

Submission to Hearing Panel 5th December

Submitter No 260 : Roger Gardiner (Trustee of entity owning 145 Ardmore Street)

- Background: 145 Ardmore Street is a two level building on Wanaka Waterfront comprising Bar, and Subway outlet, ground floor, and restaurant and offices first floor. Constructed 2001. Reference Map provided

Original Submission 260 in favour of Proposed Plan

- We strongly support Proposed Plan Objectives under Section 13.2.5
 - Creation of a Ardmore Entertainment Precinct
 - Policy 13.2.5.2 Permit higher noise levels in precinct
 - Waves on foreshore, and an idling car exceed current noise levels.
 - Policy 13.2.5.4 Require acoustic insulation for critical listening environments including residential activities and visitor accommodation
- **Decision sought: Retain proposed plan objectives and policies**

Submission re Contents of Submitter 707 Objections to plan

- Body Corporate Submitter 707, Wanaka on Water , oppose the proposed objectives & policies I am supporting.
- This is the Body Corporate of the adjacent neighbouring building They request:
 - Delete Lower Ardmore Entertainment Precinct
 - Retain current noise rules
 - Require noise mitigation to be undertaken by noise producers
- I would like to draw to the Panels attention the following.
 - The owner of 151-153 Ardmore Street obtained a Resource Consent to build some 3 years after the construction of our building. RM 010669
 - Their application was for a 3 level building comprising ground floor food beverage and liquor outlets. The upper floors were for managed apartments /travellers accommodation.
 - In the Resource Consent application the building, the architect stated the two upper floors were to be run in a “managed apartment style providing guests to the town with a unique waterfront vantage point in the centre of Wanaka Township”.

- The Hearing Panel at the time noted that living in the town centre can give rise to conflicts between the amenity expectations of residents and the operation of legitimate town centre activities.
 - These apartments were being constructed next door to a bar and first floor restaurant, and in the same building as the apartments, a ground floor liquor outlet.
 - 6 submitters to the original hearing pointed out that visitor and residential accommodation were not compatible in the centre of town. There had been previous noise issues with the Bella Vista Motel which had been built in the Wanaka CBD area. The noise issues were known by the applicant.
 - For the neighbouring building, the panel accepted the applicant's view that noise issues could be overcome through appropriate design controls. The applicant advised that the apartments will be very well insulated and all windows will be double glazed, also shutters will be installed on the verandas. These would give additional acoustic insulation.
 - Now some 10 years later, the chickens have come home to roost. We have Submission 707 from the Building Body Corporate with reverse sensitivity issues. The very factors the panel pointed out that would be problems but which the applicant at the time said they could and would deal with.
 - The original Resource Consent was for managed apartments /travellers accommodation, not residential living.
 - They are now misleading the panel, by describing the apartments as 6 residential units, and refer in their current submission to the value of residential amenity and residential activity.
 - It is entirely unreasonable that this party now are anxious regarding noise limits and wish to impose restrictions, and abandon the concept of the proposed Entertainment Precinct.
 - It is my contention that this submission misleads the hearing panel and is not based on the evidence and submissions when the building was originally consented.
- **Decision Sought: The Hearing panel dismiss the submission of Submitter 707 as residential living was never part of the original Resource Consent. They knew that they were building within a waterfront entertainment precinct and gave commitments to insulate accordingly. The panel should dismiss Submitters' 707 objections.**

Another Submission re Business activity in the proposed Entertainment Precinct

- Unsure whether this a planning , or a licensing issue, but would like the panel to review the onerous CBD provisions that requires diners to vacate outdoor tables by 10pm. In summer in particular this is ridiculous. With the diversity of tourist, some visitors do not dine until 9 pm.
- It is draconian and embarrassing to advise diners that part way through their meal, they need to vacate tables, to meet an arbitrary 10 pm curfew .
- Likewise the need to provide for smokers. After 10pm, smokers are not permitted on external decks and are required to stand on the pavement. Again these are provisions that need to be re-examined.

- **Decision Sought: Review these restrictions. Possible options:**
 - During summer hours (to be defined), diners are permitted to occupy external decks until 11.00pm
 - After 11.00pm, smokers are permitted to smoke on external decks, but consumption of alcohol is prohibited.
 - Noise limit provisions to apply and if continuously breached, the operators required to revert back to 10pm.

Roger Gardiner

5th December 2015

149 Stone Street Wanaka

021 1177220

Gardiner@outlook.co.nz



**SUBMITTER
707**



**SUBMITTER
260**

