

**BEFORE THE HEARINGS PANEL
FOR THE QUEENSTOWN LAKES
PROPOSED DISTRICT PLAN**

IN THE MATTER of the Resource Management Act 1991

AND

IN THE MATTER of Hearing Stream 13 – Queenstown Mapping

STATEMENT OF EVIDENCE ALYSON ANNE HUTTON (PLANNING)

Dated this 9th day of June 2017

MACALISTER TODD PHILLIPS

Barristers, Solicitors, Notaries

3rd Floor, 11-17 Church Street

Queenstown 9300

P O Box 653, DX ZP95001, Queenstown 9348

Telephone: (03) 441 0125 Fax: (03) 442 8116

Solicitor Acting: Jayne Elizabeth Macdonald

1 Introduction

- 1.1 My name is Alyson Anne Hutton (nee Schuler). I have the qualification of Bachelor of Resource Studies from Lincoln University (2000). I also have a post graduate diploma in Business and Administration from Massey University (2010). I am a full member of the New Zealand Planning Institute and am a member of the New Zealand Resource Management Law Association. I am also an accredited RMA Commissioner.
- 1.2 I am a self-employed planner. I currently provide planning services on a contract basis to Brown & Company Planning Group as well as providing planning services to my own clients. Previously I worked for Queenstown Lakes District Council (2006-2013), Civic Corporation (2002-2006), Beca Carter Hollings & Ferner (2001-2002) and the Bay of Plenty Regional Council (2000-2001).
- 1.3 During my time at the Queenstown Lakes District Council I was involved in strategic planning, for the most part one of my main projects was the planning and development of the Frankton area. I was the Council planner for Plan Change 19 and prepared evidence and participated in conferencing, mediation and numerous Court hearings.
- 1.4 **Attachment A** contains a more detailed description of my work and recent experience.
- 1.5 I have complied with the Code of Conduct for Expert Witnesses contained in the Environment Court Consolidated Practice Note 2014. This evidence is within my area of expertise, except where I state that I am relying on another person, and I have not omitted to consider any material facts known to me that might alter or detract from the opinions I express.
- 1.6 This evidence has been prepared on behalf of Grant Hylton Hensman, Sharyn Hensman & Bruce Herbert Robertson, Scope Resources Ltd, Grant Hylton Hensman & Noel Thomas Van Wichen, and Trojan Holdings Ltd.

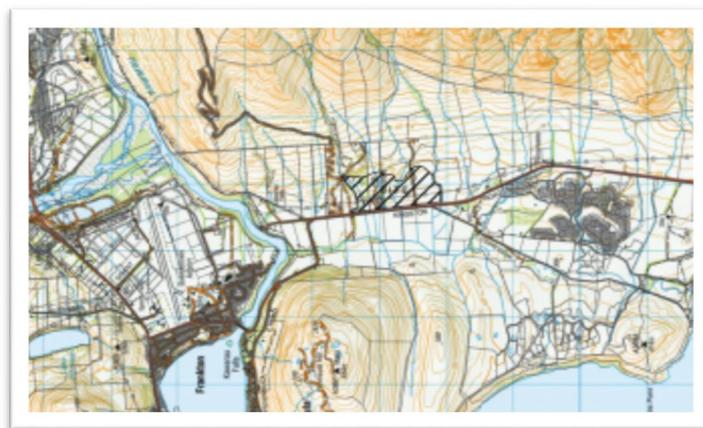
- 1.7 I assisted in the preparation of the submission and was the author of the Section 32 report and requested changes to the Queenstown Lakes District Plan that were attachments to that submission.
- 1.8 I have read the Section 42A/Statement of Evidence report prepared by Kimberly Banks (Strategic overview and common themes) and the Section 42A/Statement of Evidence report – group 2 Rural prepared by Robert Buxton. I have also read the evidence prepared by Denis Mander, Marion Read, Philip Osborne, Ulrich Glasner and Timothy Heath, together with the various statements of evidence prepared on behalf of the submitter.

2 Overview of Submission

- 2.1 The submitter has requested the rezoning of land currently zoned Rural General to Industrial B zoning (Coneburn Industrial Area). The zoning reflects the current use of a portion of the proposed zone for industrial purposes under existing resource consents. The submission states that the current Rural General Zoning is not appropriate or reflective of the current activities undertaken and that the rezoning will enable additional industrial land to contribute to the required long-term capacity for land for business and industrial zoning in the Queenstown area.
- 2.2 My submission is contained in the following parts
- (a) Background to Submission
 - (b) Section 32 – Council’s rezoning criteria
 - (c) Proposed Changes to the District Plan
 - (d) Further Submissions
 - (e) The Section 42A report
 - (f) Part 2 Matters

3.0 Background to the Submission

- 3.1 The area in which the submission is proposed for has a history of industrial use approved via resource consent. The underlying zoning is Rural General under the Operative Queenstown Lakes District Plan. A portion is currently used for industrial activities (such as mechanical repairs, a quarry, and a trucking and contractors yard). Four landowners have joined together to make a submission for their land (a total of 63.24ha) to give security for the activities over time and to allow for expansion of the activities where landscape considerations and topography allow. The proposed rezoning will contribute to the medium and long term zoning requirements for industrial land.
- 3.2 The Coneburn submission seeks to zone 63.24ha of land including 27.25h approved as Industrial B type zoning which would allow for industrial, business, commercial and yard based activities. The remaining 35.99ha would accommodate internal roads and retained open space.
- 3.3 The below map shows the location of the area covered by the submission approximately 3 kms south from the Kawarau Bridge on the eastern side of State Highway 6, below the Remarkables Mountain Range.



Location Plan: Source *Michelle Snodgrass Landscape Architecture*.

- 3.4 The Coneburn Group (the submitters) have been planning for the rezoning of their land to meet current market requirements for additional industrial and business land

for some time. On behalf of the submitters its advisors (myself included) approached the Council in 2014 to lodge a Private Plan Change but were told that this would not be considered, or would be rebuffed by the Council as current Council resources were committed to the District Plan Review.

- 3.5 The District Plan review is being undertaken in a potential 5 stage process¹; there is no rationale for which parts of the Plan are considered in Stage 1 (notified currently) and the Stage's beyond (to be notified at a yet to be determined date). The Industrial B zone, nor any of the other Industrial Zones are being considered as part of Stage 1 of the review, however, new areas of other land are being zoned to meet current needs, and an example of this is the Rural Industrial Zone proposed for Wanaka.
- 3.6 Given the Proposed District Plan's zoning of the site Rural General, and the uncertainty of the process to follow with other zones being reviewed, and the scope for submission as part of that process, the Coneburn Group were left with little option to progress the rezoning of the site other than by this submission. Legal submissions for Council take the view that the submission is "on the proposed plan" and can be considered as part of Stage 1 of the review.² Memoranda issued by the Hearings Panel Chairman provided in the lead up to hearings for this stream provided further guidance for submitters seeking operative "non-stage 1 review" zone provisions over their land.
- 3.7 I believe that should a submission not have been made to Stage 1 of the review, the submitters may have lost the opportunity to be heard at all on the matter of an Industrial zoning for their land. This is particularly so if the Council does not consider the rezoning of green-fields land in the further stages of the review which will address Industrial zoning³. The staging of the review further complicates matters, because a change can only be made to an operative plan. If future "green-fields land" is to be

¹ As per the latest recommendation/update report on the PDP presented at the meeting of the Planning Strategy Committee on 8 June 2017

² Opening legal submissions for QLDC dated 4 March 2016

³ I understand Business and Industrial land was to be considered in Stage 2 of the Plan Review but this was subject to change at the time of writing this evidence as stages to consider transport, the Wakatipu Basin and visitor accommodation may be promoted in front.

zoned for Industrial purposes and that land has been notified as Stage 1 of the review, then stage 1 will need to be operative (or at least a part of it) before a further plan change can be entertained. Failing this, a variation is an option for rezoning, but that relies on the Council taking the initiative.

3.8 The real challenge at this juncture, and as a result of undertaking the review on a piece-meal basis is to ensure that the proposed changes “fit” with the new structure of the District Plan and support or are supported by the proposed District Wide Chapters such as Chapter 3 - Strategic Directions.

3.9 The minute dated 29 May 2017 from the Hearings Panel is insightful in this regard:

If a piece of land is included in Stage 1 of the PDP because it has a Stage 1 PDP zoning applied to it, any person is entitled to lodge a submission seeking the rezoning of that land.

There is nothing in law that says the zoning sought must be one of the zones notified at Stage 1.

...

However, if a submitter seeks to zone the land using a set of provisions that are not one of the Stage 1 zones, that submitter would need to show how those provisions fit within the overall strategic directions chapters of the PDP.

If the provisions do not give effect to and implement the strategic directions chapters, it would likely be difficult to conclude that they were the most appropriate way to achieve the objectives in those chapters.

3.10 If the Council is of a mind to allow the Coneburn submission then it will be important that the promoters of the zoning also take part in further changes of the District Plan review where changes may be made to the format, wording and rules framework for the Industrial Zone. Depending on timing this may be in the form of a future stage of the District Plan review or a variation. Given the discussion that follows, this is considered an appropriate way forward and presents a better option to than waiting for the plan to become operative (whenever that may be) and then lodging a Private Plan Change⁴, or awaiting consideration as part of some future stage of the plan

⁴ Which in any case, can be rejected if lodged within two years of the plan being made operative. clause 25(4)(e) RMA, First Schedule

review, which provides little certainty as to timing or rezoning, to ensure that the zoning is considered in the short to medium term.

- 3.11 Since the submission was lodged in 2015 the National Policy Statement on Urban Capacity has been released and requires Councils to consider land requirements for business and industrial land as well as providing for residential capacity. This is developed and discussed in the evidence of Mr Mike Copeland.
- 3.12 The proposed zone is unique in that it is folded into existing undulating topography that is largely screened from public view. Industrial uses could be considered dirty and their buildings utilitarian in form and structure. The location of the proposed zoning captures one of the few places in the Wakatipu Basin and surrounds in which this zoning may be appropriate. In my work for the Council for Plan Change 19 – Frankton Flats B Special Zone I was involved in assessing future land needs for industrial land and the possible locations for future zoning. The site of the submission is one of two places I considered as appropriate or realistic for future zoning, the other was the lower terraced area or delta near the Shotover River which has now been rezoned for residential purposes.
- 3.13 The site is located on the lower slopes of the Remarkable Range, approximately 10 kms from Frankton. Some of the proposed zone is already used for industrial activities via consent under resource consents.
- 3.14 A number of yard based activities use the proposed zone as a base for their activities: Wilson Contractors, Beaver Contracting, a courier business and mechanical repairs. The southern part of the site is still utilised as a quarry. The other parts of the proposed zone are pastoral in nature or are heavily treed as part of a Douglas Fir plantation.
- 3.15 Land within the proposed zone is not farmed and there are remnants of grey scrubland within the site. The report by Ms Snodgrass⁵ supporting the submission undertakes a

⁵ Michelle Snodgrass Landscape Architecture (Annexure G to Section 32 and submission to the Proposed District Plan) dated XXX

though analysis of the site and the surrounding landscape characteristics. Other supporting reports to the submission include information on possible contamination, servicing (3 waters), ecology and traffic. These are discussed further in my evidence.

3.16 At present the land is zoned Rural with a mixture of activities which are industrial in nature occurring on the site. They operate under resource consents. Given the District Plan is being reviewed it is now an appropriate time to consider if the existing Rural zone framework is appropriate for the future for this land.

3.17 The submission seeks the following changes to the Proposed District Plan:

- (a) The rezoning of 63.24ha of Rural General Zoned Land to Industrial B zoned land to allow for the development of industrial and business uses
- (b) The inclusion of site specific objective, policies and rules to relate to this particular area (Coneburn)
- (c) The inclusion of a Structure Plan to provide the basis for areas of future development
- (d) The inclusion of a Landscape Protection area to provide mitigation of both industrial activities and their land use effects.

4.0 Section 32 of the Act

4.1 I do not believe that Section 32 is met by leaving this land zoned Rural. I believe there is a need for future industrial zoning for Queenstown and that this is an appropriate time to zone this land and provide for this expected growth. Ms Banks sets out in her Strategic evidence a range of Assessment Principles that should be considered in the analysis of rezoning submissions. I have assessed them as follows:

a) Whether the change is consistent with the objectives and policies of the proposed zone. This applies to both the type of zone in addition to the zone boundary.

4.2 The submission to rezone the Rural land to Industrial B with a number of bespoke provisions relating to Coneburn. By way of background, the Council created the

“Industrial B” zoning as a Plan Change to the operative plan in order to zone land for industrial purposes without some of the defects that had been identified in the district wide industrial zone. These included insufficient parking and loading areas, a weak objective and policy framework, and a need to counter issues with unfettered residential uses (in the sense that each industrial unit could have an attached residential unit). The Council’s aim was to create a zoning that could be used in other areas or as a base for other zonings, hence its utilitarian name “Industrial B Zone”. Sections 9.1 and 9.2 of the Section 32 report for the Coneburn submission⁶ ranked the options for rezoning. The outcome was stated as follows:

It is proposed to Rezone the Coneburn area for Industrial and Business Purposes using the Operative Industrial B Zone, with specific amendments where required. This will enable the land to be rezoned immediately meeting a current need in the District.⁷

4.3 The operative objectives and policies for the Industrial B Zone are as follows:

Objective 1

A high quality, functional area that provides for a wide range of business, industrial, service and trade-related activities and avoids residential, office, and most retail uses.

Policies

- 1.1 *To avoid development that is not in accordance with the relevant Structure Plan or approved Outline Development Plans.*
- 1.2 *To ensure that development and subdivision only occurs where either the necessary infrastructure exists to service it, or temporary measure(s) have been agreed to by the council and the applicant has committed to connect to the council reticulated system once available.*
- 1.3 *Other than ancillary retail and that retail specifically permitted by the rules, all other retail shall be avoided in order to:*
 - 1.3.1 *Preserve the zone for those uses that are specifically enabled; and*
 - 1.3.2 *Ensure that the vibrancy of the existing town centres and the mixed use and commercial core areas of the Frankton Flats and Three Parks Zones is not undermined.*

⁶ Submission to the Queenstown Lakes District Council Proposed District Plan . Section 32 report to accompany submission by the Coneburn Group, dated October 2015, Section 9, Pages 33-38

⁷ Submission to the Queenstown Lakes District Council Proposed District Plan . Section 32 report to accompany submission by the Coneburn Group, dated October 2015, Page 38

- 1.3.3 *Prevent the further distribution of retail across numerous areas and to therefore encourage continued consolidation of retail activity in those areas intended for that purpose.*
- 1.4 *Residential and office activities shall be prevented in order to avoid reverse sensitivity issues and to preserve the zone for industrial and service activities*
- 1.5 *Small lot subdivision shall be avoided unless combined with a landuse Resource Consent, which illustrates how a complying development can occur on the site(s).*
- 1.6 *Adequate road access and on-site loading and manoeuvring areas shall be provided for heavy vehicles in order to prevent i) any loading or manoeuvring from occurring within the road corridor and ii) any large vehicles (truck and trailer units) having to reverse out of a site onto a road.*
- 1.7 *To ensure the provision of adequate loading zones in the design and layout of the zone, as well as on-site loading at the time of development.*
- 1.8 *To require street layouts and design to:*
 - 1.8.1 *Be well-connected, with cul-de-sacs being avoided wherever connected streets would offer greater efficiency and amenity*
 - 1.8.2 *Minimise the creation of rear sites.*
 - 1.8.3 *Be safe for vehicles, cyclists, and pedestrians.*
 - 1.8.4 *Minimise opportunities for criminal activity through incorporating "Crime Prevention Through Environmental Design" (CPTED) principles as appropriate in the design of lot configuration and the street network, car parking areas, lighting, public and semi-public spaces, access ways, landscaping, fencing, and the location of compatible uses.*
- 1.9 *To recognise that the relocation of a fixed road by more than 50 metres or a fixed connection point by more than 20 metres (from that shown on the relevant Structure Plan) is likely to significantly affect the integrity of the Structure Plan and should be avoided.*

Objective 2

Effectively mitigate a) the adverse visual effects of business and industrial development, when viewed from public and private places and b) the adverse nuisance effects on the amenity of residential zones within the vicinity of the Industrial B Zone and (c)

Avoid unreasonable and objectionable odour, which will affect amenity in the residential zones in the vicinity of the Industrial B Zone.

Policies

- 2.1 *To require buildings to be well designed, by encouraging interesting roofscapes, the incorporation of green building principles, and the use of recessive, non-reflective colours whilst ensuring that bright colours are used only as accents on a building.*
- 2.2 *To ensure that maximum building height rules are not used to create overly high surrounding parapet walls which create a visual presence well in excess of what is required to contain buildings' internal volumes.*
- 2.3 *To ensure that the fixed open spaces shown on the relevant Structure Plan are provided in order to separate and partially screen the zone from adjacent existing or future residential zones in order to minimise the visual, noise, dust, and odour effects of development from both public and private places.*
- 2.4 *To avoid industrial activities that create objectionable and unreasonable odour.*

- 2.5 *To avoid buildings within the fixed open space areas shown on the relevant Structure Plan other than on the designated 'buildable areas', upon which certain small scale buildings shall be allowed in order to the viable long term maintenance of those open spaces*
- 2.6 *To require high quality planting and mounding of the open spaces where this is specifically identified as required in the provisions in order to mitigate the visual effects of development within the zone.*
- 2.7 *To avoid excavation on the fixed open space areas identified on the relevant Structure Plan unless it is for the express purpose of providing for the pedestrian/ connection point" shown on the Structure Plan.*

Objective 3

A street layout, well-considered building design, and other initiatives that, together, help to reduce car use and provide practical alternatives.

Policies

- 3.1 *To require that the street layout and cycle and walking networks are designed to:*
 - 3.1.1 *Enable public transport to efficiently service the area, now or in the future; and*
 - 3.1.2 *Reduce travel distances through well-connected streets; and*
 - 3.1.3 *Provide safe, attractive, and practical routes for walking and cycling, which are well-linked to existing or proposed passenger transport and, which are well-connected to other areas beyond the zone.*
- 3.2 *To require applications for Outline Development Plans and large scale developments to show how they will help reduce private car travel and encourage realistic alternative modes of transport.*
- 3.3 *To encourage large scale developments to prepare voluntary travel plans through the Council providing advocacy and assistance.*

Refer to Council guidelines relating to Travel Plans.

Objective 4

A subdivision layout and built form that demonstrates best practice in terms of achieving environmental sustainability

Policies

- 4.1 *To ensure, through the street layout, that buildings are located and orientated in a way that achieves good solar access*
- 4.2 *To encourage energy-efficient building design.*
- 4.3 *To incorporate stormwater and sediment management options that ensure that:*
 - 4.3.1 *The rate of discharge remains equal to or less than that of pre-development*
 - 4.3.2 *The quality of the water in that discharge remains equal to or better than that of pre-development.*
- 4.4 *To encourage the creation or restoration of wetlands where opportunities exist*

- 4.4 All four objectives provide for industrial activities while having regard to their possible effects and the mitigation of them. The objectives for the Industrial B Zone are centred about four main outcomes: high quality industrial area providing for a range of industrial uses, mitigation of the adverse effects sometimes associated with industrial areas, a well-designed street layout and the subdivision layout that achieve environmental sustainability.
- 4.5 They address the main requirements of an industrial zone but were initially created for an industrial zone that is located in close proximity to other business and commercial zones. The needs of that (Wanaka) based zone are different to that for Coneburn; as Coneburn will be more isolated from other related or complementary zones. Accordingly, it is appropriate that a specific additional objective and policies are create for Coneburn that support its unique landscape and location within the overall framework of the Industrial B zone
- 4.6 Objective 9 – Industrial B - Coneburn

Objective 9 – Industrial B - Coneburn

A dedicated industrial and business zone with a mix of compatible activities which serves the local and surrounding areas

- 9.1 *To enable a wide variety of industrial and service activities ranging from lighter industrial activities to those of a yard based nature through the use of the Structure Plan guiding development within appropriate locations*
- 9.2 *To protect areas of Open Space to provide for the protection of landforms and natural vegetation while maintaining the broader landscape character when viewed from outside of the Zone*
- 9.3 *The subdivision design and associated mitigation measures shall ensure that built form and associated activities within the zone are not highly visible when viewed from State Highway 6.*
- 9.4 *To limit the range of retail activities to those which directly support and are compatible with industrial activities*
- 9.5 *To limit the location of offices (not related to a permitted or controlled activity) to avoid reverse sensitivity effects and the use of valuable industrial land.*
- 9.6 *To minimise the adverse effects of noise, glare, dust and pollution.*
- 9.7 *To minimise the visual effects of the development within the Zone by:*
- The use of effective landscaping including earthworks to screen development from public viewpoints and the State Highway; and

- Specifying a range of height limits for buildings and activities within the Zone relative to the sites overall visibility from the State Highway.
 - 9.8 *To ensure subdivision creates lots that are capable of accommodating development that is enabled by the rules for the Zone*
 - 9.9 *At the time of subdivision or development, to ensure that:*
 - (i) *there is adequate provision for road access, onsite parking (staff and visitors) and loading and manoeuvring for all types of vehicle so as to cater for the intended use of lot or a site;*
 - (ii) *where the intended activity on any lot or site may require the use of large truck and trailer units, or a large number of vehicles using the same access point, there is sufficient area for these to exit on to the road in a forwards direction;*

Note: The requirements in Clauses (i) and (ii) above can be enabled by shared parking, access and loading arrangements that are secured by an appropriate legal mechanism.
 - 9.10 *Access to the State Highway shall be limited to only those access points shown on the structure plan*
 - 9.11 *Access onto the State Highway is provided at a scale and pace that is safe and efficient as development within the zone increases up until capacity.*

4.7 The above objectives and policies have been drafted to reflect the unique location and nature of the proposed industrial area and are complementary to the general Industrial B objective and policies. They provide a nexus between the bespoke rules and the general objective and policies.

(b) Whether the zone proposed / sought is more appropriate than the proposed zone

4.8 The notified zone is Rural. At the time of the notification of the Proposed District Plan there was no analysis as to the appropriateness of the zoning considering existing consented uses and the ability of the land area to provide for the existing and additional industrial zoning through the Stage 1 review process.

4.9 There is a known shortfall of industrial and service land in the Wakatipu Basin. This is discussed in the evidence of Mike Copeland. By providing a dedicated area of industrial land to meet future demand the Coneburn area is meeting a known economic need.

4.10 The area has long been used for industrial activities operating under resource consents, the amenity and landscape of this area has already been altered. Providing a zoning and a clear objective (and supporting policies) will ensure that further development of the zone is appropriate.

(c) Whether the change is consistent with and does not compromise PDP Strategic chapters and in particular the Strategic Direction, Urban Development, and Landscape chapters

4.11 The zoning supports Goals 3.2.1 to 3.2.6 (Strategic Direction – Notified Version) and their objective and policies in the following manner:

- The Coneburn industrial area supports the goal of creating a prosperous, resilient and sustainable economy. Industrial and Business zoning is necessary to support a developing economy. The pace of the release of land must be sufficient to provide sufficient land ahead of demand, to meet the needs of Queenstown and for the Council to meet its obligations under the NPS-UD.
- The proposed new zone will not be inconsistent with the objective of Queenstown Town Centre being a hub of the Central Business area. Industrial and Business Park activities are not found in central business areas because of reverse sensitivity issues, lack of land and amenity effects. The existing area for Business zoning in Queenstown (Gorge Road) is proposed to be up-zoned as a result of the District Plan review. As a consequence land will be needed for existing businesses to relocate to. The evidence of Mike Copeland explores the recent land needs studies and associated analysis with respect to the need and timing for additional industrial zoned land.
- The proposed Coneburn area supports Objective 3.2.1.2.
- A submission point and supporting evidence was given by the Coneburn group in respect of Policy 3.2.1.2.3 as there needs to be provision for non-industrial activities in some form in industrial areas (without compromising the main objectives of the zone). As notified the policy

reads “Avoid non-industrial activities occurring within areas zoned for Industrial activities.” Through the hearing Stream 1B the submitter requested an amendment to the policy so it reads “Avoid non-industrial activities not related to or supporting industrial activities occurring within areas zoned for Industrial activities.”⁸ Mr Patez in his right of reply recommended that the renumbered policy 3.2.1.3A.3 was amended as per the relief sought by the submitter.⁹

- The objectives and policies will promote the diversification and innovation of the economy which cannot be fulfilled without sufficient land for industrial and businesses activities.

4.12 The zoning supports Objectives 4.2.1 to 4.2.4 (Urban Development) and their objective and policies in the following manner:

- The proposed development of the industrial zone is to be undertaken in a coordinated manner, effects on the environment have been mitigated by the structure plan, landscaping, height limits and preservation of ecologically significant habitat.
- There is not enough industrial land zoned to meet the future zoning requirements for Queenstown as outlined in the evidence by Mike Copeland.

4.13 Ms Snodgrass has prepared an analysis of the proposal against the Proposed District Plan in paragraphs 40 to 43 of her evidence. She notes that the zone generally meets the Objectives and Policies of Section 6 of the Proposed Plan because of the following:

- the design, consented earthworks and retention of landscape buffers will result in development that is not highly visible from public places and public roads;

⁸ Statement Of Evidence Of Alyson Anne Hutton On Behalf Of Grant Hylton Hensman, Sharyn Hensman And Others (Submitter 361) Topic 1: Chapter 3, 16 March 2016, Part 3.

⁹ Reply of Matthew David Paetz – Strategic Direction and Urban Development Chapters, Queenstown Lakes District Council Proposed District Plan 2015 – revised Chapter – reply 07/04/2016 Page 3-2

- Locating the proposed yard based, industrial and business zone within the modified areas of the site avoids sprawl along district roads.
- The zone will harmonise with local ecological systems through the proposed Open space areas which maintain the natural and ecological systems within the site which are predominantly in the existing gullies and Stoney Creek. Augmentation planting of these areas would provide further screening of the activity areas and add to the natural character of the surrounding landscape.
- The location of the activity areas will not result in buildings breaking skylines, ridges or prominent landforms.
- The proposed activity areas are set back from Kingston Road to maintain the current view of rural amenity from that road. The additional protection of the western faces of the hummocks and pastoral flat, and mature tree groups will maintain the current level of visual amenity. The proposed access roads, vehicle movements, signage and street lights will reduce the visual amenity as the additional road introduces a new urban element into the landscape. The effect of the additional road is likely to be moderate, however the effect is unlikely to degrade the wider landscape character.

(d) The overall impacts of the rezoning gives effect to the OPRS

4.14 The relevant parts of this document have been identified as follows:

Policy 9.4.1

To promote the sustainable management of Otago's built environment to:

- (a) Meet the present and reasonably foreseeable needs of Otago's people and communities; and*
- (b) Provide for amenity values; and*
- (c) Conserve and enhance environmental and landscape quality; and...*

4.15 Policy 9.4.1 (a) supports the need to provide a built environment for the present and future needs of Otago's people. The proposed zone will achieve this while providing

for industrial and business landuses to support the projected residential growth of the Queenstown Lakes District. As the population grows so too does the need to provide for supporting services such as motor vehicle repairs, transport companies and other industrial activities.

4.16 **Policy 9.4.3**

To avoid, remedy or mitigate the adverse effects of Otago's built environment on Otago's natural and physical resources.

Care is being taken to avoid, remedy and mitigate the effects of the industrial area, landscaping, height limits, controls on buildings and setbacks from the road will all ensure that the proposed industrial area does not detract from the surrounding natural landscape. This can be achieved through the adoption of objectives, policies and methods that ensure that future development is managed so that adverse effects on the surrounding environment are reduced as much as possible.

4.17 **Policy 9.5.4**

To minimise the adverse effects of urban development and settlement, including structures, on Otago's environment through avoiding, remedying or mitigating:

- (a) Discharges of contaminants to Otago's air, water or land; and*
 - (i) The creation of noise, vibration and dust; and*
- (b) Visual intrusion and reduction in landscape qualities; and*
- (c) Significant irreversible effects on:*
 - (i) Otago community values; or*
 - (ii) The creation of noise, vibration and dust; and*
 - (iii) The natural character of water bodies and the coastal environment; or*
 - (iv) Habitats of indigenous fauna; or*
 - (v) Heritage values; or*
 - (vi) Amenity values' or*
 - (vii) Intrinsic values of ecosystems; or*
 - (viii) Salmon or trout habitat.*

This policy contains a number of subclauses. The following are of particular relevance:

- Discharges of contaminants to Otago’s air, water or land.
- The creation of noise, vibration and dust
- Visual intrusion and the reduction in landscape qualities
- Significant irreversible effects on:
 - Otago community values
 - Amenity values

4.18 The policy can be given effect to through the inclusion of specific objectives, policies and methods within the District Plan to control the effects of noise, vibration and dust. They direct us to consider how the discharges of contaminants can be avoided, remedied or mitigated.

The landscape assessment¹⁰ considers the landscape impact of the proposed industrial area and makes suggestions on appropriate mitigation methods to prevent the reduction of landscape qualities in the foreground to the Remarkables. The visual intrusion into the “region’s” landscapes will be managed through the adoption of setbacks from the state highway, high quality effective landscaping that screens built development and by adopting controls on future development to ensure that buildings are hidden from views of the surrounding landscapes.

Industrial zoning is one of the most difficult zonings to provide for, as it generally has a lower land value and can make a poor close neighbour to residential activities. The Coneburn area provides an area for industrial uses close to the existing urban centre of Frankton, adjacent to a State Highway network and within a landscape that can absorb the development with limited landscape effect.

¹⁰ Michelle Snodgrass Landscape and Visual Assessment for the Section 32, Submission of the Queenstown Proposed District Plan, October 2015

4.19 **Policy 9.5.5**

To maintain and, where practicable, enhance the quality of life for people and communities within Otago's built environment through:

- (a) Promoting the identification and provision of a level of amenity which is acceptable to the community; and*
- (b) Avoiding, remedying or mitigating the adverse effects on community health and safety resulting from the use, development and protection of Otago's natural and physical resources; and*
- (c) Avoiding, remedying or mitigating the adverse effects of subdivision, landuse and development on landscape values.*

Methods to be utilised by Otago's territorial local authorities include the following:

- 9.6.9 Consider the effects of extensions to existing infrastructure of new developments, and the adverse effects of subdivision, use and development of land on the safety and efficiency of regionally significant infrastructure.*
- 9.6.10 Provide the means to protect significant landscapes within their district from inappropriate subdivision, use and development where those landscapes contribute to the quality of life for those within the built environment.*
- 9.6.11 Use education programmes to improve community awareness and understanding of issues associated with the built environment and sustainable management in Otago.*
- 9.6.12 Provide information on the adverse effects associated with activities in the built environment.*
- 9.6.13 Recognise and encourage the role of community groups that promote sustainable management of the built environment and associated resources.*
- 9.6.14 Promote codes of practice agreed to by industry, the Otago Regional Council, city and district councils and other interest groups as appropriate to avoid, remedy or mitigate the adverse effects of activities on the built environment.*

4.20 In summary, the Regional Policy Statement for Otago is given effect through Chapters 3, 4, 5 and 6 of the Proposed District Plan and through specific landuse controls (such as the structure plan) within this submission. The proposed objectives, policies and rules within the Industrial B zone contain specific provisions which ensure that industrial development is appropriate, regulated where required, and provided for to meet further growth needs. The proposed specific objective and policies particular to

the Coneburn Area support these but provide a finer layer of detail and framework to ensure the effects of development of the site are mitigated.

- 4.21 A Decisions Version of the Operative Regional Policy Statement has been released and is under appeal. Of relevance to this hearing is the inclusion of the following policies:

Policy 4.5.1 Managing for urban growth and development

Manage urban growth and development in a strategic and co-ordinated way, by all of the following:

- a) *Ensuring there is sufficient residential, commercial and industrial land capacity, to cater for the demand for such land, over at least the next 20 years;*

This policy has been appealed by a number of parties with relief sought including amendment to “providing for urban growth” and “understanding demand and supply”

Policy 5.3.4 Industrial land

Manage the finite nature of land suitable and available for industrial activities, by all of the following:

- a) *Providing specific areas to accommodate the effects of industrial activities;*
 b) *Providing a range of land suitable for different industrial activities, including land-extensive activities;*
 c) *Restricting the establishment of activities in industrial areas that may result in:*
 i. *Reverse sensitivity effects; or*
 ii. *Inefficient use of industrial land or infrastructure.*

This policy was appealed to amend to the policy to expressly allow for the continuation of existing industrial activities (Oceana Gold NZ Ltd)

(d) Economic costs and benefits are considered

- 4.22 Mr Mike Copeland has prepared a supporting report to the Section 32 and evidence that considers the economic costs and benefits of the proposed rezoning. His evidence provides an analysis of the McDermott-Miller report, and the more recent Bunnings Queenstown retail Assessment by Property Economics and the Market

Economics peer review of that report. Mr Copeland's evidence is detailed and thorough and in his conclusion he notes that there are a range of economic benefits from meeting the demand for industrial zoned land in a timely fashion and further, that there are no economic externality costs from meeting this demand.

(e) Zone changes could take into account the issues debated in recent plan changes

4.23 Industrial zoning was one of the components of the Frankton Flats Special Zone (B). Pursuant to the planning process that brought about that zone, land was zoned to meet some of the future industrial needs of the district. Within that plan change, industrial zoning within the Outer Control Boundary of the Airport was seen as appropriate by the Council and the Court, as these activities were *Not Sensitive to Aircraft Noise*.

4.24 The operative "general" (as opposed to Industrial B zone) Industrial and Business Zone was made operative in part in September 2003 (the only parts that were not operative were particular to earthworks) and is overdue for review by the Council. The submitters had sought to progress their rezoning aspirations via a private plan change utilising this section of the operative plan but were dissuaded by Council officers who expressed the firm desire that any zoning changes were dealt with comprehensively by the Review.

(f) Changes to the zone boundaries area consistent with the maps in the PDP that indicate additional overlays or constraints (e.g. Airport Obstacle Limitation Surfaces, SNAs, Building restriction Areas, ONF/ONL);

4.25 There are no overlays or constraints relating to the land the subject of this submission.

(h) Changes should take into account the location and environmental features of the site (e.g. the existing and consented environment, existing buildings, significant features and infrastructure);

4.26 An assessment of environmental effects was undertaken to support the proposed plan change, this included the following reports as annexure to the submission:

- Annexure D Section 32
- Annexure E Zone Maps and Diagrams – Prepared by Clark Fortune McDonald
- Annexure F Coneburn Proposed Zone Change, Landscape Assessment report, Michelle Snodgrass Landscape Architecture
- Annexure G Coneburn Submission – Ecological Assessment for the Coneburn Group, Davis Consulting Group, dated October 2015
- Annexure H Submission to Rezone Rural land at the Bottom of the Remarkables to an Industrial Zoning – the Coneburn Proposed Industrial Zone, Prepared by Brown, Copeland & Co Ltd, dated 14 October 2015-10-18
- Annexure I Coneburn Submission – Preliminary Site Investigation for the Coneburn Group, Davis Consulting Group, dated October 2015
- Annexure J Review of Air Quality Issues for the Coneburn Group, David Consulting Group, Dated October 2015
- Annexure K Coneburn Commercial Park – Water Infrastructure Option Viability report, prepared by Lowe Environmental Impact and Fluent Solutions, dated March 2015

(i) Zone changes recognise the availability or lack of major infrastructure (e.g. water, wastewater, roads);

4.27 The reports outlined in paragraph 2.26 above outline the background reports supporting the submission, these include an assessment on services required (3 waters), internal and external roading (including effects on the State Highway). As Mr Bartlett notes in his evidence the submitter and NZTA are working together to agree on appropriate roading upgrades require to enable the development.

4.28 There are no issues or constraints to servicing the land.

(j) Zone changes take into account effects on water, wastewater and roading network capacity, and are not just limited to the site specific effects of extending infrastructure;

4.29 As noted above there has been significant analysis as to the infrastructure requirements for the zone and there are no issues or constraints to the zoning.

(k) There is adequate separation between incompatible land uses

4.30 The proposed zone is surrounded by Rural Zoning on the same side of the road. The Jacks Point Zone is across the State Highway from the zone with a buffer of open space between residential homes and the industrial area. The industrial area will be subject to noise controls.

(l) Rezoning in lieu of resource consent approvals, where a portion of the site has capacity of absorb more development does not necessarily mean another zone is more appropriate; and

4.31 This is not a spot zoning. The creation of a zone via resource consents in the absence of an appropriate planning framework is not efficient or effective. The Council is undertaking the process of reviewing its District Plan review. As such, this is an appropriate time to consider the appropriateness (or otherwise) of zoning in a particular area.

As demonstrated by the submission, the Section 32 analysis and evidence there is a need for further industrial land and there are currently landowners ready to provide for this need.

(m) Zoning is not determined by existing resource consents and existing use rights, these will be taken into account.

4.32 Existing resource consented activities make up a small portion of the total land and form a baseline of current development (the existing environment). As already

discussed, the District Plan review is an appropriate time to consider the appropriateness of zoning.

5.0 PROPOSED CHANGES TO THE DISTRICT PLAN

5.1 The following table discusses the proposed new rules to be added to the Industrial B Zone that will be site specific for Coneburn, the table is directly sourced from the Section 32 which accompanied the submission to the Proposed District Plan. **Attachments B, C and D** shows the proposed amendments to the provisions in Blue.

Rule no.	Proposed Rule	Discussion
11.5.5 Activity table 13a	Landscaping of the fixed open spaces shown on the Structure Plan - Industrial B Zone – Coneburn RDIS	It is important that the open space areas are landscaped with species of an appropriate size and species to both mitigate development and add to the ecological baseline of the zone. The matters of discretion have been specifically formulated for this zone to mitigate the effects of development.
11.5.5 Activity table 16a	Offices, (other than those ancillary to a permitted use) in Activity Area 1A Industrial B – Coneburn RDIS	There are a number of office developments that are not suited to a town centre environment and are not dependent on foot traffic or excessive advertising. These businesses in larger centres may operate from a business park. This rule provides opportunities for these businesses to occur (in appropriate and limited parts of the structure plan area).
11.5.5 Activity table 20a	Custodial Units – Industrial B Coneburn N-C A single residential unit providing for the custodial management of an Industrial or Service activity and which complies with the following requirements: a. It is located above or behind an Industrial or Service activity; and b. It is maintained in the same ownership as the Industrial or Service activity; and c. It is not subdivided, unit titled or otherwise separated, including	It is not normally appropriate to provide for residential purposes within or adjacent to industrial areas as they can lead to reverse sensitivity effects. It is important that industrial activities can operative within the full parameters of the zone to undertake activities without fear of complaint or limitations on hours of operation. In the case of Coneburn there are a number of factors that have caused consideration of residential activities in the form of custodial units in limited circumstances: - The zone is isolated and is not a

Rule no.	Proposed Rule	Discussion
	<p>by lease from the Industrial or Service activity it is attached to; and</p> <p>d. It is not over 100m²; and</p> <p>e. It is only occupied by persons working in the Industrial or Service activity to which the unit is attached.</p>	<p>“through road” anyway, during late nights and early mornings there may be limited traffic and passive surveillance of the zone, this is not so for many of the other industrial areas in the District.</p> <ul style="list-style-type: none"> - There are no residential areas in walking distance. - There may be instances where an owner/operator may want to live on site for affordability or security reasons. <p>For these reasons a Non Complying status has been created for “Custodial Units” with parameters that will limit the opportunities for reserve sensitivity and for these activities to occur unfettered throughout the zone.</p>
<p>11.5.5 Activity table 23a</p>	<p>Industrial B – Coneburn PERM</p> <p>The following types of retail activity shall be permitted within area XXX identified on the Structure Plan:</p> <ul style="list-style-type: none"> (a) Automotive and marine suppliers (b) Building suppliers (c) Catering equipment suppliers (d) Garden and patio suppliers (e) Hire services (except hire/ loan of books, videos, DVDs, and other similar home entertainment items) (f) Industrial clothing and safety equipment suppliers (g) Office furniture, equipment, and systems suppliers (h) Service stations, including ancillary retail (i) Wholesaling (j) Yard-based suppliers (k) Food and beverage sales (with a maximum GFA of 50m²) 	<p>The Coneburn Industrial Zone is isolated from other retail and business areas. Complementary retail areas must be visited by private motor vehicle to Frankton (Remarkables Park Shopping Centre and Five Mile Shopping Centre areas). This will create inefficiencies in traffic and time. It is anticipated that these businesses will want to have a presence in the zone, and will be helpful and beneficial for industrial and service activities operating from the zone.</p> <p>For these reasons it is appropriate to provide for a limited type of retail to operative from the zone in areas shown on the structure plan. This will ensure they do not proliferate to the detriment of the zone, but are also available to complement the industrial and services on offer.</p> <p>These businesses are not found in a town centre environment and so are not compromising the integrity of those areas.</p> <p>A maximum gross floor area was been added in response to the Council’s s42A report in order to restrict the size of a food and beverage outlet to ensure it does not provide for services more suitable for a town Centre environment.</p>

Rule no.	Proposed Rule	Discussion
11.5.6 Performance Standards 20	<p>Landscaping in relation to Industrial B – Coneburn</p> <p>i. No vegetation shall be removed from the Open Space area unless it is a wilding species, is diseased, dead, or a safety hazard</p> <p>ii. Any deceased or dying species that provided mitigation for development shall be replaced in the next growing season with native species <u>ecologically appropriate indigenous plant species</u></p> <p>iii. An Ecological Management Plan shall be submitted to Council detailing the retention of the areas of grey shrubland within the Open Space Areas and specific detail on the implementation of the restoration of the grey shrubland areas.</p>	<p>The report by Davis Consulting Limited (Annexure H to the submission) makes a number of suggestions of the use and enhancement of the open space area. These performance standards ensure that the opportunities highlighted in that report are not lost.</p> <p>It is noted that Mr Davis has recommended a number of amendments in response to Dr Lloyd’s evidence on behalf of the Council. I have shown these in BOLD. I have also made the change requested by Mr Davis in paragraph 14 of his evidence.</p>
11.6.2 Matters of discretion iii	<p>Matters of discretion – For a Landscape Plan, discretion is reserved in respect of:</p> <p>...</p> <p>And for Coneburn – Industrial B</p> <p>(f) The use of native vegetation <u>ecologically appropriate indigenous plant species</u> to assist visual screening of development</p> <p>(g) The retention of existing <u>indigenous plant species</u> vegetation within the Open Space Area unless it is a wilding species</p> <p>(h) <u>Controlling of exotic species, particularly wilding pines, hawthorn and briar, to allow ecologically appropriate indigenous plant species to dominate the grey scrubland areas</u></p>	<p>There are new matters of discretion specific for this zone to ensure that the screening of the development is achieved and that unless wilding, existing species are retained.</p> <p>Changes have been made in BOLD to reflect the Council’s evidence and amendments of Mr Davis for the submitter.</p>
11.6.2	Matters of discretion – For Offices	See comment above (11.5.5 Activity table)

Rule no.	Proposed Rule	Discussion
Matters of discretion v	not related to a permitted or controlled activity in the Coneburn – Industrial B, discretion is reserved in respect of: (a) the extent to which the business operates without the need for foot traffic from members of the public, if so is then more suited to a town centre environment.	16a)
Structure Plan	Coneburn Structure Plan with height overlay	A structure plan is a common tool in the District Plan to plan for and provide both certainty into the design and layout of a new zone, especially in the case of green field development. The height overlay adds a degree of accuracy to the Zone to ensure that development is not prominent from outside of the Zone.

6.0 FURTHER SUBMISSIONS

- 6.1 Further submissions were made by NZ Ski Limited, Jacks Point Residents and Owners Association and Jacks Point.
- 6.2 NZ Ski Limited (FS1229.1 and FS1229.3) support the submission in entirety.
- 6.3 Jacks Point Residents and Owners Association (FS1277.3) Oppose due to cumulative effects on landscape and visual values including light spill and character of the area. This concern has been addressed by Ms Snodgrass in her evidence. The proposed zone is integrated as much as possible into the landscape. Earthworks undertaken during submissions will ensure subsequent buildings do not breach the height limits set for the zone (and therefore will not be seen from public places). Light spill will be covered by the Council's Southern Lights Strategy– a council policy document.

- 6.4 Jacks Point (FS1275.90) Oppose due to cumulative effects on landscape and visual values and character of the area. The same comments are applicable as above, the zone will be integrated into the landscape.

7.0 REBUTTAL

Section 42A report/Statement of Evidence of Robert Buxton

- 7.1 Mr Buxton's overall recommendation is to reject the submission, though he considers that there is merit in the rezoning. He considers that the effects of the zoning are fully addressed and that the proposed zone will provide for the type of industrial activities that struggle to find necessary land. He also considers that the proposal should be considered as part of a strategic review of the supply, location and release of further land.
- 7.2 Mr Copeland in his evidence provides a thorough analysis (strategic review) of the evidence to date commissioned by the Council, by applicants seeking resource consent (Bunnings in Frankton), peer reviews of that information and his own extensive knowledge of economics. He concludes that there are no negative externalities of rezoning the land now (as part of Stage 1 of the Review).
- 7.3 There is no guarantee, in terms of timing, as to when the Council will embark upon, and notify for public submission a review of the Industrial and Business Zones. Current indications are that it may occur potentially as Stage 3, to be notified in the 4th quarter of 2018, with hearings to be held in the 1st quarter of 2019¹¹. Neither is there any expectation that any strategic planning arising from that process will require any further economic assessment and analysis than has been undertaken as part of this process, and in the context of the current resource consenting environment, which has necessitated a detailed assessment of current land needs/supply issues. The only change I can potentially see is if the Bunnings Department Store was granted consent. This would utilise 1.6ha of industrial zoned land and influence the

¹¹ Agenda Item 1, Proposed District Plan Timeline, dated 24 May 2017 for the Strategy and Planning Committee meeting of 8 June 2017.

point/timing at which more land needs to be rezoned (i.e. sooner), as a result of industrial land supply being used up.

- 7.4 As I expressed in the Section 32 report which supports the Coneburn submission and the evidence I prepared for Plan Change 19 – Frankton Flats Special Zone (B) to the Environment Court, industrial zoning is not the most popular zoning of land. It is generally lower priced than other alternative zoned land. Therefore, I see a local business community based commitment emerging as a result of a group of local landowners seeking an industrial zoning of their land holdings. The land is currently owned by companies and individuals who have significant business interests in Queenstown and already operate businesses that are industrial in nature or heavily relevant on the availability of industrial activities and or services. They have the resources and ability to develop the land for this purpose and to ensure industrial provision can be made available locally
- 7.5 I do not believe that the concerns in Mr Buxton’s paragraph 27.11 are founded and believe that this is an appropriate opportunity to rezone the land.
- 7.6 With respect to Mr Buxton’s paragraph 27.13 I understand his concern about the need for flat land that can be cheaply serviced. Unfortunately, I do not believe there are any other opportunities for green field development of industrial zoned land in the Basin in close proximity to the community it supports. Queenstown does not have significant land resources that are not sensitive in terms of their landscape characteristics, and/or proximity to incompatible land uses. I believe that Council need to look to the opportunities that are available.
- 7.7 I share Mr Buxton’s concerns expressed in paragraph 27.14 of his evidence that the zoned land may be attractive for other activities such as offices and gyms. I note the differences between the Auckland examples he cites and the Coneburn land:
- The Coneburn land will not benefit from passing traffic, the aim of the zone is to be “hidden” as much as possible from public places, so it may not be attractive to retail operators who want to benefit from high visibility

- It is a stand alone zone and will not be working distance from other supporting zones. For instance, if you work in an industrial area in Frankton Flats you are at most a 10 minute walk from a number of existing and proposed eateries and restaurants. I think it is fanciful to suggest that the Coneburn area can appealing to industrial operators without supporting retail, such as a place to buy lunch or buy some new welding rods in order to complete the fabrication of piece of metal work. I do agree that it is appropriate to control food and beverage retail to prevent unintended uses such as supermarkets or the like. I therefore amend the permitted rule for retail for food and beverage for businesses up to 50m2 GFA to limit their scale to only providing for requirements within the zone.
- My evidence to the Strategic Direction's Chapter of the Plan was accepted by the reporting officer Mr Paetz in his Section 42A report and in his reply¹² to amend Policy 3.2.1.3A.3 to read "Avoid non-industrial activities not related to or supporting industrial activities occurring within areas zoned for Industrial activities". There needs to be some ability for a consenting process to determine appropriate supporting retail. In my opinion lunch bars, cafes, and businesses that sell industrial products (auto parts) mostly to other trades (on account) are suitable in an industrial area.
- The land was been owned for a considerable period of time by the owners, it was not purchased at a price determined by its development potential.

7.8 In paragraph 27.16 Mr Buxton is concerned about how the soil contamination and waste water reports will be taken into account when planning the development. The Subdivision rule promoted for the development requires a number of matters of control which will assist in the development of the zone.

7.9 During the drafting of the submission consultation was undertaken with the Otago Regional Council with regards to hazard management, discharges, regional consenting requirements and servicing. Once consenting starts for the zone the applicants and the ORC will be working together to ensure important issues identified such as storm

¹² Reply of Matthew David Paetz on behalf of the Queenstown Lakes District Council, Strategic Direction and Urban Development Chapters, dated 7 April 2016, Page 3.1 of the revised Chapter.

water are managed to ensure that the permitted rule is complied with at all times. ORC did not make a further submission to this submission.

- 7.10 Paragraphs 27.17 and 27.18 of Mr Buxton’s evidence have been addressed by Anthony Steel (Infrastructure) as I do not have expertise in these matters. The comments concerning height in paragraph 27.20 and 27.21 have been addressed by Ms Snodgrass.
- 7.11 I do not believe that a noise assessment is required to support the plan change. Noise rules are included in the operative zone which are not proposed to be amended. The rules were created to allow for industrial activities to occur in closer proximity to residential that will occur as part of this rezoning (In Wanaka the Industrial B zoning as Low Density Residential as a neighbour¹³). The onus will be on operators to keep their operations to within these limits otherwise the enforcement options exist. As part of my role at the Council considering rezoning of land, there has never been a requirement to predict how future development may or may not achieve noise standards, absent any identified issues where activities have breached noise standards in any particular zone.
- 7.12 A number of changes have been recommended to the provisions to reflect the recommendations of Dr Lloyd and Mr Davis in terms of the ecological assessment of the zone. These are shown in blue in the attached mock-up of the District Plans zones, and include the following:
- Changing terminology from “native species” or “native planting” to “ecologically appropriate indigenous plant species”
 - Changing “native species unless they are wilding” to “existing indigenous plant species”
 - Using the following terminology “restoring ecologically appropriate indigenous plant species” and “control of exotic species, particularly wilding pines,

¹³ Map 23, Wanaka Rural, Queenstown Lakes Operative District Plan

hawthorn and briar, to allow native species to dominant the grey shrubland areas”.

- Include reference in the subdivision controlled activity rule to two other areas of grey scrubland to be proposed through subdivision.

8.0 PART 2 – RESOURCE MANAGEMENT ACT

Section 5

- 8.1 This submission seeking a change in zoning has been prepared in order to achieve the purpose of the Resource Management Act 1991 “the Act”, which is to promote the sustainable management of natural and physical resources. Section 5(2) of the Act defines sustainable management as:

...managing the use, development and protection of natural and physical resources in a way, or at a rate, which enables people and communities to provide for their social, economic and cultural well-being and for their health and safety while –

- (a) Sustaining the potential of natural and physical resources (excluding minerals) to meet the reasonably foreseeable needs of future generations; and*
- (b) Safeguarding the life supporting capacity of air, water, soil and ecosystems; and*
- (c) Avoiding, remedying, or mitigating any adverse effects of activities on the environment.*

This submission supports the purpose of the Act in the following ways:

- Provides for additional industrial and business land to meet the future needs of the Queenstown District, to enable the community to provide for their economic well-being and to support the requirements of the NPS Urban Development;
- Requires extensive mitigation in the form of the protection of land from development and well designed landscaping to avoid the potential visual effects of the development;

- Secures the open space and existing landscape mitigation along the front of the site adjacent to the State Highway to ensure the rural amenity of the State Highway is maintained;
- Reduces the number of access ways from State Highway to the site to ensure ongoing safety;
- Creates a structured timing for upgrades to the State Highway as the development proceeds to prevent adverse effects on the State Highway network.

Section 6

8.2 Section 6 of the Act sets out the Matters of National Importance, in which all persons exercising functions and powers under it, in relation to managing the use, development, and protection of natural and physical resources, shall recognise and provide for. These are:

- a) *the preservation of the natural character of the coastal environment (including the coastal marine area), wetlands, and lakes and rivers and their margins, and the protection of them from inappropriate subdivision, use, and development:*
- b) *the protection of outstanding natural features and landscapes from inappropriate subdivision, use, and development:*
- c) *the protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna:*
- d) *the maintenance and enhancement of public access to and along the coastal marine area, lakes, and rivers:*
- e) *the relationship of Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga:*
- f) *the protection of historic heritage from inappropriate subdivision, use, and development:*
- g) *the protection of protected customary rights.*

8.3 This area is a Rural Landscape Classification under the Proposed District Plan. As a result of the undulating nature of the topography, the existing mitigation and earthworks and the proposed limits height, development on the site will be difficult to see from outside of the zone.

- 8.4 Within the zone there is significant indigenous vegetation, some naturally occurring while a significant amount is due to the extensive planting programme undertaken as part of the mitigation for resource consents. As shown in the Structure Plan for the zone these areas are to be protected from development (supporting s6 (c)), as well as allowing for these areas to perform functions such as areas for the disposal of stormwater.
- 8.5 The area is not known for its significance to Maori. As identified in the comments on the “Strategic Direction” (Proposed District Plan) the proposed development does not offend the principles of the “The Cry of the People Te Tangi a Taurira” Iwi Management Plan. There are no known waahi tapu sites within the Plan Change area.
- 8.6 The Remarkables face itself is an iconic landmark for Queenstown. Its protection from development is therefore important, as its dominance and landscape value is significant to Queenstown. The proposed zone sits within the foothills of the Remarkables and from outside of the zone will be barely discernible, especially at a distance. The significance of the Remarkables will not be impaired by this development.

Section 7

- 8.7 Section 7 sets out the *other matters* that are important in the Part 2 of the Act.

Other matters

In achieving the purpose of this Act, all persons exercising functions and powers under it, in relation to managing the use, development, and protection of natural and physical resources, shall have particular regard to—

(a) kaitiakitanga:

(aa) the ethic of stewardship

(b) the efficient use and development of natural and physical resources:

(ba) the efficiency of the end use of energy:

(c) the maintenance and enhancement of amenity values:

(d) intrinsic values of ecosystems:

(e) [Repealed]

(f) maintenance and enhancement of the quality of the environment:

(g) any finite characteristics of natural and physical resources:

(h) the protection of the habitat of trout and salmon

(i) the effects of climate change:

(j) the benefits to be derived from the use and development of renewable energy.

- 8.8 In relation to Section 7 of the RMA, the industrial development of the Coneburn area, in the manner promoted by this submission, is an efficient use and development of natural and physical resources of the area. Given the location of the site (in respect to existing and proposed urban development) and that a large portion of it is already consented to be used for industrial uses, it can be adequately serviced and is easily accessible to the State Highway network, it is both efficient and effective.
- 8.9 Land in a location and with the landscape attributes of the Coneburn area is a finite resource in the Queenstown area. The existing environment has already been largely changed on a significant proportion of the site via resource consent and no longer reflects the attributes of the Rural General Zone. The provisions promoted, which are based on the Industrial B Zone, will ensure that existing and future industrial development is effective, and will allow for the need for these land uses into the future.
- 8.10 The quality of the existing environment at present is a mix of quarry, existing industrial uses, and scrub land. It is proposed to create a zone that enables industrial development and is guided by a structure plan depicting areas that are suitable and not suitable for development and at what density. This will ensure that parts of the development that contain native vegetation and are located within steep topography (prone to flooding or stormwater movement) are protected from development.
- 8.11 The proposed submission is therefore consistent with the purpose and principles of the Resource Management Act.

Alyson Hutton

9 June 2017

Attachment A

Experience - Curriculum Vitae

January 2014 - Present

Self Employed Planning Consultant

Key projects

- Providing sub-contracting services to *Brown and Company Planning Group Limited*– this has involved the following to date:
 - Drafting of a Section 32 for the Huapai Proposed Variation (Special Housing Area) to the Auckland Unitary Plan
 - Drafting of submissions and further submissions to various Plan Changes for clients
 - Drafting of submissions to the QLDC District Plan Review
 - Drafting and lodgement of resource consents
 - Preparation of background research material for various planning projects
- Provision of advice, evidence and participation in expert conferencing for Plan Change 19 to its conclusion in September 2014
- Preparation of Resource Consent applications

February 2006 – December 2013

Senior Policy Analyst – Queenstown Lakes District Council

Key projects:

- Project management and lead council planner for Plan Change 19. It involved providing for growth needs in an area of multiple landowners, high quality landscape adjacent to a nationally significant international airport. This involved project management of a team of 11 experts, approximately 10 days of Environment Court conferencing and providing expert evidence at both the Council and Environment Court hearings
- Processing private plan changes
- All aspects of 1st schedule planning processes for plan changes including environment court mediation and evidence
- Strategic planning

November 2002 – February 2006

Policy Planner – Civic Corporation Ltd

Key Projects

- Project manager and author of community plans for the townships of Kingston, Cardrona and Makarora
- Processing private plan changes
- All aspects of 1st schedule planning processes for plan changes including environment court mediation and evidence
- Strategic planning
- Processing of various Section 292 and Section 293 applications
- Managing the timely processing of Section 120 appeals to resource consents, from lodgement, sourcing expert witnesses, to resolution
- Processing designation requests from requiring authorities.

11. Business and Industrial Areas

Queenstown, Frankton, Coneburn, Arrowtown and Wanaka

11.1 Issues, Objectives and Policies

11.1.1 Resources, Activities and Values

Business activities occur throughout the commercial, service and administration centre within the District, however they tend to be concentrated in or near urban areas. Queenstown is the dominant containing the widest range of business activities.

Over recent years there has been a greater mixture of activities on individual sites.

This trend has been most evident in Queenstown although it is discernible in other urban areas.

It can typically be seen in the following outcomes:

- home occupations and small business offices established in residential areas
- retailing activities in more traditional industrial or service activity neighbourhoods

Business activities are an important socio-economic resource and occupy a significant portion (in terms of dollar value) of the land resource. Past planning regimes have provided adequate opportunities for expansion of business activities through the zoning of land although there is now a need for increased zoning.

At present the main activities are concentrated in and around the town centres and the commercial core areas of the townships. This distribution is a direct result of historical factors which have been reinforced by past zoning provisions.

A further trend which has emerged in recent years is a shift towards home occupations. There are many reasons for this. In urban areas home occupations are generally small scale and cover a wide range of activities. In rural areas home occupations tend to be craft based and often have a retail component.

The Council acknowledges this development.

The business and industrial base of the District is founded in three sectors:

- primary produce
- visitor services
- development and construction

Traditionally the industrial activities have serviced the rural sector or have been based on primary production. A number of the smaller settlements of the District still rely on businesses servicing the rural sector for a substantial part of their economic well being.

The significant growth in tourism, and the range of activities in which visitors may now participate, has resulted in development of a number of industries specialising in servicing tourist activities. Also resulting from the expansion in tourism and associated increase in resident population, there is an emerging local construction and development industry.

11.1.2 Issues

i Land and Location

- **Unavailability of land and poor location can result in loss of opportunity and vitality of the business sector, as well as inefficient use of infrastructure, inconvenience and adverse effects on surrounding areas.**

In Queenstown the growth in visitor and resident population has resulted in demand for land exceeding supply. This has given rise to increases in land values, decentralisation of some business activities, dislocation of other land use activities, redevelopment of existing premises and a need for expansion of business activity areas.

ii Development Opportunities

- **The difficulty to change or redevelop the use of buildings and sites can lead to inefficient use of buildings and infrastructure and loss of business vitality.**

The Council must have regard to efficient use and development of physical resources and to the effects of activities. Activities appropriate in the zones are determined not just through the nature of the surrounding environment but also in terms of District wide implications. In particular, some of the areas which have traditionally provided for light industrial activities have the ability to accommodate a wide range of business activities and in particular, elements of retailing.

iii Environmental Effects

- **The establishment and operation of business and industrial activities may result in adverse effects on business areas and their surroundings.**

In addition to making business areas physically accessible to the public it is also necessary to enhance their amenities to make them pleasant places to visit and work. The level of amenity may differ in particular business and industrial areas. Therefore there are a number of amenity issues as follows:

- **Industrial** activity and traffic noise.
- **Noise** is of concern in proximity to residential areas, and therefore needs to be strictly controlled at the residential interface.
- **Glare** is created from lighting, buildings and car parking.

- **Visually** the industrial and business areas are characterised by buildings built up to boundaries with minimum setback. Accepting the functional needs of business, the Council sees a need to improve amenity in all of the business and industrial areas.
- **Traffic** within industrial and business areas creates more heavy traffic than occurs elsewhere.
- **Industrial Air Pollution** and industrial activities may produce air emissions which have the potential to pollute the environment.

iv Retailing

- **Location of retail activities in the business and industrial areas could adversely effect the town centres and result in adverse effects on traffic safety and vehicle/pedestrian conflict.**

The types of activities undertaken from industrial areas have changed in recent years. Industrial areas are no longer primarily areas of processing and manufacturing. Services and retailing are becoming increasingly significant. In the past there has been limited provision for retail activity from industrial areas. It is important retailing does not result in compromised traffic safety, pedestrian conflict with traffic flows, degradation of the amenity values of the town centres, and loss of efficiency of main arterial roads.

11.1.3 Objectives and Policies

Objective 1 - Business and Industrial Activity

A range of industrial locations which accommodate a variety of appropriate activities, including the maintenance and consolidation of existing business areas.

Policies

- 1.1 *To enable a wide range of activities to establish throughout the business and industrial areas.*

- 1.2 *To encourage redevelopment within existing business areas by consolidating these areas.*
- 1.3 *To provide for additional industrial and business zoned land in areas which will not adversely affect existing business activities and is consistent with maintaining the standard of amenities in the area.*
- 1.4 *To recognise existing large-scale business activities in rural areas and townships.*
- 1.5 *To consider the effects of retail uses in the Business Zones on the Town Centre Zones and the people and community*

Implementation Methods

Objective 1 and associated policies will be implemented through a number of methods including:

(i) District Plan

- (a) Provide rules for distinctive business and industrial areas.
- (b) Zone rules to provide for specific retailing opportunities.
- (c) Identification of zone areas for expansion of industrial and business opportunities

(ii) Other Methods

- (a) Provision of works and services.

Explanation and Principal Reasons for Adoption

Many of the existing industries have been established for a long time, particularly those which traditionally serviced rural activities such as transport businesses and sawmills. Others have established to service the needs of a growing resident population and tourism activities.

There are some areas where industrial activities have established and which are subject to servicing constraints. In other areas constraints arising from

adjacent land use activities give rise to limitations on development; for example, the Shotover Industrial Area and the limitations imposed on that by the Queenstown Airport. Over time servicing constraints may be overcome by extended or upgraded infrastructure.

Unrestricted retail activities are considered unsuitable for business and industrial areas because of the need to ensure retailing does not result in compromised traffic safety, pedestrian conflict with traffic flows, degradation of the amenity values of the town centres, and loss of efficiency of main arterial roads. Town Centres are pedestrian orientated and it is necessary to ensure these attractive environments are not degraded by retail activities that are incompatible with their amenities.

Objective 2 - Amenity within the Business and Industrial Areas

Areas of industrial and business activity which have a standard of amenity pleasant to visit and work within while recognising their function.

Policies

- 2.1 *To enhance the business and industrial areas by minimising the adverse effects created by activities as a result of street appearance, noise, glare, traffic and dust.*
- 2.2 *By ensuring sites for business and industrial activities provide an attractive frontage to streets, public places and neighbours.*
- 2.3 *To ensure provision is made for adequate and properly designed car parking areas.*
- 2.4 *To exclude business activities which generate levels of pedestrian activity which are incompatible with the location.*
- 2.5 *To recognise heavy and noxious activities may not be able to operate under the higher amenity standards and to impose less stringent standards in the industrial zones.*

Implementation Methods

Objective 2 and associated policies will be implemented through a number of methods including:

(i) District Plan

- (a) Provision of rules to put in place performance standards for matters such as landscaping, building and street appearance, noise, glare and separation from neighbours.

Explanation and Principal Reasons for Adoption

Amenity and environmental quality are important in business and industrial areas. Environmental effects of concern are traffic generation, pedestrian generation, visual impact, and emissions of all types.

For this reason the Council has determined the locations in which industrial activities may establish and acceptable levels of effects that may arise from activities within those areas.

Concerns regarding the effects of traffic and pedestrians are addressed through location. It is important industrial areas are situated where they have direct access to main traffic routes because of the nature and volumes of traffic generated by these activities. It is important pedestrian levels are not so high as to cause concerns for the safety of the pedestrians. Other areas may be more suited to pedestrian usage.

Visual amenity is addressed through five main elements: landscaping, building setback, outdoor storage, development density and building appearance. Ensuring adequate performance in respect of each of these is important to retaining or enhancing the amenity within the industrial areas as well as to minimise the effects of these areas on the wider environment.

Noise standards are also included while the matter of air emission is controlled by the Otago Regional Council.

Objective 3 - Effect on Amenities

Minimisation of the effects of business and industrial activities on neighbours, other land use activities and on visual amenities.

Policies:

- 3.1 *To impose performance standards at the interface between the business and industrial areas and residential areas to protect living environments from unacceptable noise, smell, shading, traffic and glare.*
- 3.2 *To control the location of business activities so impacts of vehicle movements are restricted to main traffic routes.*
- 3.3 *To promote design and layout of new business and industrial areas sensitive to the amenity of neighbouring activities.*
- 3.4 *To have regard to visual amenity of the business and industrial sites which are located at the Gorge Road entrance to Queenstown and the Shotover entrance to Frankton.*
- 3.5 *To ensure provision is made for employee car parking in the Business and Industrial Zones at the time of development.*
- 3.6 *To ensure that public/visitor car parking is provided on ground level adjacent to the street frontage of the site.*

Implementation Methods

Objective 3 and associated policies will be implemented through a number of methods including:

(i) District Plan

- (a) Include rules relating to environmental standards for noise, glare, landscaping, setback, height and external appearance of buildings.
- (b) Include the use of rules to set down performance standards for activities adjacent to residential areas.

Explanation and Principal Reasons for Adoption

There is a desire to protect the environment which has resulted in policies directed at containment of urban areas.

To reduce the adverse impacts of business activities on residential and other environments, it is necessary to establish performance measures. Those promoted through these policies will avoid, remedy or mitigate adverse effects.

In new business activity areas the opportunity exists for development to be designed in a way which avoids many of these effects. This can be achieved through the placement of infrastructure and roading, establishment of buffer zones and separation using topographical features. The use of these techniques will be encouraged at the time of subdivision and development.

Certain areas require greater amenity control because of their impact on surrounding activities. In particular, greater amenity requirements are needed in specific areas of the Gorge Road business area and in the Shotover Industrial Zone.

11.1.4 Environmental Results Anticipated

Implementation of the policies and methods relating to Business and Industrial activities will result in:

- (i) A diverse range of industrial and service activities.
- (ii) Provision for a wide range of industrial and service uses to be located at accessible and convenient locations throughout the District.
- (iii) Higher levels of noise in contrast to other zones.
- (iv) A distinctly industrial visual environment in terms of building style and outdoor storage.
- (v) Provisions to gradually improve and enhance the street appearance and character through the use of more detailed frontage landscaping and controls on external appearance.
- (vi) Relatively high levels of vehicle generation including heavy vehicles.

- (vii) Retailing activity primarily limited to bulky items, service uses, goods produced on site and retailing uses which will not undermine the viability, amenity values and coherence of the town centres.
- (viii) Retention of an attractive landscaped gateway area on the Gorge Road approach and departure point to Queenstown and protection of the visual amenity and approach to Queenstown along State Highway No. 6 in the vicinity of the Shotover industrial area.

11.1.5 Industrial B Zone

The previous sections 11.1.1 and 11.1.2 which outline the issues facing the Business and Industrial (A) zones are also applicable to the Industrial B Zone.

Objectives and Policies

Objective 5

A high quality, functional **area** zone that provides for a wide range of business, industrial, service and trade-related activities and with the exception of the Industrial B – Coneburn avoids residential, office, and most retail uses.

Policies

- 5.2 *To avoid development that is not in accordance with the relevant Structure Plan or where applicable approved Outline Development Plans*
- 5.3 *To ensure that development and subdivision only occurs where either the necessary infrastructure exists to service it, or temporary measure(s) have been agreed to by the council and the applicant has committed to connect to the council reticulated system once available.*
- 5.4 *Other than ancillary retail and that retail specifically permitted by the rules, or retail that directly supports and is compatible with industrial activities (Industrial B- Coneburn), all other retail shall be avoided in order to:*

- 5.4.1 *Preserve the zone for those uses that are specifically enabled; and*
- 5.4.2 *Ensure that the vibrancy of the existing town centres and the mixed use and commercial core areas of the Frankton Flats and Three Parks Zones is not undermined.*
- 5.4.3 *Prevent the further distribution of retail across numerous areas and to therefore encourage continued consolidation of retail activity in those areas intended for that purpose.*
- 5.5 *Residential and office activities (other than office activities in Activity Area 1A Industrial B – Coneburn) shall be prevented in order to avoid reverse sensitivity issues and to preserve the zone for industrial and service activities*
- 5.6 *Small lot subdivision shall be avoided unless combined with a landuse Resource Consent, which illustrates how a complying development can occur on the site(s).*
- 5.7 *Adequate road access and on-site loading and manoeuvring areas shall be provided for heavy vehicles in order to prevent i) any loading or manoeuvring from occurring within the road corridor and ii) any large vehicles (truck and trailer units) having to reverse out of a site onto a road.*
- 5.8 *To ensure the provision of adequate loading zones in the design and layout of the zone, as well as on site loading at the time of development.*
- 5.9 *To require street layouts and design to:*
 - 5.9.1 *Be well-connected, with cul-de-sacs being avoided wherever connected streets would offer greater efficiency and amenity*
 - 5.9.2 *Minimise the creation of rear sites.*
 - 5.9.3 *Be safe for vehicles, cyclists, and pedestrians.*
 - 5.9.4 *Minimise opportunities for criminal activity through incorporating “Crime Prevention Through Environmental Design” (CPTED)*

principles as appropriate in the design of lot configuration and the street network, car parking areas, lighting, public and semi-public spaces, access ways, landscaping, fencing, and the location of compatible uses.

- 5.10 *To recognise that the relocation of a fixed road by more than 50 metres or a fixed connection point by more than 20 metres (from that shown on the relevant Structure Plan) is likely to significantly affect the integrity of the Structure Plan and should be avoided.*

Objective 6

Effectively mitigate a) the adverse visual effects of business and industrial development, when viewed from public and private places and b) the adverse nuisance effects on the amenity of residential zones within the vicinity of the Industrial B Zone and

Avoid unreasonable and objectionable odour, which will affect amenity in the residential zones in the vicinity of the Industrial B Zone.

Policies

- 6.2 *To require buildings to be well designed, by encouraging interesting roofscapes, the incorporation of green building principles, and the use of recessive, non-reflective colours whilst ensuring that bright colours are used only as accents on a building.*
- 6.3 *To ensure that maximum building height rules are not used to create overly high surrounding parapet walls which create a visual presence well in excess of what is required to contain buildings’ internal volumes.*
- 6.4 *To ensure that the fixed open spaces shown on the relevant Structure Plan are provided in order to separate and partially screen the zone from adjacent existing or future residential zones in order to minimise the visual, noise, dust, and odour effects of development from both public and private places.*
- 6.5 *To avoid industrial activities that create objectionable and unreasonable odour.*

- 6.6 To avoid buildings within the fixed open space areas shown on the relevant Structure Plan other than on the designated 'buildable areas', upon which certain small scale buildings shall be allowed in order to the viable long term maintenance of those open spaces
- 6.7 To require high quality planting and mounding of the open spaces where this is specifically identified as required in the provisions in order to mitigate the visual effects of development within the zone.
- 6.8 To avoid excavation on the fixed open space areas identified on the relevant Structure Plan unless it is for the express purpose of providing for the "pedestrian/ connection point" shown on the Structure Plan or provides for services in Industrial B - Coneburn area

Objective 7

A street layout, well-considered building design, and other initiatives that, together, help to reduce car use and provide practical alternatives.

Policies

- 3.1 To require that the street layout and cycle and walking networks are designed to:
 - 3.1.1 Enable public transport to efficiently service the area, now or in the future; and
 - 3.1.2 Reduce travel distances through well-connected streets; and
 - 3.1.3 Provide safe, attractive, and practical routes for walking and cycling, which are well-linked to existing or proposed passenger transport and, which are well-connected to other areas beyond the zone.
- 3.2 To require applications for Outline Development Plans (where relevant) and large scale developments to show how they will help reduce private car travel and encourage realistic alternative modes of transport.

- 3.3 To encourage large scale developments to prepare voluntary travel plans through the Council providing advocacy and assistance.

Refer to Council guidelines relating to Travel Plans.

Objective 8

A subdivision layout and built form that demonstrates best practice in terms of achieving environmental sustainability

Policies

- 4.1 To ensure, through the street layout, that buildings are located and orientated in a way that achieves good solar access
- 4.2 To encourage energy-efficient building design.
- 4.3. To incorporate stormwater and sediment management options that ensure that:
 - 4.3.1 The rate of discharge remains equal to or less than that of pre-development
 - 4.3.2 The quality of the water in that discharge remains equal to or better than that of pre-development.
- 4.4 To encourage the creation or restoration of wetlands where opportunities exist

The following objective and policies are only relevant to Industrial B Coneburn.

Objective 9 – Industrial B - Coneburn

A dedicated industrial and business zone with a mix of compatible activities which serves the local and surrounding areas

- 9.1 To enable a wide variety of industrial and service activities ranging from lighter industrial activities to those of a yard based nature through the

use of the Structure Plan guiding development within appropriate locations

9.2 To protect areas of Open Space to provide for the protection of landforms and natural vegetation while maintaining the broader landscape character when viewed from outside of the Zone

9.3 The subdivision design and associated mitigation measures shall ensure that built form and associated activities within the zone are not highly visible when viewed from State Highway 6.

9.4 To limit the range of retail activities to those which directly support and are compatible with industrial activities

9.5 To limit the location of offices (not related to a permitted or controlled activity) to avoid reverse sensitivity effects and the use of valuable industrial land.

9.6 To minimise the adverse effects of noise, glare, dust and pollution.

9.7 To minimise the visual effects of the development within the Zone by:

- The use of effective landscaping including earthworks to screen development from public viewpoints and the State Highway; and
- Specifying a range of height limits for buildings and activities within the Zone relative to the sites overall visibility from the State Highway.

9.8 To ensure subdivision creates lots that are capable of accommodating development that is enabled by the rules for the Zone

9.9 At the time of subdivision or development, to ensure that:

- (i) there is adequate provision for road access, onsite parking (staff and visitors) and loading and manoeuvring for all types of vehicle so as to cater for the intended use of lot or a site;
- (ii) where the intended activity on any lot or site may require the use of large truck and trailer units, or a large number of

vehicles using the same access point, there is sufficient area for these to exit on to the road in a forwards direction;

Note: The requirements in Clauses (i) and (ii) above can be enabled by shared parking, access and loading arrangements that are secured by an appropriate legal mechanism.

9.10 Access to the State Highway shall be limited to only those access points shown on the structure plan

9.11 Access onto the State Highway is provided at a scale and pace that is safe and efficient as development within the zone increases up until capacity.

9.12 To provide for custodial units for industrial and service activities only where they are ancillary to and related to the principal activity on site, provide safety and contribute to the effective operation of a consented industrial or business activity.

9.13 Unless otherwise provided for in the policies for this Zone, to exclude activities (such as residential, retail and visitor accommodation activities) that conflict with the intended purpose of the Zone, through the generation of reverse sensitivity effects; or which will result in the reduction of land available for industrial and service activities.

11.2 Business Zone Rules

11.2.1 Zone Purpose

The purpose of the zone is to provide for the continued viability of light industrial, processing, storage and retailing of bulky or larger goods plus the opportunity for vehicle orientated service and retail uses.

11.2.2 District Rules

Attention is drawn to the following District Wide Rules which may apply in addition to any relevant Zone Rules. If the provisions of the District Wide Rules are not met then consent will be required in respect of that matter:

- | | |
|--|-----------------|
| (i) Heritage Protection | - Refer Part 13 |
| (ii) Transport | - Refer Part 14 |
| (iii) Subdivision, Development and Financial Contributions | - Refer Part 15 |
| (iv) Hazardous Substances | - Refer Part 16 |
| (v) Utilities | - Refer Part 17 |
| (vi) Signs | - Refer Part 18 |
| (vii) Relocated Buildings and Temporary Activities | - Refer Part 19 |

11.2.3 Activities

11.2.3.1 Permitted Activities

Any Activity which complies with all the relevant **Site** and **Zone** Standards and is not listed as a **Controlled, Discretionary, Non-Complying** or **Prohibited Activity**.

11.2.3.2 Controlled Activities

The following shall be **Controlled Activities** provided that they are not listed as a **Prohibited, Non-Complying** or **Discretionary Activity** and they comply with all the relevant **Site** and **Zone** Standards. The matters in respect of which the Council has reserved control are listed with each **Controlled Activity**.

i Buildings

Buildings in respect of landscaping, external appearance, and visual impact on the streetscape.

ii Outdoor Storage Areas

Outdoor storage areas located within any street scene setback in respect of landscaping, screening, appearance and visual impact.

iii Supermarket Retailing

Supermarket retailing on Lots 13-17 DP 19259

11.2.3.3 Discretionary Activities

The following shall be **Discretionary Activities** provided they are not listed as a **Prohibited** or **Non-Complying** Activity and they comply with all the relevant **Zone** Standards.

i Retail Sales

Any goods displayed for sale and retailing undertaken from a site containing in excess of 500m² net floor area, except:

(a) Goods manufactured on site, and ancillary products up to 20% of the gross floor area; or

(b) Goods stored permanently outdoors.

- #### ii Any Activity which is not listed as a **Non-Complying** or **Prohibited Activity** and which complies with all the **Zone** Standards but does not comply with one or more of the **Site** Standards shall be a **Discretionary Activity** with the exercise of the Council's discretion being confined to the matter(s) specified in the standard(s) not complied with.

11.2.3.4 Non-Complying Activities

The following shall be **Non-Complying Activities** provided that they are not listed as a **Prohibited Activity**.

i Retail Sales

Any goods displayed for sale and retailing undertaken from a site less than 500m² net floor area including restaurants.

ii Airports

Airports **other than** the use of land and water for emergency landings, rescues and fire fighting or for activities ancillary to farming activities.

iii Any Activity which requires an Offensive Trade Licence under the Health Act 1956.

iv Residential Flat

v **Any Activity** which is not listed as a **Prohibited Activity** and does not comply with one or more of the **Zone Standards**.

11.2.4 Non-Notification of Applications

An application for a resource consent for the following matters may be considered without the need to obtain a written approval of affected persons and need not be notified in accordance with Section 93 of the Resource Management Act 1991, unless the Council considers special circumstances exist in relation to any such application.

- (i) All applications for **Controlled Activities**.
- (ii) Applications for the exercise of the Council's discretion in respect of the following **Site Standards**:
 - **Visual Amenity**
 - **Building Height where the site does not adjoin a High Density Residential, Low Density Residential, Township, Rural Lifestyle or Rural-Residential Zone.**

11.2.5 Standards - All Activities

11.2.5.1 Site Standards

i Residential Accommodation

One residential unit per site for the purpose of on-site custodial management.

ii Street Scene

The minimum building setback from road boundaries shall be:

- Anderson Road - 6m
- Gorge Road - 6m
- Bowen Street, Sawmill Road, Hallenstein Street - 4m
- Plantation Road - 8m
- All Other Roads - 2m

iii Building Coverage

Maximum site coverage - 75%

iv Setback from Internal Boundaries

The minimum building setback from a Residential Low Density, Residential High Density, Township, Rural Lifestyle or Rural-Residential Zone boundary shall be 4.5m.

v Visual Amenity

(a) Storage of Waste

No outdoor waste storage area shall be located in any street scene setback area. Any outdoor type area shall be sited behind any street scene setback and screened from road frontages by either a solid fence of at least 2m minimum height, or dense planting of the same height.

(b) Residential Zone Boundary Fencing

A solid fence of at least 1.8m height shall be erected on the boundary of any residential zone.

vi Building Height

Maximum building height - 7m.

vii Earthworks

The following limitations apply to all earthworks (as defined in this Plan), except for earthworks associated with a subdivision that has both resource consent and engineering approval.

1. Earthworks

- (a) The total volume of earthworks does not exceed **100m³** per site (within a 12 month period). For clarification of “volume”, see interpretative diagram 5.
- (b) The maximum area of bare soil exposed from any earthworks where the average depth is greater than 0.5m shall not exceed **200m²** in area within that site (within a 12 month period).
- (c) Where any earthworks are undertaken within 7m of a Water body the total volume shall not exceed **20m³** (notwithstanding provision 17.2.2).
- (d) No earthworks shall:
 - (i) expose any groundwater aquifer;
 - (ii) cause artificial drainage of any groundwater aquifer;
 - (iii) cause temporary ponding of any surface water.

2. Height of cut and fill and slope

- (a) The vertical height of any cut or fill shall not be greater than the distance of the top of the cut or the toe of the fill from the site boundary (see interpretative diagram 6). Except where the cut or fill is retained, in which case it may be located up to the boundary, if less or equal to 0.5m in height.
- (b) The maximum height of any cut shall not exceed 2.4 metres.
- (c) The maximum height of any fill shall not exceed 2 metres.

3. Environmental Protection Measures

- (a) Where vegetation clearance associated with earthworks results in areas of exposed soil, these areas shall be revegetated within 12 months of the completion of the operations.
- (b) Any person carrying out earthworks shall:
 - (i) Implement erosion and sediment control measures to avoid soil erosion or any sediment entering any water body. Refer to the Queenstown Lakes District earthworks guideline to assist in the achievement of this standard.
 - (ii) Ensure that any material associated with the earthworks activity is not positioned on a site within 7m of a water body or where it may dam or divert or contaminate water.
- (c) Any person carrying out earthworks shall implement appropriate dust control measures to avoid nuisance effects of dust beyond the boundary of the site. Refer to the Queenstown Lakes District earthworks guideline to assist in the achievement of this standard.

4. Protection of Archaeological sites and sites of cultural heritage

- (a) The activity shall not modify, damage or destroy any Waahi Tapu, Waahi Taoka or archaeological sites that are identified in Appendix 3 of the Plan, or in the Kai Tahu ki Otago Natural Resource Management Plan.
- (b) The activity shall not affect Ngai Tahu’s cultural, spiritual and traditional association with land adjacent to or within Statutory Acknowledgment Areas.

11.2.5.2 Zone Standards

i Building Line Restriction

Where a building line restriction is shown on District Plan Maps, no building shall be located within the restricted area as identified on District Plan Maps.

ii Noise

(a) Sound from non-residential activities measured in accordance with NZS 6801:2008 and assessed in accordance with NZS 6802:2008 shall not exceed the following noise limits at any point within any site outside this zone:

- | | | | |
|-------|------------|--------------------|--------------------|
| (i) | daytime | (0800 to 2000 hrs) | 60 dB LAeq(15 min) |
| (ii) | night-time | (2000 to 0800 hrs) | 50 dB LAeq(15 min) |
| (iii) | night-time | (2000 to 0800 hrs) | 70 dB LAFmax |

(b) Sound from non-residential activities which is received in another zone shall also comply with the noise limits set in the zone standards for that zone.

(c) The noise limits in (a) shall not apply to construction sound which shall be assessed in accordance and comply with NZS 6803:1999.

(d) The noise limits in (a) shall not apply to sound associated with airports or windfarms. Sound from these sources shall be assessed in accordance and comply with the relevant New Zealand Standard, either NZS 6805:1992, or NZS 6808:1998. For the avoidance of doubt the reference to airports in this clause does not include helipads other than helipads located within any land designated for Aerodrome Purposes in this Plan.

iii Glare

(a) Exterior lighting installed on sites or buildings shall be directed away from adjacent sites, roads and public places.

(b) Roofs of buildings shall be finished to avoid glare when viewed from any public place.

(c) No activity shall result in a greater than 10 lux spill, horizontal or vertical, of light onto any adjoining property within the zone, measured 2m inside the boundary of any adjoining property.

(d) No activity shall result in a greater than 3 lux spill, horizontal or vertical, of light onto any adjoining zone, measured at any point more than 2m inside the boundary of the adjoining property.

11.2.6 Resource Consents - Assessment Matters

The Assessment Matters, which apply to the consideration of resource consent in the Business Zone, are specified in Rule 11.4.

11.3 Industrial Zone Rules

11.3.1 Zone Purpose

The purpose of the zone is to provide for the continued viability of industrial activities and the services they provide for the social and economic well being of the community.

11.3.2 District Rules

Attention is drawn to the following District Wide Rules, which may apply in addition to any relevant Zone Rules. If the provisions of the District Wide Rules are not met then consent will be required in respect of that matter.

- | | | |
|-------|--|-----------------|
| (i) | Heritage Protection | - Refer Part 13 |
| (ii) | Transport | - Refer Part 14 |
| (iii) | Subdivision, Development and Financial Contributions | - Refer Part 15 |
| (iv) | Hazardous Substances | - Refer Part 16 |

- (v) Utilities - Refer Part 17
- (vi) Signs - Refer Part 18
- (vii) Relocated Buildings and Temporary Activities - Refer Part 19

11.3.3 Activities

11.3.3.1 Permitted Activities

Any Activity which complies with all the relevant **Site** and **Zone** Standards and is not listed as a **Controlled, Discretionary, Non-Complying** or **Prohibited Activity**.

11.3.3.2 Controlled Activities

The following Activities shall be **Controlled Activities** provided that they are not listed as a **Prohibited, Non-Complying** or **Discretionary Activity** and they comply with all the relevant **Site** and **Zone** Standards. The matter in respect of which the Council has reserved control are listed with each **Controlled Activity**.

- i Buildings**
Buildings in respect of landscaping, external appearance, location of offices and showrooms, and visual impact.
- ii Outdoor Storage Areas**
Outdoor storage areas located within any street scene setback in respect of landscaping, screening, appearance and visual impact.
- iii Additions and Alterations to Buildings within the Outer Control Boundary - Queenstown Airport**
Any alteration or addition to a building or part of the building to be used for residential activities, visitor accommodation or community activities on any site located within the Outer Control Boundary as indicated on the District Plan Maps, in respect of the design, construction, orientation and location of the building to achieve adequate indoor sound insulation from aircraft noise.

11.3.3.3 Discretionary Activities

The following Activities shall be **Discretionary Activities** provided that they are not listed as a **Prohibited, Non-Complying Activity** and they comply with all the relevant **Site** and **Zone** Standards.

- i Commercial Recreation Activities in the Industrial Zone**
- ii Any Activity which is not listed as a Non-Complying or Prohibited Activity** and which complies with all the **Zone** Standards but does not comply with one or more of the **Site** Standards shall be a **Discretionary Activity** with the exercise of the Council's discretion being confined to the matter(s) specified in the standard(s) not complied with.

11.3.3.4 Non-Complying Activities

The following activities shall be **Non-Complying Activities** provided that they are not listed as a **Prohibited Activity**.

- i Retail Sales**
Any goods displayed for sale and retailing undertaken from a site, except for:
 - (a) Goods manufactured on the site, and ancillary products up to 20% of the gross floor area.
- ii Airport**
Take-off or landing of any motorised aircraft other than for emergency rescue or fire-fighting purposes.
- iii Any Activity which requires an Offensive Trade Licence under the Health Act 1956.**
- iv Visitor Accommodation**
- v Factory Farming**
Any Activity which is not listed as a **Prohibited Activity** and does not comply with one or more of the **Zone** Standards.

11.3.3.5 Prohibited Activities

i Activities within the Outer Control Boundary - Queenstown Airport

On any site located within the Outer Control Boundary as indicated on the District Plan Maps, any new Residential Activities, Visitor Accommodation of Community Activities shall be Prohibited Activities.

11.3.4 Non-Notification of Applications

An application for a resource consent for the following matters may be considered without the need to obtain a written approval of affected persons and need not be notified in accordance with Section 93 of the Resource Management Act 1991, unless the Council considers special circumstances exist in relation to any such application.

- (i) All applications for **Controlled** Activities.
- (ii) Applications for the exercise of the Council's discretion in respect of the following **Site** Standards:
 - Visual Amenity
 - Building Height where the site does not adjoin a High Density Residential, Low Density Residential, Township, Rural Lifestyle or Rural-Residential Zone

11.3.5 Standards - All Activities

11.3.5.1 Site Standards

i Residential Accommodation

One residential unit per site for the purpose of on-site custodial management.

ii Street Scene Setbacks

The minimum building setback from road boundaries shall be:

- sites opposite any Residential High Density or Residential Low Density Zone
- 10m
- sites fronting a State Highway
- 10m
- sites fronting Ballantyne Road, Wanaka or Manse Road, Arrowtown
- 5m
- all other road boundaries
- 2m

iii Building Coverage

Maximum Site Coverage - 75%

iv Setback from Internal Boundaries

The minimum building setback from High Density Residential, Low Density Residential, Township, Rural Lifestyle or Rural-Residential Zone boundary shall be 7m.

v Visual Amenity

(a) Storage of Waste

No outdoor waste storage shall be located in any street scene setback area. Any outdoor storage area shall be sited behind any setback and be screened by either a solid fence of at least 2m height or dense planting of the same height.

(b) Residential Zone Boundary Fencing

A solid fence of at least 2m height shall be erected on the boundary.

vi Building Height

Maximum building height - 6m.

vii Earthworks

The following limitations apply to all earthworks (as defined in this Plan), except for earthworks associated with a subdivision that has both resource consent and engineering approval.

1. Earthworks

- (a) The total volume of earthworks does not exceed **100m³** per site (within a 12 month period). For clarification of “volume”, see interpretive diagram 5.
- (b) The maximum area of bare soil exposed from any earthworks where the average depth is greater than 0.5m shall not exceed **200m²** in area within that site (with in a 12 month period).
- (c) Where any earthworks are undertaken within 7m of a Water body the total volume shall not exceed **20m³** (notwithstanding provision 17.2.2).
- (d) No earthworks shall:
 - (i) expose any groundwater;
 - (ii) cause artificial drainage of any groundwater aquifer;
 - (iii) cause temporary ponding of any surface water.

2. Height of cut and fill and slope

- (a) The height of any cut or fill shall not be greater than the distance of the cut or fill from the site boundary (see interpretative diagram 6). Except where the cut or fill is retained, in which case it may be located up to the boundary, if less or equal to 0.5m in height.
- (b) The maximum height of any cut shall not exceed 2.4 metres.
- (c) The maximum height of any fill shall not exceed 2 metres.

3. Environmental Protection Measures

- (a) Where vegetation clearance associated with earthworks results in areas of exposed soil, these areas shall be revegetated within 12 months of the completion of the operations.
- (b) Any person carrying out earthworks shall:
 - (i) Implement erosion and sediment control measures to avoid soil erosion or any sediment entering any water body. Refer to the Queenstown Lakes District earthworks guideline to assist in the achievement of this standard.
 - (ii) Ensure that any material associated with the earthworks activity is not positioned on a site within 7m of a water body or where it may dam or divert or contaminate water.
- (c) Any person carrying out earthworks shall implement appropriate dust control measures to avoid nuisance effects of dust beyond the boundary of the site. Refer to the Queenstown Lakes District earthworks guideline to assist in the achievement of this standard.

4. Protection of Archaeological sites and sites of cultural heritage

- (a) The activity shall not modify, damage or destroy any Waahi Tapu, Waahi Taoka or archaeological sites that are identified in Appendix 3 of the Plan, or in the Kai Tahu ki Otago Natural Resource Management Plan.
- (b) The activity shall not affect Ngai Tahu’s cultural, spiritual and traditional association with land adjacent to or within Statutory Acknowledgment Areas.

11.3.5.2 Zone Standards

i Noise

- (a) Sound from non-residential activities measured in accordance with NZS 6801:2008 and assessed in accordance with NZS 6802:2008 shall not exceed the following noise limits at any point within any site outside this zone:

- (i) daytime (0800 to 2000 hrs) 60 dB LAeq(15 min)
- (ii) night-time (2000 to 0800 hrs) 50 dB LAeq(15 min)
- (iii) night-time (2000 to 0800 hrs) 70 dB LAFmax

- (b) Sound from non-residential activities which is received in another zone shall also comply with the noise limits set in the zone standards for that zone.
- (c) The noise limits in (a) shall not apply to construction sound which shall be assessed in accordance and comply with NZS 6803:1999.
- (d) The noise limits in (a) shall not apply to sound associated with airports or windfarms. Sound from these sources shall be assessed in accordance and comply with the relevant New Zealand Standard, either NZS 6805:1992, or NZS 6808:1998. For the avoidance of doubt the reference to airports in this clause does not include helipads other than helipads located within any land designated for Aerodrome Purposes in this Plan.
- (e) The noise limits in (a) shall not apply to sound from aircraft operations at Queenstown Airport.

ii Glare

- (a) Fixed exterior lighting shall be directed away from adjacent sites, roads and public places.
- (b) Roofs of buildings shall be finished to avoid glare when viewed from any public place.
- (c) No activity shall result in a greater than 10 lux spill, horizontal and vertical, of light onto any adjoining property within the zone, measured 2m inside the boundary of any adjoining property.
- (d) No activity shall result in a greater than 3 lux spill, horizontal and vertical, of light onto any adjoining zone measured at any point inside the boundary of the adjoining property.

iii Queenstown Airport

Airport Noise - Alteration or Addition to Existing Buildings within the Outer Control Boundary

On any site located within the Outer Control Boundary as indicated on the District Plan Maps, any alteration or addition to a building or part of a building to be used for residential activities, visitor accommodation or community activities shall be insulated from aircraft noise so as to meet an indoor design sound level of 40dBA Ldn, except for non-critical listening environments where no special sound insulation is required.

11.3.6 Resource Consent - Assessment Matters

The Assessment Matters, which apply to the consideration of resource consents in the Industrial Zone, are specified in Rule 11.4.

11.4 Resource Consents - Assessment Matters – The Business and Industrial (A) Zones

11.4.1 General

- (i) The following Assessment Matters are other methods or matters included in the District Plan, in order to enable the Council to implement the Plan's policies and fulfil its functions and duties under the Act.
- (ii) In considering resource consents for land use activities, in addition to the applicable provisions of the Act, the Council shall apply the relevant *Assessment Matters* set out in Clause 11.4.2 below.
- (iii) In the case of *Controlled and Discretionary Activities*, where the exercise of the Council's discretion is restricted to the matter(s) specified in a particular standard(s) only, the assessment matters taken into account shall only be those relevant to that/these standard(s).

- (iv) In the case of *Controlled Activities*, the assessment matters shall only apply in respect to *conditions* that may be imposed on a consent.
- (v) Where an activity is a *Discretionary Activity* because it does not comply with one or more relevant Site Standards, but is also specified as a *Controlled Activity* in respect of other matter(s), the Council shall also apply the relevant assessment matters for the Controlled Activity when considering the imposition of conditions on any consent to the discretionary activity.

11.4.2 Assessment Matters

In considering whether or not to grant consent or impose conditions, the Council shall have regard to, but not be limited by, the following assessment matters:

i Controlled Activity - Buildings

Conditions may be imposed in respect of:

- (a) The nature of the business activity, and any particular adverse visual impacts.
- (b) The external appearance, height and location, to avoid or mitigate adverse effects on:
 - street scene;
 - adjoining or surrounding buildings;
 - privacy of adjoining residential properties.
- (c) Any relevant factors in respect to the undesirability of siting offices or showrooms away from the front of buildings or facing the road.
- (d) The relative importance of landscaping on the particular site concerned, taking account of the nature of planting or materials to be used, the location of parking manoeuvring or storage areas, and the visual quality of the surrounding environment, particularly where a low standard of visual quality exists and improvement is necessary.

- (e) The extent to which developments detract from the visual approach to Queenstown, Arrowtown, Frankton and Wanaka.
- (f) The extent to which the development is visible from adjoining sites, particularly those in residential zones.

ii Controlled Activity - Outdoor Storage Areas

Conditions may be imposed in respect of:

- (a) The nature of the business activity itself, and any particular adverse visual impacts.
- (b) The type and volume of materials to be stored on the frontage of the site.
- (c) The relative importance of landscaping on the particular site concerned, taking account of the nature of planting or materials to be used, the location of parking manoeuvring or storage areas, and the visual quality of the surrounding environment, particularly where a low standard of visual quality exists and improvement is necessary.
- (d) The extent to which developments detract from the visual approach to Queenstown, Arrowtown, Frankton and Wanaka.
- (e) The extent to which the site is visible for adjoining sites, particularly those in residential zones.

iii Retail Sales - Discretionary and Non-Complying Activity

- (a) The likely impact of additional retailing on town centres and amenity thereof.
- (b) The likely effect of additional retailing on pedestrian activity, traffic congestion, access, road network and amenities of adjoining activities and properties.

iv Residential Accommodation

- (a) The ability of existing or future business and service activities to operate without constraint as a result of residential activity.
- v Street Scene**
- (a) The ability of office, showroom, and landscaping to mitigate adverse visual effects.
 - (b) The effect on the overall appearance of the street scene, having regard to existing landscaping, road widths, and the general amenity.
 - (c) The effect on any adjoining or adjacent residential or open space areas.
- vi Open Space**
- (a) The ability to mitigate the effects of increased coverage by additional landscaping and screening in respect of the impact of increased coverage on neighbours.
 - (b) The ability to satisfy the requirements in respect of parking, manoeuvring and access.
- vii Setback from Roads and Internal Boundaries**
- (a) The extent to which a limited building setback from a road or neighbours is necessary in order to allow more efficient or practical use of the remainder of the site.
 - (b) The extent to which alternative practical locations are available for the building or structure.
 - (c) The degree to which the proposed building enhances the visual amenity of the site as viewed from the road and adjoining sites.
 - (d) The degree to which the proposed building will detract from the outlook and privacy of people on adjoining sites.
- (e) The degree to which proposed landscaping, including plantings, will mitigate the effects of limited building setback from a road or neighbours.
 - (f) The extent to which the proposed building, will be compatible with the appearance, layout and scale of other buildings and sites in the surrounding area, including the setback of existing buildings in the vicinity from road boundaries.
 - (g) The extent to which the proposed building will have a size, form, and external appearance which is sympathetic to, and in visual harmony with the surrounding environment.
 - (h) The extent to which the use of the proposed building will detract from the pleasantness or amenity of adjoining sites, in terms of noise, smell, dust, glare or vibration.
- viii Height of Buildings**
- (a) Whether any earthworks have been carried out on the site, prior to the date of notification, 10 October 1995, that have lowered the ground level.
 - (b) Whether there are rules requiring the site to be built up.
 - (c) The extent to which the proposed buildings will be compatible with the character of the local environment, including the scale of other buildings in the surrounding area.
 - (d) The extent to which the height of the building would impact on the street scene, including having regard to the matters specified in Assessment Matter (i).
 - (e) The degree to which the increased building height will adversely affect views from properties in the vicinity, or from roads or public open space in the surrounding area.

- (f) The extent to which the building will have an adverse effect on other sites in the surrounding area.
- (g) Whether the adverse effects of height could be mitigated through site layout, increased separation or by screening.

ix Visual Amenity

- (a) The nature of the use of the site.
- (b) The type and volume of materials to be stored on the frontage of the site.
- (c) The extent, appearance and type of screening or landscaping proposed.
- (d) Any relevant factors in respect to the undesirability of storage in a non-complying position.

x Controlled Activity - Addition or Alteration to Buildings within the Outer Control Boundary - Queenstown Airport

Conditions may be imposed to ensure the design, construction, orientation and location of alterations or additions to an existing building or part of a building used for residential activities, visitor accommodation or community activities within Queenstown Airport's Outer Control Boundary is such to ensure the indoor design sound levels specified in Zone Standard 11.3.5.2(iii) are met.

xi Earthworks

1. Environmental Protection Measures

- (a) The extent proposed sediment/erosion control techniques are adequate to ensure that sediment remains on-site.
- (b) Whether the earthworks will adversely affect stormwater and overland flows, and create adverse effects off-site.

- (c) Whether earthworks will be completed within a short period, reducing the duration of any adverse effects.
- (d) Where earthworks are proposed on a site with a gradient >18.5 degrees (1 in 3), whether a geotechnical report has been supplied to assess the stability of the earthworks.
- (e) Whether appropriate measures to control dust emissions are proposed.
- (f) Whether any groundwater is likely to be affected, and any mitigation measures are proposed to deal with any effects. NB: Any activity affecting groundwater may require resource consent from the Otago Regional Council.

2. Effects on landscape and visual amenity values

- (a) Whether the scale and location of any cut and fill will adversely affect:
 - the visual quality and amenity values of the landscape;
 - the natural landform of any ridgeline or visually prominent areas;
 - the visual amenity values of surrounding sites.
- (b) Whether the earthworks will take into account the sensitivity of the landscape.
- (c) The potential for cumulative effects on the natural form of existing landscapes.
- (d) The proposed rehabilitation of the site.

3. Effects on adjacent sites:

- (a) Whether the earthworks will adversely affect the stability of neighbouring sites.

- (b) Whether the earthworks will change surface drainage, and whether the adjoining land will be at a higher risk of inundation, or a raised water table.
- (c) Whether cut, fill and retaining are done in accordance with engineering standards.

4. General amenity values

- (a) Whether the removal of soil to or from the site will affect the surrounding roads and neighbourhood through the deposition of sediment, particularly where access to the site is gained through residential areas.
- (b) Whether the activity will generate noise, vibration and dust effects, which could detract from the amenity values of the surrounding area.
- (c) Whether natural ground levels will be altered.

5. Impacts on sites of cultural heritage value:

- (a) Whether the subject land contains Waahi Tapu or Waahi Taoka, or is adjacent to a Statutory Acknowledgment Area, and whether tangata whenua have been notified.
- (b) Whether the subject land contains a recorded archaeological site, and whether the NZ Historic Places Trust has been notified.

11.5 Industrial B Zone

[Note: Changes shown in Blue reflect changes arising from evidence dated 9 June 2017](#)

11.5.1 Zone Purpose

The **Industrial B Zone** provides for industrial and service activities. Conversely, **offices**, residential and almost all **office and** retail uses are avoided **or otherwise located within specific areas within** the zone in order to ensure that it does not become a mixed use zone where reverse sensitivity issues and land values make industrial and some business uses unviable within the zone.

11.5.2 District Rules

Attention is drawn to the following District Wide Rules, which may apply in addition to any relevant Zone Rules. If the provisions of the District Wide Rules are not met then consent will be required in respect of that matter:

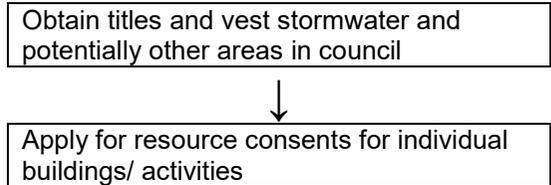
- (i) Heritage Protection - Refer Part 13
- (ii) Transport - Refer Part 14
- (iii) Subdivision, Development and Financial Contributions - Refer Part 15
- (iv) Hazardous Substances - Refer Part 16
- (v) Utilities - Refer Part 17
- (vi) Signs - Refer Part 18
- (vii) Relocated Buildings and Temporary Activities - Refer Part 19

11.5.3 Non-Notification of Applications

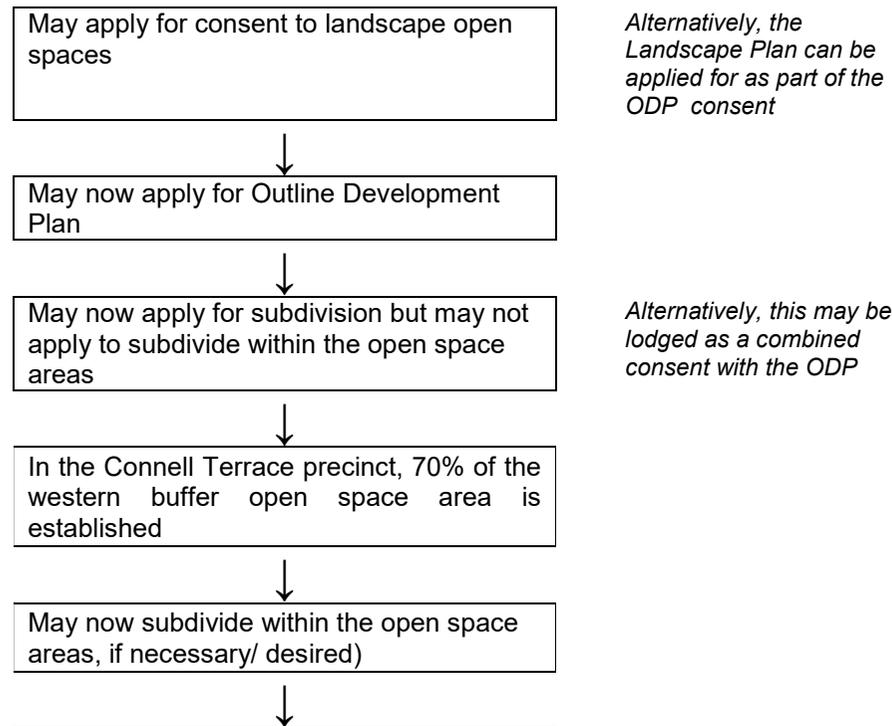
- i Except as provided for by the Act, all applications for **controlled activities** will be considered without public notification or the need to obtain the written approval of or serve notice on affected persons.
- ii Except as provided for by the Act, the following restricted discretionary activities will be considered without public notification or the need to obtain the written approval of, or serve notice on affected persons:
 - (a) All restricted discretionary applications for **Outline Development Plans** in this subzone.

Note: If the Outline Development Plan is non complying due to the fact it is not in accordance with the relevant Structure Plan, then it may be notified.

- (b) All restricted discretionary applications that do not meet the following performance standards (whereby the Council’s discretion is limited to those matters described in the standard(s):
 - (i) The on-site location of retail and office space
 - (ii) The provision of lockers and showers



11.5.4 Anticipated resource consent process for developing the zone **(not applicable to Industrial B: Coneburn)**



11.5.5 Activity table

Key and notes

CON	Controlled Activity	N-C	Non-Complying Activity
PERM	Permitted Activity	DIS	Discretionary Activity
RDIS	Restricted discretionary Activity		
PRO	Prohibited Activity		

Fixed Open Space – means an area of open space shown on the relevant Structure Plan.

Note: Where a proposed activity could possibly be captured by more than one activity/ classification, the most specifically defined activity shall override any other. For example: Where both retail and commercial are both listed the classification for retail over-rides that for commercial as it is more specifically defined. The following activities are listed generally in alphabetical order.

Ref	Activity	Activity status (subject to meeting the performance standards in the following table)
1	Any Activity (including buildings) which meets the performance standards and is not listed in this table as a Controlled, Discretionary, Non-Complying or Prohibited Activity.	PERM
2	Any activity other than car parking (which excludes the storage of cars for sale or rent) within the Special Use Area B shown on the Structure Plan entitled Industrial B Zone - Connell Terrace Precinct.	PRO
3	Airports/ take-off or landing of aircraft other than the use of land and water for emergency landings, rescues and fire fighting.	N-C
4	Buildings , except any building located on the fixed open space areas or on the Special Use Area B identified on the Structure Plan to which the application relates. Note: Buildings within the open space areas are prohibited	CON
5	Buildings within the fixed open space areas	PRO
6	Buildings within Special Use Area B or Special Use Area C shown on the Structure Plan entitled Industrial B Zone - Connell Terrace Precinct.	PRO

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Ref	Activity	Activity status (subject to meeting the performance standards in the following table)
7	Commercial activities, excluding those which are more specifically provided for elsewhere in this table (i.e. those which also meet the definition of an industrial, service, or retail activity).	N-C
8	Community activities, places of assembly, places of entertainment, recreational activity, educational facilities, health care and day care facilities	N-C
9	Factory farming	N-C
10	Food and beverage outlets within Special Use Area A identified on the Open Spaces on the Structure Plan entitled Industrial B Zone - Connell Terrace Precinct	PERM
11	Garden and patio suppliers within Special Use Area A identified on the Structure Plan entitled Industrial B Zone - Connell Terrace Precinct.	PERM
12	Industrial activities, including but not limited to panelbeating, spray painting, motor vehicle repair or dismantling, fibreglassing, sheet metal work, bottle or scrap storage, and motorbody building.	PERM
13	Landscaping of the fixed open spaces shown on the Structure Plan to which the application relates, unless such landscaping has been approved as part of an approved ODP. This rule does not apply to Industrial B - Coneburn Note: The intent of this rule is that a consent can be sought for the landscaping of the open spaces either as part of the ODP application or as a separate individual application prior to applying for the ODP; thus enabling the planting to mature ahead of development.	RDIS
13a	Landscaping of the fixed open spaces shown on the Structure Plan - Industrial B- Coneburn	RDIS
14	Any activity requiring an Offensive Trade Licence under the Health Act 1956 other than the “collection and storage of used bottles for sale” (as listed in that Act).	N-C
15	Offices ancillary to any permitted activity	PERM

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Ref	Activity	Activity status (subject to meeting the performance standards in the following table)
16	Offices , other than those ancillary to a permitted use (This rule does not apply to Activity Area 1A Industrial B – Coneburn)	PRO
16a	Offices, (other than those ancillary to a permitted use) in Activity Area 1A Industrial B – Coneburn	RDIS
17	Outdoor Storage Areas, except for outdoor storage on the fixed open spaces	CON
18	Outline Development Plan (ODP) or variation to an approved ODP Note: Where any element of an application for an Outline Development Plan is a non-complying activity then the Outline Development Plan application becomes non-complying. This rule does not apply to Industrial B – Coneburn	RDIS
19	Planting of any wilding species (as identified in Part 5 of the District Plan).	PRO
20	Residential activities, including elderly persons units and retirement villages, but excluding custodial units In Industrial B - Coneburn.	PRO
20a	Custodial Units – Industrial B Coneburn A single residential flat providing for the custodial management of an Industrial or Service activity and which complies with the following requirements: <ul style="list-style-type: none"> a. It is located above or behind an Industrial or Service activity; and b. It is maintained in the same ownership as the Industrial or Service activity; and c. It is not subdivided, unit titled or otherwise separated, including by lease from the Industrial or Service activity it is attached to; and d. It is not over 100m²; and e. It is only occupied by persons working in the Industrial or Service activity to which the unit is attached. 	N-C
21	The display and retailing of goods produced, processed, or stored on the site, provided the retail area does not exceed 20% of the net floor area (NFA) used to produce, process, or store those goods, or 100m ² ; whichever is the lesser.	PERM
22	All retail activities other than those provided for elsewhere in this table	PRO

Ref	Activity	Activity status (subject to meeting the performance standards in the following table)
23	<p>Except as specifically provided for in this table, the following types of retail activity shall be non complying:</p> <ul style="list-style-type: none"> a) Automotive and marine suppliers b) Building suppliers c) Catering equipment suppliers d) Garden and patio suppliers e) Hire services (except hire/ loan of books, videos, DVDs, and other similar home entertainment items) f) Industrial clothing and safety equipment suppliers g) Office furniture, equipment, and systems suppliers h) Second hand goods outlets i) Service stations, including ancillary retail j) Wholesaling k) Yard-based suppliers l) Food and beverage outlet 	N-C
<u>23a</u>	<p><u>Industrial B – Coneburn</u></p> <p><u>The following types of retail activity shall be permitted within area XXX indentified on the Structure Plan:</u></p> <ul style="list-style-type: none"> (a) <u>Automotive and marine suppliers</u> (b) <u>Building suppliers</u> (c) <u>Catering equipment suppliers</u> (d) <u>Garden and patio suppliers</u> (e) <u>Hire services (except hire/ loan of books, videos, DVDs, and other similar home entertainment items)</u> (f) <u>Industrial clothing and safety equipment suppliers</u> (g) <u>Office furniture, equipment, and systems suppliers</u> (h) <u>Service stations, including ancillary retail</u> (i) <u>Wholesaling</u> (j) <u>Yard-based suppliers</u> (k) <u>Food and beverage sales (with a maximum GFA of 50m2)</u> 	PERM

Ref	Activity	Activity status (subject to meeting the performance standards in the following table)
24	The sale of liquor for consumption on the premises Note; The sale of liquor is not covered by “Food & Beverage Outlets” so where the latter are provided for in this table, that does not include an allowance for the sale of liquor.	N-C
25	Service activities	PERM
26	Visitor accommodation,	PRO

11.5.6 Performance Standards

Failure to comply with a performance standard results in the need to obtain either a restricted discretionary or non complying resource consent, as specified in this table. Where failure to comply with a performance standard results in a restricted discretionary consent being required, the Council’s discretion is restricted only to that or those standards that are not complied with. The following activities are listed generally in alphabetical order.

Ref	Standards	Resource consent status if standard not met
1	Onsite location of office(s) or retail space(s) All office(s) and retail space(s) shall be located at the front of the building(s) and facing the street; except that this does not apply to those on rear sites.	RDIS
2	All buildings shall be set back at least 15 m from the boundary of any Residential Zone	RDIS
3	Outdoor waste storage areas: i Shall not be located within the building setbacks and ii Shall be screened from the road and neighbouring properties by either a solid fence and/ or dense planting of at least 1.8 m in height. Note: The only building setbacks in this zone are setbacks from residential zones.	RDIS

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Ref	Standards	Resource consent status if standard not met
4	<p>Fencing along any boundary with any Residential or Town Centre Zone</p> <p>A solid fence and/ or dense planting of at least 1.8 m in height shall be erected on the boundary of any Residential or Town Centre Zone unless the zones are separated by a road or an open space area. In the case of the latter, performance Standard 11.5.5.1(Ref 8) applies.</p>	RDIS
5	<p>Hours of operation</p> <p>The hours of operation for any activity on a site which adjoins a Residential zone shall be limited to between: 0730 – 2000.</p> <p>Note: A site shall still be deemed to be “adjoining” where a road separates the site from the Residential Zone but shall not be deemed to be “adjoining” where an open space of at least 15 metres in width separates the two zones. The open space must either be shown on the relevant Structure Plan or approved as part of an approved ODP.</p>	RDIS
6	<p>Earthworks <u>This rule does not apply to Industrial B – Coneburn</u></p> <p>The following limitations apply to all earthworks (as defined in this Plan); except for earthworks associated with a subdivision or Outline Development Plan that has both resource consent and engineering approval.</p> <p>1. Earthworks</p> <p>(a) The total volume of earthworks does not exceed 100m³ per site (within a 12 month period). For clarification of “volume”, see interpretative diagram 5.</p> <p>(b) The maximum area of bare soil exposed from any earthworks where the average depth is greater than 0.5m shall not exceed 200m² in area within that site (within a 12 month period).</p> <p>(c) Where any earthworks are undertaken within 7m of a Water body the total volume shall not exceed 20m³ (notwithstanding provision 17.2.2).</p> <p>(d) No earthworks shall:</p> <p>(i) expose any groundwater aquifer;</p> <p>(ii) cause artificial drainage of any groundwater aquifer;</p> <p>(iii) cause temporary ponding of any surface water.</p>	RDIS

Ref	Standards	Resource consent status if standard not met
	<p>2. Height of cut and fill and slope</p> <p>(a) The vertical height of any cut or fill shall not be greater than the distance of the top of the cut or the toe of the fill from the site boundary (see interpretative diagram 6). Except where the cut or fill is retained, in which case it may be located up to the boundary, if less or equal to 0.5m in height.</p> <p>(b) The maximum height of any cut shall not exceed 2.4 metres.</p> <p>(c) The maximum height of any fill shall not exceed 2 metres.</p> <p>3. Environmental Protection Measures</p> <p>(a) Where vegetation clearance associated with earthworks results in areas of exposed soil, these areas shall be revegetated within 12 months of the completion of the operations.</p> <p>(c) Any person carrying out earthworks shall:</p> <p>(i) Implement erosion and sediment control measures to avoid soil erosion or any sediment entering any water body. Refer to the Queenstown Lakes District earthworks guideline to assist in the achievement of this standard.</p> <p>(ii) Ensure that any material associated with the earthworks activity is not positioned on a site within 7m of a water body or where it may dam or divert or contaminate water.</p> <p>(c) Any person carrying out earthworks shall implement appropriate dust control measures to avoid nuisance effects of dust beyond the boundary of the site. Refer to the Queenstown Lakes District earthworks guideline to assist in the achievement of this standard.</p> <p>4. Protection of Archaeological sites and sites of cultural heritage</p> <p>(a) The activity shall not modify, damage or destroy any Waahi Tapu, Waahi Taoka or archaeological sites that are identified in Appendix 3 of the Plan, or in the Kai Tahu ki Otago Natural Resource Management Plan.</p> <p>(b) The activity shall not affect Ngai Tahu's cultural, spiritual and traditional association with land adjacent to or within Statutory Acknowledgment Areas.</p>	

Ref	Standards	Resource consent status if standard not met
	<p>Note: Earthworks in the open space areas shown on the Structure Plan are also subject to an additional performance standard in this table.</p>	
7	<p>Lighting and Glare</p> <p>‡ All lighting shall comply with the following standards:</p> <ul style="list-style-type: none"> i All fixed exterior lighting shall be directed away from adjacent sites and roads; and ii No activity on any site shall result in greater than a 3.0 lux spill (horizontal and vertical) of light onto any other site measured at any point inside the boundary of the other site, provided that this rule shall not apply where it can be demonstrated that the design of adjacent buildings adequately mitigates such effects. iii There should be no upward light spill <p>Note: You are also referred to Part 18 of the District Plan relating to the lighting of signage.</p>	RDIS
8	<p>Fence Heights in relation to open space areas</p> <ul style="list-style-type: none"> i Fences, excluding post and wire fences, within any fixed open space area shown on the relevant Structure Plan or an open space approved as part of an Outline Development Plan shall be no higher than 1.2m in height. ii Fences, excluding post and wire fences, located on or within 4 m of the boundary of an open space area identified on the Structure Plan or approved as part of an Outline Development Plan shall be no higher than 1.2m in height. This excludes fences which are at right angles to the boundary between the subject site and the open space. 	RDIS
9	<p>The provision of end-destination facilities to encourage people to travel to work using modes other than cars</p> <p>All buildings shall provide the following:</p>	RDIS

Ref	Standards	Resource consent status if standard not met										
	<p>i Lockers – where the building design occupancy is for more than 4 on-site workers, individual clothes lockers shall be provided for 20% of all on-site workers, rounded up to the nearest whole number. These shall be located convenient to any showers that exist and bicycle parking facilities.</p> <p>ii Showers - Showers shall be provided at the following ratios and these shall be located close to the bicycle parking and lockers and at least one shower shall be a wheelchair accessible shower compartment:</p> <table border="1" data-bbox="271 507 1335 671"> <thead> <tr> <th>Number of on-site workers (building design occupancy)</th> <th>Number of Showers</th> </tr> </thead> <tbody> <tr> <td>1-9</td> <td>Nil</td> </tr> <tr> <td>10 - 39</td> <td>1</td> </tr> <tr> <td>40-100</td> <td>2</td> </tr> <tr> <td>>100</td> <td>3 and add 1 per 100</td> </tr> </tbody> </table> <p>Notes for (i) and (ii) above</p> <ul style="list-style-type: none"> The “building design occupancy “ calculation is based on the entire building, building complex, or multiple buildings on a site which the Resource Consent is being applied for, rather than for individual office spaces/ tenancies within a larger building. This may mean that there is one shower provided within a communal space which can be shared by a number of small individual tenancies or shared by a number of separate buildings provided they are located on the same site. These shower ratios do not supersede the requirements of the Building Code. 	Number of on-site workers (building design occupancy)	Number of Showers	1-9	Nil	10 - 39	1	40-100	2	>100	3 and add 1 per 100	
Number of on-site workers (building design occupancy)	Number of Showers											
1-9	Nil											
10 - 39	1											
40-100	2											
>100	3 and add 1 per 100											
10	<p>Building Height <u>(not applicable to Industrial B - Coneburn)</u></p> <p>i. Within the Structure Plan entitled “Industrial B Zone - Connell Terrace Precinct”, the maximum height of any building shall be 7 metres above ground level, except that:</p> <p>a) The maximum height of any building within the Special Use Area A identified on the Connell Terrace Precinct Structure Plan shall be 3.5 metres above ground level.</p> <p>Note 1: For the Industrial B Zone (Connell Terrace Precinct) the ground level is as shown on the contour plan entitled the “Industrial B Zone Contour and Zone Plan for Connell Terrace Precinct” Rev C and dated 8 October 2012.</p> <p>ii. The height of buildings upon any land which is not within the Connell Terrace Precinct boundary shown on the relevant Structure Plan shall be 7 metres above ground level.</p>	N-C										

Ref	Standards	Resource consent status if standard not met
	iii. Within the Structure Plan entitled “Industrial B Zone – Ballantyne Road Precinct”, the maximum height of any building shall be 7 metres above ground level.	
10a	<p><u>Building Height – Coneburn</u></p> <p><u>For the purposes of this Rule “registered Level” means the height above sea level as specified on the Industrial B - Coneburn Structure Plan (Height)</u></p> <p><u>The maximum height of any building shall not exceed the Registered Level directly above that point</u></p> <p><u>Height A 6.5m</u> <u>Height B 7.0m</u> <u>Height C 7.5m</u> <u>Height D 9.0m</u> <u>Height E 12m</u></p>	N-C
11	<p>Noise</p> <p>i. Sound from non-residential activities measured in accordance with NZS 6801:2008 and assessed in accordance with NZS 6802:2008 shall not exceed the following noise limits at any point within any site outside this zone (other than the business or industrial (A) zones):</p> <p>a) daytime (0800 to 2000 hrs) 60 dB LAeq(15 min)</p> <p>b) night-time (2000 to 0800 hrs) 50 dB LAeq(15 min)</p> <p>c) night-time (2000 to 0800 hrs) 70 dB LAFmax</p> <p>ii Sound from non-residential activities which is received in another zone shall also comply with the noise limits set in the zone standards for that zone.</p> <p>iii The noise limits in (a) shall not apply to construction sound which shall be assessed in accordance with NZS 6803:1999.</p> <p>iv The noise limits in (a) shall not apply to sound from sources outside the scope of NZS 6802:2008. Sound from these sources shall be assessed in accordance with the relevant New Zealand Standard, either NZS 6805:1992, NZS 6807:1994 or NZS 6808:1998.</p>	N-C

Ref	Standards	Resource consent status if standard not met
	<p>Note: For the purpose of this rule, a road that is located outside this zone is not deemed to be a “site outside this zone” and, as such, the noise levels specified in (i) above may be exceeded on road reserves adjacent to this zone.</p>	
12	<p>Rear Sites shown on an Outline Development Plan</p> <p>No more than 10% of all sites shown on the indicative subdivision layout provided as part of an Outline Development Plan may be “rear sites”.</p> <p>Note: Refer Section D for a definition of ‘rear site’.</p>	N-C
13	<p>Outline Development Plans</p> <p>All activities and development shall be in accordance with an approved Outline Development Plan; except that:</p> <ul style="list-style-type: none"> i. The Outline Development Plan need not include any land outside the Connell Terrace Precinct boundary shown on the Structure Plan entitled “Industrial B Zone - Connell Terrace Precinct” ii. Landscaping of the open spaces identified on the Structure Plan may occur prior to the approval of an ODP provided it is in accordance with an approved resource consent for that landscaping. <p>Note: The intent of this rule is ensure that an Outline Development Plan has been submitted and approved prior to any other resource consent being applied for.</p> <p><u>This rule does not apply to Industrial B – Coneburn</u></p>	N-C
14	<p>Extent of the Outline Development Plan</p> <p>An Outline Development Plan shall include at least all that land contained within the relevant Structure Plan, as follows.</p> <ul style="list-style-type: none"> i. The Industrial B Zone - Connell Terrace Precinct Structure Plan, except that the Outline Development Plan need not include any land outside the Connell Terrace Precinct boundary shown on the Structure Plan entitled “Industrial B Zone - Connell Terrace Precinct. ii. The Industrial B Zone – Ballantyne Road Precinct Structure Plan. <p><u>This rule does not apply to Industrial B - Coneburn</u></p>	N-C

Ref	Standards	Resource consent status if standard not met
15	<p>The creation of fixed roads as shown on the relevant Structure Plan</p> <p>No Outline Development Plan, subdivision, or development shall prevent the creation of any fixed road shown on the relevant Structure Plan</p>	N-C
16	<p>Structure Plan</p> <p>All activities and development (including buildings and applications for ODP's where applicable) shall be in accordance with the relevant Structure Plan, except that:</p> <ul style="list-style-type: none"> i Any fixed connection points shown on the relevant Structure Plan may be moved up to 20 metres ii Any fixed roads shown on the relevant Structure Plan may be moved up to 50 metres in any direction in order to enable more practical construction or improved layouts and/ or to allow for minor inaccuracies in the plan drafting. iii The boundaries of any fixed open spaces shown on the relevant Structure Plan may be moved up to 5 metres. iv All indicative roads and any other elements shown as 'indicative' on the relevant Structure Plan may be moved or varied provided they are generally in accordance with and achieve the relevant Structure Plan and the relevant objectives and policies. v Where a boundary (or boundaries) has been expressly approved as part of a subsequent, more detailed ODP, then that subsequent boundary (or boundaries) shall take precedence over that shown in the relevant Structure Plan. 	N-C
17	<p>Access</p> <p>Each lot shall have legal access to a formed road.</p>	N-C
18	<p>Building coverage within the Special Use Area A identified on the Structure Plan entitled 'Industrial B Zone - Connell Terrace Precinct';</p> <p>The maximum building coverage shall be 30%</p>	N-C
18a	<p>Maximum Building Coverage (Industrial B- Coneburn)</p> <p>Activity Area 1 (Large Lot Size) 40%</p> <p>Activity Area 2 60%</p>	N-C
19	<p>Earthworks in the fixed open space areas</p> <ul style="list-style-type: none"> i. There shall be no excavation within the fixed open space areas identified on the Structure Plan entitled 'Industrial B Zone - Connell Terrace Precinct'; 	N-C

Ref	Standards	Resource consent status if standard not met
	<p>Note: Any ODP or Landscape Plan which proposes excavation will become non complying.</p> <p>ii. All earthworks within the fixed open space areas identified on the relevant Structure Plan shall be in accordance with an approved ODP or Landscape Plan.</p>	
20	<p>Landscaping within areas shown as fixed open space areas</p> <p>Landscaping within areas shown as ‘fixed open space’ on the relevant Structure Plan shall be in accordance with an approved landscape plan</p> <p><u>Landscaping in relation to Industrial B – Coneburn</u></p> <p>i. No vegetation shall be removed Retaining existing indigenous plant species from the Open Space area unless it is a wilding species, is diseased, dead, or a safety hazard</p> <p>ii. Any deceased or dying species that provided mitigation for development shall be replaced in the next growing season with native ecologically appropriate indigenous plant species</p> <p>iii. An Ecological Management Plan shall be submitted to Council detailing the retention of the areas of grey shrubland within the Open Space Areas and specific detail on the implementation of the restoration of ecologically appropriate indigenous plant species the grey shrubland areas.</p>	N-C
21	<p>Outdoor storage of any goods within the open space areas or Special Use Area C</p> <p>There shall be no outdoor storage of any goods within the open space areas or Special Use Area C identified on the relevant Structure Plan.</p>	N-C
22	<p>Staging of building:</p> <p>i Within the Connell Terrace Precinct boundary shown on the Structure Plan entitled “Industrial B Zone - Connell Terrace Precinct”, there shall be no building on land with a finished ground level higher than 323.5 mamsl until 70% of the western boundary planting in combination with the mounding has reached a minimum combined height of 6 metres and a continuous screen in the horizontal plane’.</p> <p>i Within the Structure Plan entitled “Industrial B Zone - Ballantyne Road Precinct” there shall be no building on Stage 2 until 75% of stage 1 has been subdivided, the titles issued, and the sites sold.</p>	N-C

11.6 Resource Consents - Assessment Matters - Industrial B Zone

11.6.1 Controlled Activities – Matters over which control is reserved and Assessment Matters

i Controlled buildings – conditions may be imposed in respect of:

- (a) Landscaping,
- (b) External appearance (including signage, the colour of the building and, in particular, the extent of corporate colours used),
- (c) The ability to service the building(s), in terms of roading, water supply, and waste water.
- (d) The inclusion of initiatives which help reduce private car use and encourage alternative modes of transport (i.e. this is typically referred to as “Travel Demand Management”).
- (e) Waste and recycling storage space
- (f) The extent to which stormwater is proposed to be treated at each site, in order to improve the quality of stormwater being disposed of.

ii Controlled Buildings – Assessment matters

In considering whether or not to impose conditions, the Council shall have regard to, but not be limited by the following assessment matters:

- (a) Whether and to what extent the external appearance (including the colour of the building (including that of the roof) and, in particular, the extent of corporate colours used, lighting and signage) avoids or mitigates adverse effects on:

- (i) The street scene and the views from private residential properties and public places beyond the zone.

The council expects colours to be recessive and to have low reflectivity

- (b) Whether the landscaping will improve the visual appearance of the site, buildings, outdoor storage areas, and carparking areas, taking account of:
 - (i) The nature of planting or materials to be used,
 - (ii) The ease of maintenance, and
 - (iii) The size of the plants and/ or the time it will take for the plants to mature.
- (c) Whether, in the Connell Terrace Precinct, tree planting has been proposed along the rear boundary of those sites which adjoin the northern, eastern and southern boundaries of the zone in a manner that will effectively ‘break up’ the built form within the zone.
- (d) Whether and to what extent initiatives are proposed, which help reduce private car use and encourage alternative modes of transport (i.e. Travel Demand Management). The Council would normally expect the following to have been provided:
 - (i) Cycle and motorcycle parking in a manner which encourages people to travel by these modes.
 - (ii) Shower and locker facilities for work places, so employees who choose to walk, run, or cycle to work can shower and store clothing.
 - (iii) Effective lighting and signage aimed at assisting someone entering the site or building by foot or bike.
- (e) Whether adequate space has been provided either within or outside the building(s) in order to enable the separation and storage of waste for recycling

iii Outdoor Storage Areas

Conditions may be imposed in respect of landscaping, screening, appearance, and visual impact.

iv Outdoor storage – Assessment matters

In considering whether or not to impose conditions, the Council shall have regard to, but not be limited by, the assessment matters listed in 11.4.2(ii) for the Business and Industrial (A) zones.

11.6.2 Restricted discretionary Activities – Matters over which discretion is reserved and Assessment Matters

i Matters of discretion – For any Outline Development Plan, discretion is reserved in respect of:

- (a) The indicative subdivision/ development layout, including roading design details.
- (b) Open space areas and pedestrian and cycle links
- (c) Earthworks,
- (d) Landscaping and streetscape design
- (e) Any proposed design guidelines.
- (f) Initiatives which help reduce private car use and encourage alternative modes of transport (i.e. Travel Demand Management).
- (g) The provision of public transport facilities and/or infrastructure or space to enable its future development.
- (h) The location and indicative design of carparking and manoeuvring areas, acknowledging that this will need to be further refined as part of subsequent land use consents once exact requirements are known.

- (i) The provision of infrastructure to service the development such as water, sewage treatment, stormwater, lighting, power and telecommunications facilities.
- (j) Measures to address any adverse effects resulting from any contaminated sites.

ii Outline Development Plan - Assessment Matters

In considering whether or not to grant consent or impose conditions, the Council shall have regard to, but not be limited by, the following assessment matters:

- (a) In regard to the indicative **subdivision/ development layout**:
 - (i) Whether the road layout is efficient, legible, and pedestrian-friendly. The Council expects roading layouts and hierarchies (ranging from collector roads to service lanes) to be easy to navigate. The Council expects roading cross sections to be provided, which illustrate the width, character, landscaping, anticipated speed environment.
 - (ii) With regard to the location of fixed roads, the Council will only allow these to move more than 50 metres provided the integrity of the Structure Plan is not compromised and only for the following specific reasons:
 - Where there are key infrastructure matters that make the indicated path of the roads impracticable (for example land needed for stormwater management); and/ or
 - More appropriate subdivision patterns and street layouts will result from the movement of the collector road.
 - (iii) Whether the urban structure is well-connected and cul de sacs avoided
 - (iv) Whether the number of rear sites has been minimised. The Council will expect to see rear sites avoided unless

alternative street layouts would result in a worse outcome in terms of traffic congestion, connectivity/ walk-ability, or safety.

- (v) Whether the lot configuration, dimensions, and orientation will result in lots that maximise solar gain and have logical boundary lines.

The Council will not normally approve designs that result in awkward, irregular boundaries and which do not achieve the above outcomes.

- (vi) Whether and to what extent the Outline Development Plan incorporates the various open spaces identified on the Structure Plan. The Council will expect the Outline Development Plan to include all the open spaces shown on the Structure Plan.
- (vii) Whether open spaces and the urban form are designed in accordance with principles of Crime Prevention through Environmental Design (CPTED).
- (viii) Whether the public open spaces (if any) form part of an open space network which provides pedestrian and cycle linkages to other open space, community facilities, and other zones
- (ix) Whether and to what extent dedicated, direct and safe **pedestrian and cycle links** are provided. The council will expect footpaths to be provided along fixed roads and other roads where people are expected to walk (e.g. to/ from any foot-related retail such as a café, to/ from bus stops and to/ from off-street pedestrian connections). Where off-street links are proposed these should be straight, well lit, and at least 4 metres in width. Where the link runs along a narrow strip of land between private property/ buildings, then it should also be straight and no more than 75 m long.
- (x) Whether a detailed **Landscape Plan** has been provided for **all open space areas and** proposed road reserves with the

Outline Development Plan, unless previously approved as part of a resource consent for landscaping. The Council will expect the landscape plan to:

- a. Clarify the use of the space and for this to be designed/ planted accordingly;
- b. Identify the range of plant species proposed, including evergreen species where year-round screening of the development is required
- c. Outline the long term ownership, management, and maintenance regime for the open spaces
- d. Maintain important viewshafts, where they exist
- e. In respect of the western buffer shown on the Connell Terrace Precinct Structure Plan, the Council expects the mounding and planting to provide effective mitigation in respect of noise attenuation and visual amenity. To achieve this the Council expects either a combination of naturalistic mounding of 3-5 metres in height and 15-20m in width, and predominantly evergreen planting of around 5-6 metres in height or, in the absence of any mounding, a 30 metre strip of dense predominantly evergreen planting of at least 8 metres in height is required in order to provide effective mitigation.

Note: Any change to the landscape plan will require a Variation to the Outline Development Plan.

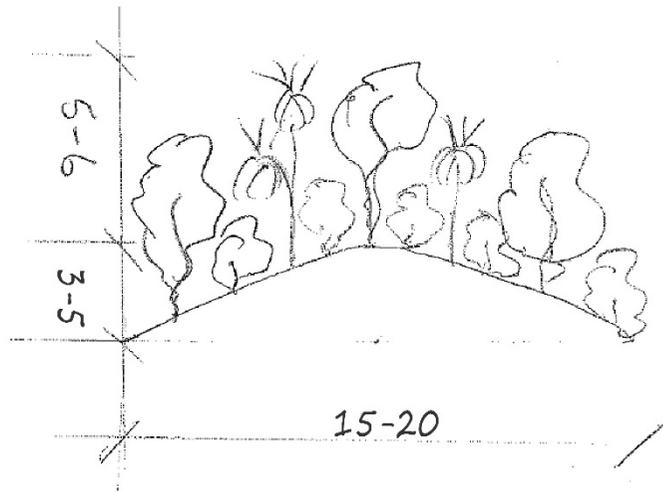


Fig 1: 15-20m buffer with 3-5m mound and dense planting to 5 or 6m.

(b) Regarding **transportation and reducing car trips/ trip distances**, the Council will consider:

- (i) Whether an Integrated Transport Assessment (ITA) has been provided which outlines how the proposed land use/urban design will affect the sustainability of transportation. The Integrated Transport Assessment should cover all those matters listed in the Council's guide on the subject. Refer to Council guidelines relating to ITA.

Note: Any ODP application which will enable over 5,000m² GFA of industrial or service space or over 10,000m² GFA of warehousing or storage space to be developed, shall include an Integrated Transport Assessment (ITA).

- (ii) Whether adequate space has been provided in the road reserve for a bus stop to be located every 400 m along any bus route that has been identified by the Council.

(c) Regarding the **management of stormwater**, the ODP is expected to identify stormwater collection and reticulation methods and the area(s) that will be developed as stormwater treatment and disposal facilities, which will be capable of:

- (i) Collecting all stormwater runoff from the land included within the ODP application including roads, berms, reserves, and private properties; and
- (ii) Ensuring that the rate of stormwater discharge remains equal to or less than that of pre-development up to the 1 in 100 year average recurrence interval event; and
- (iii) Ensuring that the quality of stormwater discharge shall remain equal to or better than that of pre-development; and
- (iv) Ensuring that the disposal of stormwater is managed to avoid erosion, land instability and property damage; and
- (v) Reticulating all the collected stormwater runoff from the area covered by the ODP to the designated stormwater treatment and disposal areas; and
- (vi) Ensuring that all stormwater runoff flows from the area covered by the ODP, will be treated and disposed to ground in a long term sustainable manner; and
- (vii) Managing stormwater runoff flows generated by a 100 year average return interval; and
- (viii) Managing the anticipated increase in flows arising from climate change; and
- (ix) Being practically and efficiently maintained. The design is expected to enable efficient remediation of treatment facilities, efficient maintenance of the treatment and disposal facilities, appropriate landscaping of the area and facilities, and efficient and practical maintenance and remediation of such landscaping (be it planted areas, grassed areas, or wetlands).

(d) Regarding **earthworks** and whether or not to grant consent or impose conditions, the Council shall have regard to, but not be limited by, the assessment matters contained in Section 11.4.2(xi) of the District Plan and, in addition:

- (i) With regard to impacts on sites of cultural heritage value, whether the applicant has committed to complying with the Accidental Discovery Protocol, as outlined in Appendix 6 of the Ngai tahu ki Murihiku Natural Resource and Environmental Iwi Management Plan 2008.
- (ii) Whether and to what extent the earthworks on the open space areas will, together with landscaping, contribute to effective noise attenuation and the screening of development within the zone from surrounding existing and future residential zones.

iii Matters of discretion – For a Landscape Plan, discretion is reserved in respect of:

- (a) The plant species proposed,
- (b) The management and maintenance regime
- (c) The maintenance of any important viewshafts,
- (d) The requirements of the government Emissions Trading Scheme (ETS) criteria, where relevant

(e) The extent and nature of the proposed earthworks

And for Coneburn – Industrial B

- (f) The use of native vegetation ecologically appropriate indigenous plant species to assist visual screening of development
- (g) The retention of existing indigenous plant species existing vegetation within the Open Space Area unless it is a wilding species

(h) Controlling of exotic species, particularly wilding pines, hawthorn and briar, to allow ecologically appropriate indigenous plant species to dominate the grey scrubland areas

iv Landscape Plan - Assessment Matters

In considering whether or not to grant consent or impose conditions, the Council shall have regard to, but not be limited by the assessment matters listed in 11.6.2(ii)(x) and 11.6.2(ii)(d) above, relating to the landscape plan and earthworks required as part of the ODP.

v Matters of discretion – For Offices not related to a permitted or controlled activity in the Coneburn – Industrial B, discretion is reserved in respect of:

(a) the extent to which the business operatives without the need for foot traffic from members of the public, if so is then more suited to a town centre environment.

11.6.3 Assessment matters relating to performance standards

i Building setbacks from Residential zones – Assessment Matters

In considering whether or not to grant consent or impose conditions, the Council shall have regard to, but not be limited by, the following assessment matters:

- (a) The extent to which the building encroaches into the building setback.
- (b) Whether an acoustic assessment has been provided, which concludes that the setback is not required for noise mitigation purposes due to, for example, the specific topographical characteristics of the site, the design of the building, noise attenuation measures proposed, or covenants on the title limiting the noise able to be generated from the site and/ or the type of uses that may operate from the site.

- (c) Whether the topography or other site characteristics are such that the building will not be visible from the Residential Zone. The Council will carefully consider the degree to which the visibility is reliant on vegetation being established/ retained/ maintained and the measures proposed to ensure that such mitigation occurs and is maintained.
- (d) Whether the scale and external appearance of the building is compatible with the residential neighbourhood.

- (a) With regard to impacts on sites of cultural heritage value, whether the applicant has committed to complying with the Accidental Discovery Protocol, as outlined in Appendix 6 of the Ngai tahu ki Murihiku Natural Resource and Environmental Iwi Management Plan 2008.

ii Outdoor Storage Areas – Assessment Matters

Refer to those assessment matters listed for the Business and Industrial (A) zones in 11.4.2(ix) entitled Visual Amenity.

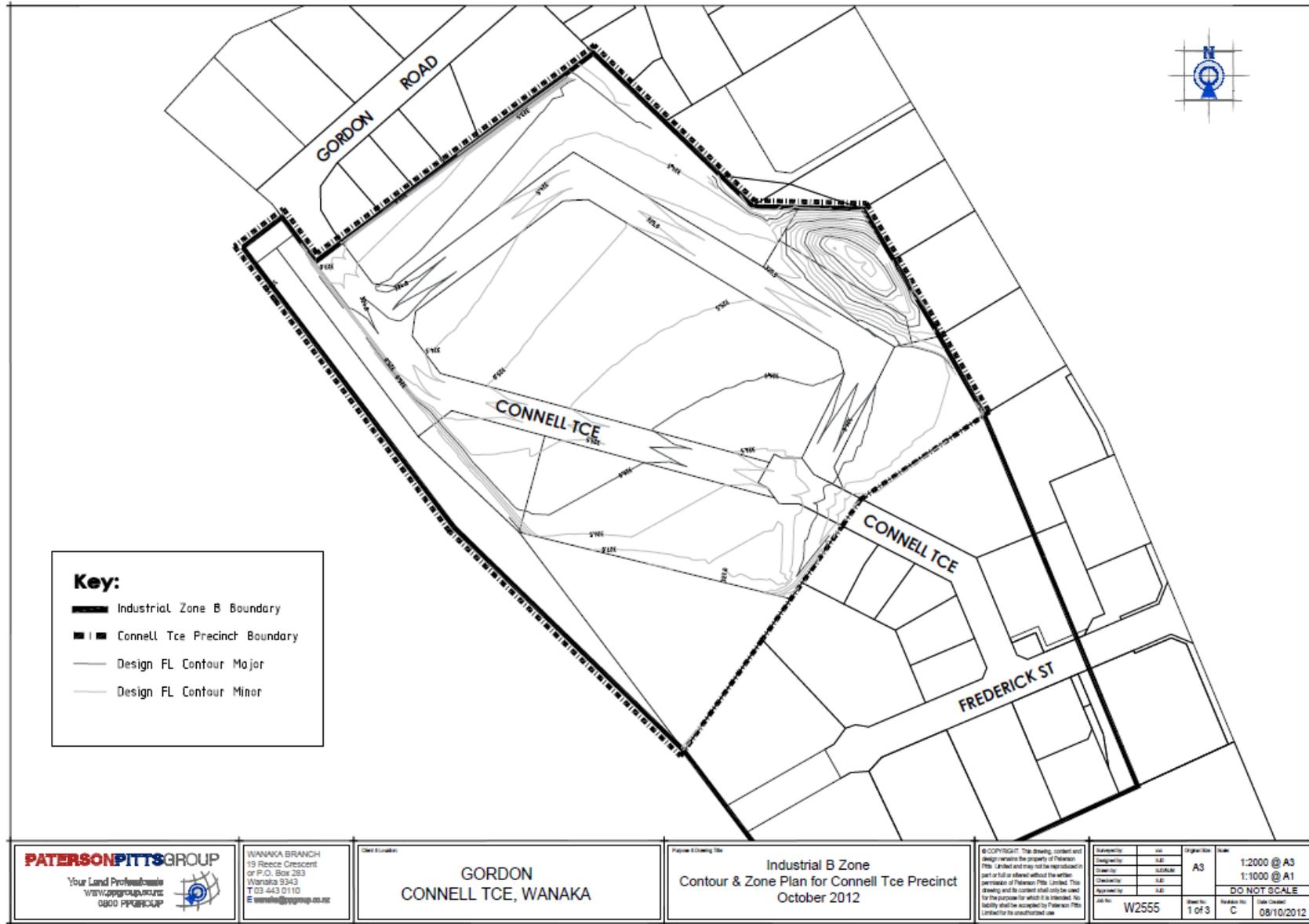
iii Hours of operation

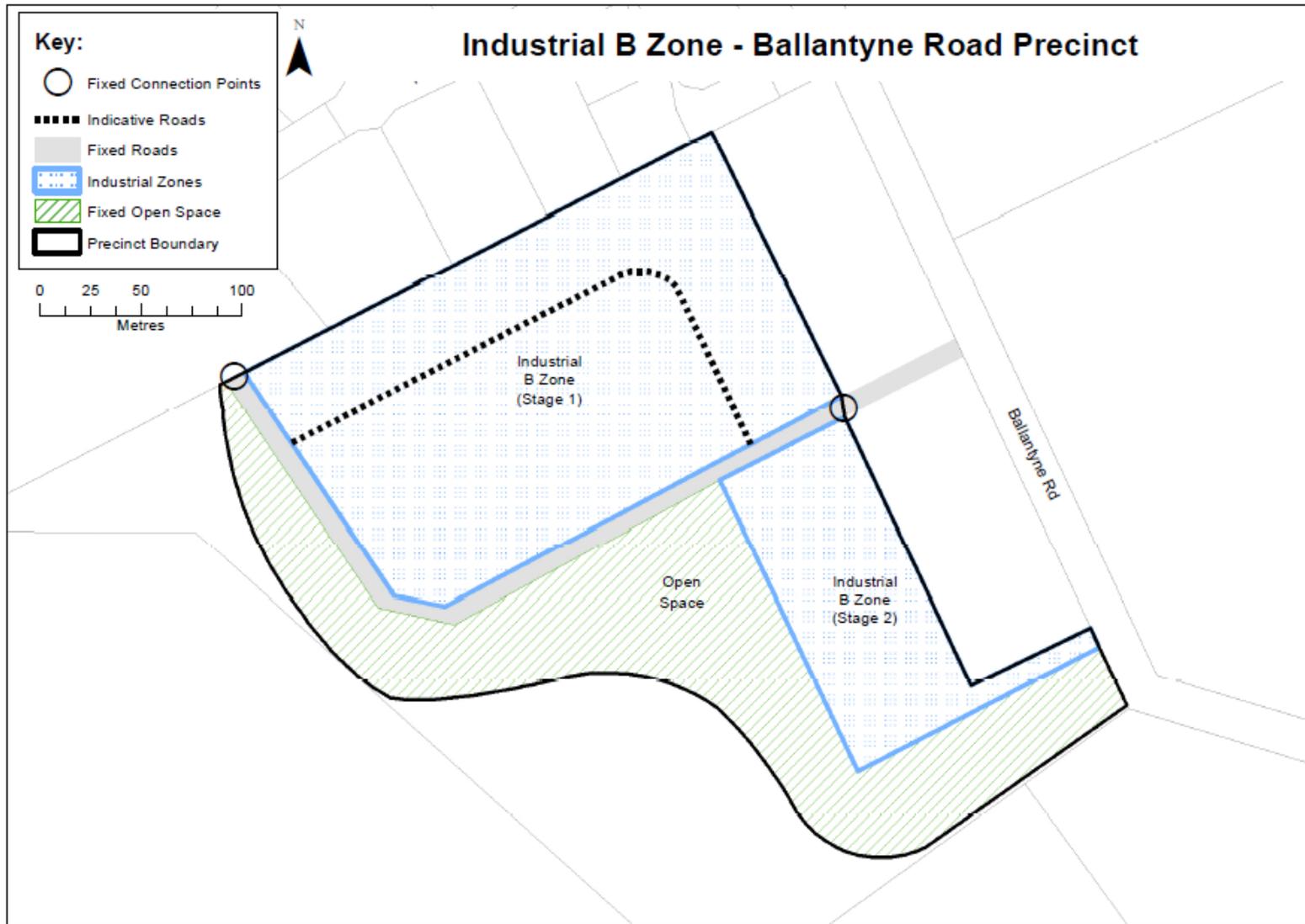
In considering whether or not to grant consent or impose conditions, the Council shall have regard to, but not be limited by:

- (a) The size of the site and the distance between the activity and residential properties.
- (b) Whether a road separates the site from Residential zone properties, thereby potentially reducing the effect of the activity operating outside the permitted hours.
- (c) The extent of proposed traffic to and from the site outside the permitted hours, the type of vehicles, and the location of the manoeuvring and loading areas, and site access.

iv Earthworks – Assessment Matters

In considering whether or not to grant consent or impose conditions, the Council shall have regard to, but not be limited by, the assessment matters contained in Section 11.4.2(xi) of the District Plan and, in addition:





[Insert Structure Plan - Coneburn](#)

[Insert Structure– Coneburn – with Height Overlay](#)

SUBDIVISION and DEVELOPMENT 27

Proposed Amendments to include Coneburn within Chapter 27 of the Proposed QLDC District Plan

Note: Changes shown in [Blue](#) reflect changes proposed by evidence – 9 June 2017

1. Add a new location specific objective with associated policies as follows:

27 Subdivision and Development

27.4.1 All subdivision activities are discretionary activities, unless otherwise stated:

27.4.1.1 Subdivision in the Industrial B: Coneburn is a Controlled Activity.

...

27.7 Location-specific objectives, policies and provisions

In addition to the district wide objectives and policies in Part 27.2, the following objectives and policies relate to subdivision in specific locations.

...

27.7.21 Objective – Enable Subdivision that creates opportunities for industrial activities and business activities to occur.

Policies

27.7.21.1 Require subdivision to give effect to the approved Coneburn Structure plan

27.7.21.2 Require subdivisions to:

- a Deliver a combination of large lot sizes and low building coverage to ensure that this area is retained for yard based industrial and service activities.
- b where policy a. above is not achieved or for subdivision where the site size and shape is dependent on the form of development, a land use resource consent should be sought for the intended development prior to or at the same time as the subdivision consent. The proposed site shall be consistent with the land use resource consent.

27.7.21.3 Require subdivision to be designed to accommodate the anticipated range of activities in a manner that:

- Encourages connectivity
- Maintains larger sites with a road frontage for activities in the Business areas, Heavy Industry and Light Industry zones. Where a frontage cannot be achieved a sufficiently wide access that is short in length should be provided
- Enables the intended built form for the zone.

27.7.21.4 To require adequate parking, loading and manoeuvring of vehicles to occur within each site, provided that:

SUBDIVISION and DEVELOPMENT 27

- there is sufficient area for large truck and trailer units, and other vehicles where a large number of vehicles use the same access point to exit on to the road in a forwards direction, and
- where this is not achieved that there is provision for safe access and parking by way of a shared parking and loading area for a defined number of premises.

27.7.21.5 Require the establishment and ongoing maintenance of the Fixed Open Space areas to:

- Visually screen development using the planting of ~~native species~~ ecologically appropriate indigenous plant species
- Retain existing ~~native species~~ existing indigenous plant species unless they are wilding

2. Add a new location specific rule as follows:

27.8 Rules - Location Specific Standards

...

27.8.10 Subdivision in the Industrial B – Coneburn Zone

27.8.10.1 Subdivision must be in accordance with the Structure Plan.

27.8.10.2 All subdivision shall ensure that those Required Roads that will provide access to and within the subdivision are created in accordance with the Structure Plan.

For the purposes of this rule “created” means:

- That the road will be shown as a separate allotment on the subdivision plan and either vest in the Council or will be retained in private ownership with public access secured by an appropriate legal agreement between the Council and the owners of the road; and
- Formed in accordance with the conditions of Council consent.

27.8.10.3 Subdivisions must result in an arrangement of lots, unit titles, cross leases and company leases capable of accommodating buildings and uses in accordance with the permitted and controlled activity rules for the Zone and the requirements of Section 14 – Transport.

27.8.10.4 Subdivision design must show the ability to provide for future development which will comply with the rules of the Industrial B Zone – Coneburn and/or any resource consent.

27.8.10.5 The management of stormwater and the use of water sensitive design where appropriate, including:

- the layout and design of the subdivision
- the location, design, capacity, integration and appropriateness of infrastructure
- flooding, overland flow paths and sub-surface water
- stormwater detention, quality and disposal
- staging
- vesting of infrastructure.

27.8.10.6 The provision, location, design, capacity, connection, upgrading, staging and integration of infrastructure necessary to service the Zone.

SUBDIVISION and DEVELOPMENT 27

27.8.10.7 The management storage of potable water.

27.8.10.8 The maintenance and enhancement of the Fixed Open Space Area to include

Control is restricted to all of the following:

- The extent to which the subdivision is in keeping with the Structure Plan – Coneburn
- Required Roads are in accordance with their location on the Structure Plan +/- 25 metres
- Proposed sites should be able to accommodate development intended by the underlying zone. Where this is not demonstrated, a land use resource consent should be approved for that development prior to the approval of the subdivision
- Proposed sites should ensure safe, legible and convenient pedestrian and vehicle access can be achieved. Vehicle manoeuvring should be accommodated on site.
- Share driveways in the business zone must be short in length and shall be design to accommodate the anticipated volume of traffic, including heavy vehicles movements, to maximise safety.
- Proposed sites should connect to infrastructure that has sufficient capacity for the intended development.
- Subdivision should provide for the appropriate management of wastewater.
- Subdivision should provide for the appropriate management of stormwater through the use of water sensitive design principles that:
 - a enables design of developments so that the greatest intensity of future development (impervious area) is located in places where necessary earthworks and resulting stormwater discharges are minimised and have least impact on the amenity and ecological values of ecological areas and natural drainage systems, and Mana Whenua values
 - b identifies and protects floodplains and overland flow paths
 - c identifies, maintains and enhances natural hydrology and freshwater systems,
 - d integrates water sensitive design elements in the design of roads, reserves and sites including the use of:
 - (i) minimised impervious areas
 - (ii) grassed or landscaped swales and other vegetated areas
 - (iii) infiltration trenches and bio-retention systems
 - (iv) wetlands and sediment ponds
- Subdivision should provide for the appropriate management of stormwater, including treatment, detention and disposal as relevant that will avoid or mitigate adverse effects of any subsequent development.
- Subdivision should provide for the protection and enhancement (where appropriate) of the grey scrubland areas #5 and #8 of the Davis Consulting Group report, Ecological Assessment for Coneburn Group, dated October 2015
- An Ecological Management Plan shall be submitted to Council detailing the restoration of ecologically appropriate plant species retention of the areas of grey scrubland within the Open Space Areas and within Areas #5 and #8 of the Davis Consulting Group report, Ecological Assessment for Coneburn Group, dated October 2015 and specific detail on

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the implementation of the restoration of the grey shrubland areas, ~~native plantings~~ ecologically appropriate indigenous plant species (existing and proposed), the ownership structure for the Open Space Zone and responsibilities for ongoing maintenance.

27.8.11 **Coneburn Industrial Area Access onto State Highway 6**

Notes:

- This rule applies to the subdivision of land within the Industrial B (Coneburn) zone and stipulates when intersection upgrades are required to service development within the zone.
 - Accessway numbering and intersection locations referred to in this rule are shown on the Coneburn Structure Plan.
- 27.8.11.1 Prior to the issue of a s224(c) certificate under the Act for any subdivision of any land within the zone Accessway XX shall be constructed as a Priority T Intersection (Austroads Guide to Road Design (Part 4A) and be available for public use.
- 27.8.11.2 Prior to the issue of a s224(c) certificate under the Act for any subdivision of any land within the zone that would exceed Trigger Point 1 until Accessway "X"2 shall be constructed as a Priority T Intersection (Austroads Guide to Road Design (Part 4A) and be available for public use.
- 27.8.11.3 Prior to the issue of a s224(c) certificate under the Act for any subdivision of any land within the zone that would exceed Trigger Point 2 the Priority T Intersection in (b)(i)/(ii) of this rule shall be upgraded to a round-about intersection constructed to New Zealand Transport Agency standards and be available for public use.

For the purposes of this rule:

- 27.8.11.4 Trigger Point 1 shall be reached when 25% of land within Activity Areas 1a and 2a has been developed.
- 27.8.11.5 Trigger Point 2 shall be reached when 50% of land within Activity Areas 1a and 2a has been developed.
- 27.8.11.6 "developed" means land within Activity Areas 1a and 2a in respect of which a separate computer freehold register has issued.

Note: Amend numbering as necessary to fit with the structure of the Proposed District Plan in order to insert Industrial B: Coneburn into the Proposed District Plan as a Controlled Activity.