indicative area of the kame and kettle mound reserve on the Structure Plan and Open Space Plan is amended to be 95 metres by 140 metres.

The size of the kame and kettle reserve needs to be amended to ensure the integrity of the landform is protected. The detailed location and extent of the reserve will be finalised through the Outline Development Plan stage and subsequent subdivision when detailed land survey will be undertaken.

Issue 6 - Urban design

The issue and submission points

The following individuals/organisations submitted and further submitted generally on urban design matters:

- Ted (CE) Lloyd
- Ballantyne Investments Ltd

The matter raised in one submission was that it was important the North Three Parks development creates a good entrance to Wanaka. Also that the inclusion of wide verges and tree plantings were required to break up the ridgelines of building roofs. The other submission stated that both the Structure Plan and the Urban Design Framework recognise the significance of the State Highway 84 entrance into Wanaka by providing for additional open space adjacent to the State highway to protect views and provide sufficient space for planting.

Discussion

The plan change provides for (through the Structure Plan, Open Space Plan and Urban Design Framework) a landscaped buffer adjacent to the State highway to ensure that development is buffered from the highway. The urban design framework has indicative cross sections to illustrate the intent of the street environment. These illustrate how the proposed street network can positively contribute to the public domain and identity of the development. The proposed roading hierarchy will ensure a legible network of streets that will be reflective of their context.

The objectives and policies in the Three Parks Zone seek to ensure that:

- *A green network including parks, areas for community facilities, cycleways, and pedestrian linkages that permeate all parts of the zone and links seamlessly into the more urbanised public realm in the commercial core is established.*
- *A high quality urban area containing a network of open spaces and a mix of compatible uses is established*
- *High quality landscape design of the Open Space areas is required.*
- *High quality and well-designed buildings that reflect and contribute to the evolving character for the area are established.*

The assessment matters for an Outline Development Plan/Comprehensive Development Plan for the North Three Parks area require an assessment of whether the development is in accordance with the principles in the Urban Design Framework. This will ensure that the proposed street hierarchy and associated design is translated through into the development of the North Three Parks area. The Council's Urban Designer states that ... *"it is not considered any additional provision is necessary for the specific treatment of the street network. Provision of additional requirements also has the potential to degrade the hierarchy and logical development of the network as a series of street environments."*

It is recognised that trees and grass verges can be used to improve the design and appearance of an urban development. The objectives, policies, Urban Design Framework and provisions of the zone seek to ensure that the North Three Parks area is developed based on good urban design principles and creates a successful urban environment.

Recommendations and Reasons

It is recommended that no changes are made to the Proposed Plan Change. This is because sound urban design principles are embodied in the objectives, policies and provisions of the Three Parks Zone and the specific provisions that relate to North Three Parks. There is no need to add extra requirements for landscaping.

Issue 7 - Impact of rezoning on rates and timing of services

The issue and submission points

The following individuals/organisations submitted and further submitted on the impact of rezoning on rates and timing of services.

- Susan Robertson for Robertson Family Trust
- RS Moseby and MF Gordon
- Willowridge Developments Ltd

The matter raised in submissions was that two landowners in the northern area of the plan change are concerned about their rates will increase as a result of rezoning before they have services provided to their boundary.

Discussion

This is not a resource management issue. The powers for local authorities to set, assess, and collect rates to fund local government activities are governed by the Local Government (Rating) Act 2002. Currently these properties are in the rating category of country dwellings. Once these properties are zoned Three Parks Special Zone (when this plan change is operative) this rating category will change to residential. They will not be charged the Wanaka water and sewage charges until these services are at or in close proximity to their boundary. This is consistent with the provisions of the Local Government (Rating) Act 2002.

Recommendations and Reasons

It is recommended that no change is made to the plan change. This is because rating isn't a resource management issue so cannot be considered through this plan change.

Issue 8 - Appropriateness and details of the Spencer-Bower's land.

The issue and submission points

The following individuals/organisations have submitted and further submitted generally on the appropriateness and details of the Spencer-Bower's land:

- Simon Spencer-Bower
- Ballantyne Investments Ltd
- NJ Harris
- Susan Robertson for Robertson Family Trust

The landowner (Simon Spencer – Bower) seeks through his submission discussion on the following matters:

- Whether the property needs to be incorporated in the development
- Should the property be zoned as open space, stormwater treatment and soakage and the linear park?
 - What is the intended utilization?
 - Is the site suitable?
 - Is the ground composition suitable?
 - Are there alternative sites for this?
- Roading
 - Use of paper road along golf course (vehicles, bikes, pedestrians)
 - Driveway entrances and exits
 - Joining up of planned roads
- Retention of natural contours rather the modification.
- Sewer mains hook up
- Maintenance of existing user rights
- Maintenance of outlook

Further submitters raised the following matters:

- The submitter's site should be included in the plan change to enable comprehensive and integrated planning of all the area
- The stormwater analysis identifies the submitter's property as the location for the treatment and disposal of this stormwater, as this is the only location that this can occur without pumping.
- The paper road referred to is not a paper road and will be used for a linear park along the edge of the golf course.
- Due to safety issues no additional access points onto Ballantyne Road into the submitter's site are identified.

- the urban design framework shows two proposed roads entering the site (from the south and the east) and a further road runs along the boundary.
- A road should be constructed full length of the Golf Course boundary to partially alleviate shading of residential dwellings and protect the Golf Club from litigation from property owners who have damage from stray golf balls.
- The linear reserve along the golf club boundary and the buildings setback requirement from the boundary of the linear reserve will ensure that there is adequate separation between the golf club and development to avoid ball strike and to allow access to sunlight for future development.
- Oppose a covenant on shading.
- Some modification to the land will be needed.
- The submitter's site will be serviced by a wastewater pump station to be constructed at the time of future development.

Discussion

Whether the property needs to be incorporated in the development

This property is currently zoned Rural General. For coordinated planning to occur this property needs to be incorporated in this plan change. It is not sensible or integrated planning to have a property zoned Rural General surrounded by urban zoning especially this close to the Wanaka Town Centre. Such a situation will result in poor resource management and urban design outcomes. The property has been included in the plan change since its inception.

Should property be open space, stormwater treatment and soakage and the linear park?

The Urban Design Framework shows this area is currently an overland flow path and an existing drainage soakage area. (pg. 14). The stormwater analysis contained in the Infrastructure Report (Appendix 2 to the Section 32 report) identifies the submitter's property as the suitable location for the treatment and disposal of this stormwater. This is the only location that treatment and disposal can occur without pumping. The report also shows that the stormwater to be treated is mainly from the property not from the wider development. As this site is likely to be developed at a later stage than much of the rest of the North Three Parks area it is sensible to ensure that the treatment and disposal of stormwater from the development on this property occurs on the site.

The linear reserve along the golf course boundary is intended to be between 15-20 metres in width. This property boundary is approximately 15-17 metres from the golf course boundary so only a small part of the linear reserve may need to be on the Spencer-Bower property.

Roading

There is no paper road on this part of the North Three Parks area. It is in fact a narrow strip of land that is part of the wider Ballantyne Investments Ltd landholding. The plan change identifies this strip as an important walking and cycling link along the edge of the golf course and as such proposed a linear park with a walking /cycling track. No formal road is proposed.

It is not clear what the submitter is referring to by driveway entrances and exists. It is assumed that it is the location of their own driveway entrances and exists. This existing vehicle access to the site will not be affected until/if this site is developed.

It is not clear what the submitter is referring to by joining up of planned roads. It is assumed that this refers to the roads shown in the Urban Design Framework accessing the property from the south and east with another road running along the southern boundary. At the Outline Development Plan/Comprehensive Development Plan stage for the development adjacent to this property, discussions will need to be had between the Spencer-Bower and the developer to determine the appropriate layout of roads around and into this property.

The indicative layout in the Urban Design Framework is just one way that development can occur and comply with the objective, policies, and provision of the zone and the principles in the Urban Design Framework. It does not follow that the final development will be exactly in accordance with this indicative lot pattern.

Retention of natural contours rather the modification.

The Spencer–Bower property is described in the Landscape Assessment as terminal moraine. This is steeper hummocky terrain with deeper hollows which is part of the terminal moraine of the Hawea advance. The landscape assessment recommends retaining the more exaggerated moraine terrain and suggests that open space or larger residential sections are the best uses for area. The Structure Plan, Open Space Plan and Urban Design Framework have identified some of this area as a stormwater treatment area and open space. This would protect some of the natural landform. Whilst it would be preferable to retain the current landform some modification of the natural landform will be required across the rest of the property (that part which is not open space or stormwater reserve) to cater for medium density residential development.

Sewer mains hook up.

It is presumed that this property is currently not connected to the municipal system and has its own wastewater treatment and disposal system for the house. It is anticipated that this site can link up to the new wastewater system when it is adjacent to the section. This is obviously dependant on the timing of development adjacent to the property.

Maintenance of existing user rights.

Until development occurs on this property existing legal uses can continue as of right.

Maintenance of outlook.

Until development occurs on this property the outlook across the property will not change. The outlook across towards the golf course will change when the linear park is developed to the north of the property. However this is proposed as the third stage of development so is unlikely to occur for some time. The development of this area will only involve landscaping and the construction of a track so will not have adverse effects on the outlook. Obviously as development occurs around the property, particularly to the south which is indicated as stage two of the development, the outlook across these areas will alter.

Recommendations and Reasons

It is recommended that no change is made to the plan change. More detailed discussions need to be held between Ballantyne Investments Ltd and the Spencer-Bower to explain the concept for the development and how and when it might proceed.

Issue 9 - Policy 4.6 – Education facilities

The issue and submission points

The following individuals/organisations have submitted and further submitted on policy 4.6:

- The Ministry of Education
- Ballantyne Investments Ltd

The matter raised in submissions was that Policy 4.6 of the Three Parks Special Zone is outdated as it seeks to enable a school to be located within the Three Parks Special Zone. A new primary school has been located elsewhere in Wanaka. The submitter requests that the policy be changed to facilitate the establishment of the current community demand for education facilities which is Early Childhood Education. A further submission stated that this was possibly out of scope although they had no objection to this change.

Discussion

This plan change does not involve the objectives and policies of the Three Parks Special Zone. Instead it seeks to add land, one policy relating to that land, a rule, assessment matters and a definition relating to that land to the already existing Three Parks Special Zone. Therefore this submission is considered out of scope for this plan change.

However this matter can be addressed through the district plan review which is currently underway.

Recommendation and reasons

It is recommended that no changes are made to Policy 4.6 though this plan change process.

The reason for this recommendation is that the submission is out of scope for this plan change.

Issue 10 - Support for the plan change

The issue and submission points

The following individuals/organisations submitted and further submitted supporting the plan change.

- Ballantyne Investments Ltd
- RS Moseby and MF Gordon
- Queenstown Lakes District Council
- Susan Robertson for Robertson Family Trust
- NZTA
- Willowridge Developments Ltd

The matters raised are:

- Support the plan change.
- Support the plan change provided it ensures good resource management outcomes are achieved.
- Oppose the parts of the plan change dealing with access to the State Highway for the northern properties in the plan change area.
- Support provided their rates are not increased until services are at the boundary.
- The plan change can not address the design of the Three Parks roundabout.
- The plan change should be consistent with the Wanaka Structure Plan.
- Deferment mechanisms should be included in the plan change to ensure stages are not developed until a proportion of development has been completed in earlier stage.
- The buffer reserve between the Three Parks commercial core and the North Three Parks medium density sub zone should be included in the Structure Plan and Open Space Plan.
- The Wanaka Sports Facilities should be zoned within the plan change area.

Discussion

The discussion of all the matters raised in these submissions, except the whether the plan change ensures good resource management outcomes are achieved, are discussed in this report. Considering all the matters raised in submissions and further submission it is considered that provided the changes recommended above are made to the plan change it will result in good resource management outcomes.

Recommendation and reasons

It is recommended that the changes proposed in this report are made to the plan change. The reason for this is that the plan change will ensure good resource management outcomes are achieved.