

SECTION 32 REPORT: PLAN CHANGE 32

Ballantyne Road Mixed Use Zone – Wanaka



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Executive Summary

The Queenstown Lakes District Council (the Council) has prepared a Plan Change to the Partially Operative Queenstown Lakes District Plan for land within the area occupied by the Ballantyne Road sewage oxidation ponds in Wanaka.

The Ponds Plan Change land is located to the south east of the Wanaka township, immediately opposite the existing Frederick Street industrial area (refer to Figure 1 below). The site is approximately 20 hectares in area.



Figure 1: Subject site

The site is currently zoned Rural General and contains the oxidation ponds for the Wanaka effluent treatment and disposal system. The existing site is overlain by a Queenstown Lakes District Council Designation. The Designation enables any activity that is associated with the operation and maintenance of the oxidation ponds to be undertaken without the need for resource consent. The presence of the Designation also means that any uses not falling within the purpose of the Designation will be subject to the resource consent process and require the approval of the Requiring Authority.

In 2002 Council undertook a major community planning exercise for Wanaka entitled Wanaka 2020. This community planning exercise assisted the community and Council in identifying and planning for the future growth of the Wanaka area. The area of land that is subject to this proposed Plan Change (the Ponds site) was included within an area identified as being suitable for industrial type expansion.

Further to Wanaka 2020, the Council has undertaken a Wanaka Structure Planning exercise. The purpose of the study was to ensure that there is adequate land zoned for various uses to cater for future growth. This was adopted as a working document in December 2004 and is now in the process of being finalised by Council. Both the 2004 structure plan and the updated structure plan identify the Ponds site within the inner growth boundary and suitable for yard based activities.

The 2006 Commercial Land Needs Study prepared for Council by Hill Young Cooper Ltd identified the need for further business/industrial land to be provided in Wanaka.

This report identified that there was a need for approximately 10 hectares of land for yard based activities, which could be provided at the Ballantyne Road ponds site. This Plan Change directly supports the future land needs identified by the Commercial Land Needs Study.

The following technical assessments have been undertaken to assess the adequacy of the site for future development:

- Landscape Assessment – Boffa Miskell Ltd
- Services and Infrastructure Assessment – Duffill Watts and King Ltd
- Transportation Assessment – Montgomery Watson Harza
- Ecological Assessment – Natural Solutions for Nature
- Archaeological Assessment – J Hamel
- Cultural Impact Assessment – Kai Tahu ki Otago Ltd
- Geotechnical/Hazard Assessment – Opus International Consultants

The site's proximity to the growing Ballantyne Road industrial area, the relatively flat topography, the disturbed nature of the site and the ability to service it with appropriate infrastructure make the site ideal for rezoning to enable yard based and mixed business activities.

Upon completion and effective commissioning of Council's new effluent system to be constructed at the Wanaka airport ('Project Pure'), the existing oxidation ponds will be decommissioned.

As a result of Wanaka 2020, the Structure Planning Process and this Section 32 analysis (required under the Resource Management Act 1991) rezoning this land from Rural General to a Special Zone (Ballantyne Road Mixed Use Zone) to enable yard based industrial activities and part mixed business/office activities is considered appropriate (refer to proposed zoning plan in Figure 2).



Figure 2: Proposed Zoning plan

A site specific structure plan (refer to Figure 3 below) has been prepared to define activity areas within which a range of activities can be undertaken. The yard based activities are provided for in the area currently occupied by the existing oxidation ponds, separated from Ballantyne Road by a landscaping strip and a small mixed business area to aid in integrating development in the zone into the streetscape.

The area east of the yard based industrial area is set aside for future development of mixed business use (deferred low density and high density employment areas). Development provided for within these areas is intended to provide a buffer between the yard based activity area and the adjoining land that is earmarked for future residential development in the Wanaka Structure Plan.



Figure 3: Site Structure Plan to be included in District Plan

Illustrative master plans (prepared by Boffa Miskell Ltd) have also been prepared to demonstrate how the land can be developed in accordance with best practice urban design to provide an attractive yet functional environment.

Using the provisions for similar activities in the Council's recent Frankton Flat's Plan Change is considered effective for much of the site, subject to additional provisions (including rules and assessment matters) to facilitate the implementation of the proposed structure plan.

Additional objectives, policies and rules have been created for the Ponds site (refer to appendices), which will promote improved design outcomes over and above those that can be achieved under the existing Industrial Zone rules.

This Section 32 report concludes that the combination of yard based and mixed business activities (provided for in the Ballantyne Road Mixed Use Zone) plus additional controls for the Ponds site will result in a zone that enables development that is sensitive to its surrounds and fits into the existing and growing urban fabric of Wanaka.

Background

Through the Wanaka 2020 process and the Wanaka Structure Plan process the Council recognised that it needed to plan for the predicted future growth of Wanaka while retaining the character and amenity of the township.

This Plan Change seeks to provide for further business and industrial activities within the urban area of Wanaka consistent with the 2006 Commercial Land Needs Study, the Wanaka Structure Plan and the community outcomes identified as part of the 2020 community planning process.

The existing ponds site is to be decommissioned following the construction and effective operation of a new wastewater treatment plant at the Wanaka airport. Accordingly, Council considers it appropriate to amend the District Plan provisions affecting the existing Ponds site to ensure that the strategic vision for Wanaka can be realised.

Scope of Plan Change

The scope of this Plan Change is limited to the Rural General zoned land that currently contains the Wanaka oxidation ponds (refer to Figure 4 below). This land is approximately 20 hectares in area.



Figure 4: Subject site

This Plan Change provides for the change in zoning from Rural General to a special zoning (refer to Figure 5 below) that provides for mixed business and yard based industrial activities (known as the Ballantyne Road Mixed Use Zone).

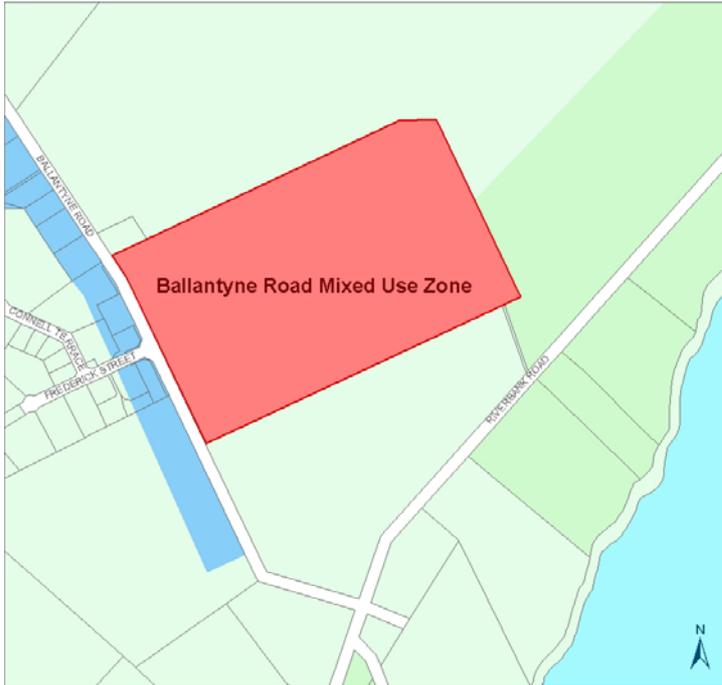


Figure 5: Proposed zoning map - Ballantyne Road Mixed Use Zone

The yard based activities are provided for in the area that currently contains the oxidation ponds. The area set aside for yard based activities, approximately 10 hectares, meets the immediate demand for land for such activities, as identified in Council's Commercial Land Needs Study.

The Ponds site is larger than the area needed for yard based activities. In order to ensure that the industrial nature of yard based activities are integrated into the surrounding environment, provision is made for mixed business activities at the rear of the site (refer to Figure 6 below). The area at the rear of the Zone is subject to a deferred regime that will not enable the land to be developed until demand can be demonstrated.



Figure 6: Site Structure Plan

The Purpose of the Plan Change

The purpose of the Plan Change can be summarised as follows:

To provide for the existing and growing demand for yard based industrial activities in Wanaka by changing the zoning of the land accommodating the Ballantyne Road oxidation ponds to enable yard based and mixed business activities, while ensuring an appropriate level of amenity within the site and in the surrounding landscape.

The Current Zoning

Under the Partially Operative District Plan the site is subject to Designation No. 51 (Sewage Treatment Works). The site contains the existing oxidation ponds for the Wanaka sewage treatment and disposal system. The underlying zoning is Rural General. Currently any activity that is not within the purpose of the Designation requires resource consent as well as the approval of the Requiring Authority (Queenstown Lakes District Council).

The Council's new land based effluent treatment and disposal system is to be located at the Wanaka airport, and is due to be commissioned in approximately December 2008. Once the new plant is operating effectively, the existing oxidation ponds will be decommissioned and the Designation will be uplifted. As the land was originally acquired under the Public Works Act, once the use for which it was taken ceases, it is required to be offered back to the original owners.

The proposed Plan Change seeks to establish a new zoning regime over the site to enable yard based industrial activities and in part mixed business activities. It is Council's intention to have the zoning in place by the time the ponds are decommissioned.

The Context – Relevant Provisions of the RMA and other Statutory Documents

The Resource Management Act 1991

Section 74 of the RMA (the Act) states that any Plan Change or Variation to a District Plan must be in accordance with the functions for territorial authorities set out in Section 31, the provisions of Part II, the duties prescribed under Section 32, and any other regulations.

Section 5

This Plan Change has been prepared as a means of achieving the purpose of the Act, which is expressed in Section 5 as follows:

- (1) *The purpose of this Act is to promote the sustainable management of natural and physical resources.*
- (2) *In this Act, “sustainable management” means 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 wellbeing and for their health and safety while –*
 - (a) *sustaining the potential of natural and physical resources (excluding minerals) to meet the reasonable 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 Plan Change is consistent with the purpose of the Act in that by proposing to concentrate potential development within the inner growth boundary identified by the Wanaka Structure Plan it is managing development in such a way and at a rate that the community can provide for its future social and economic wellbeing. This is achieved by only enabling development in areas that:

- do not compromise areas of landscape significance. A landscape assessment has been undertaken by Boffa Miskell Ltd and is attached to this report.
- can be serviced easily and cost-effectively. A report has been commissioned from Duffil Watts and King Ltd that investigates the availability of services to the Ponds Site. A copy of this report is attached.
- are within existing roading corridors that can accommodate additional traffic movement and in areas that could be serviced by future public transport systems. A report has been commissioned from Montgomery Watson Harza (MWH) that investigates the traffic effects of developing the site for the intended purpose. This report is attached.

This Plan Change has considered the suitability of this land for yard based industrial and mixed business development. Significant emphasis has been placed on the ability of the landscape to absorb development.

The Plan Change has also adopted best practice urban design principles to define the preferred layout of the development and mechanisms for the new development contemplated by the Plan Change to assimilate into the surrounding environment. Illustrative master plans have been prepared by Boffa Miskell Ltd (refer to Figure 7a and 7b below) to demonstrate how the site could be developed.

Key features of the master plan include:

- A Landscaping buffer separating the zone from Ballantyne Road
- Limited road access from Ballantyne Road to the site
- Provision of buffer areas between Activity Areas and around the perimeter of the Zone.

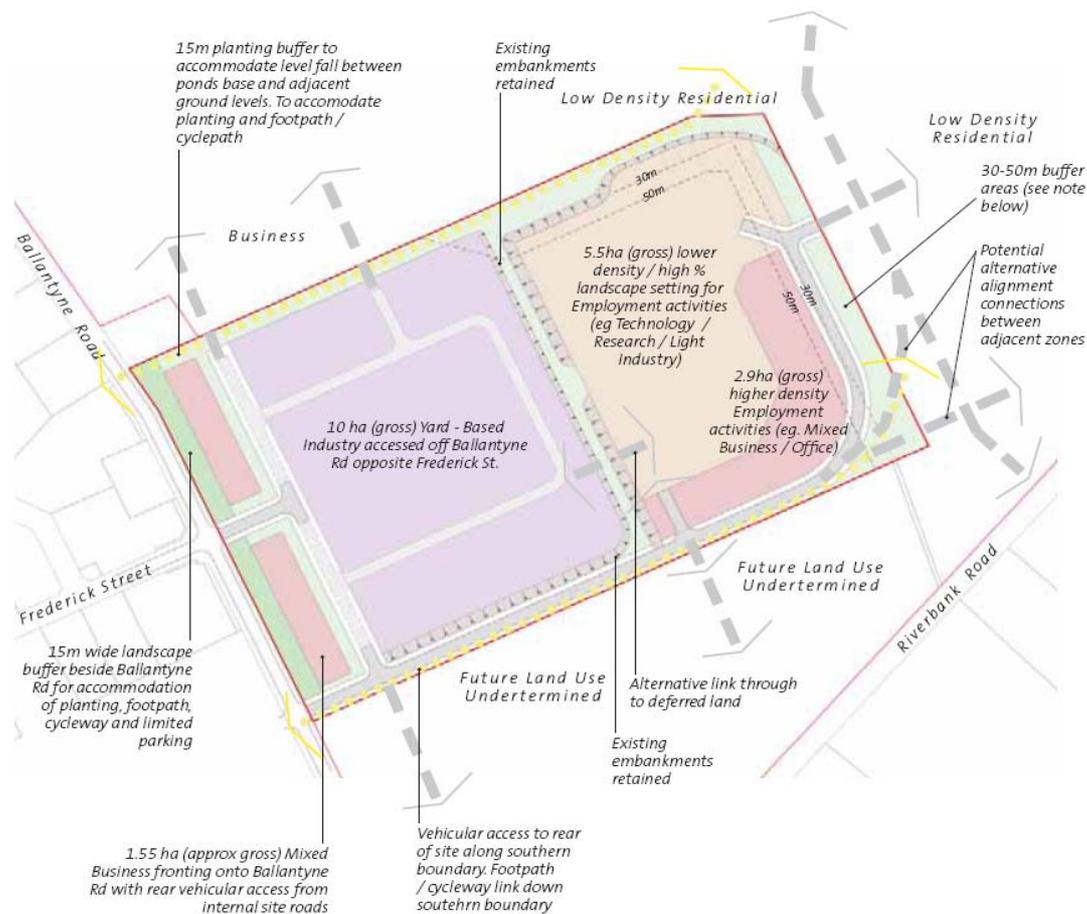


Figure 7a – Illustrative master plan (Diagrammatic)

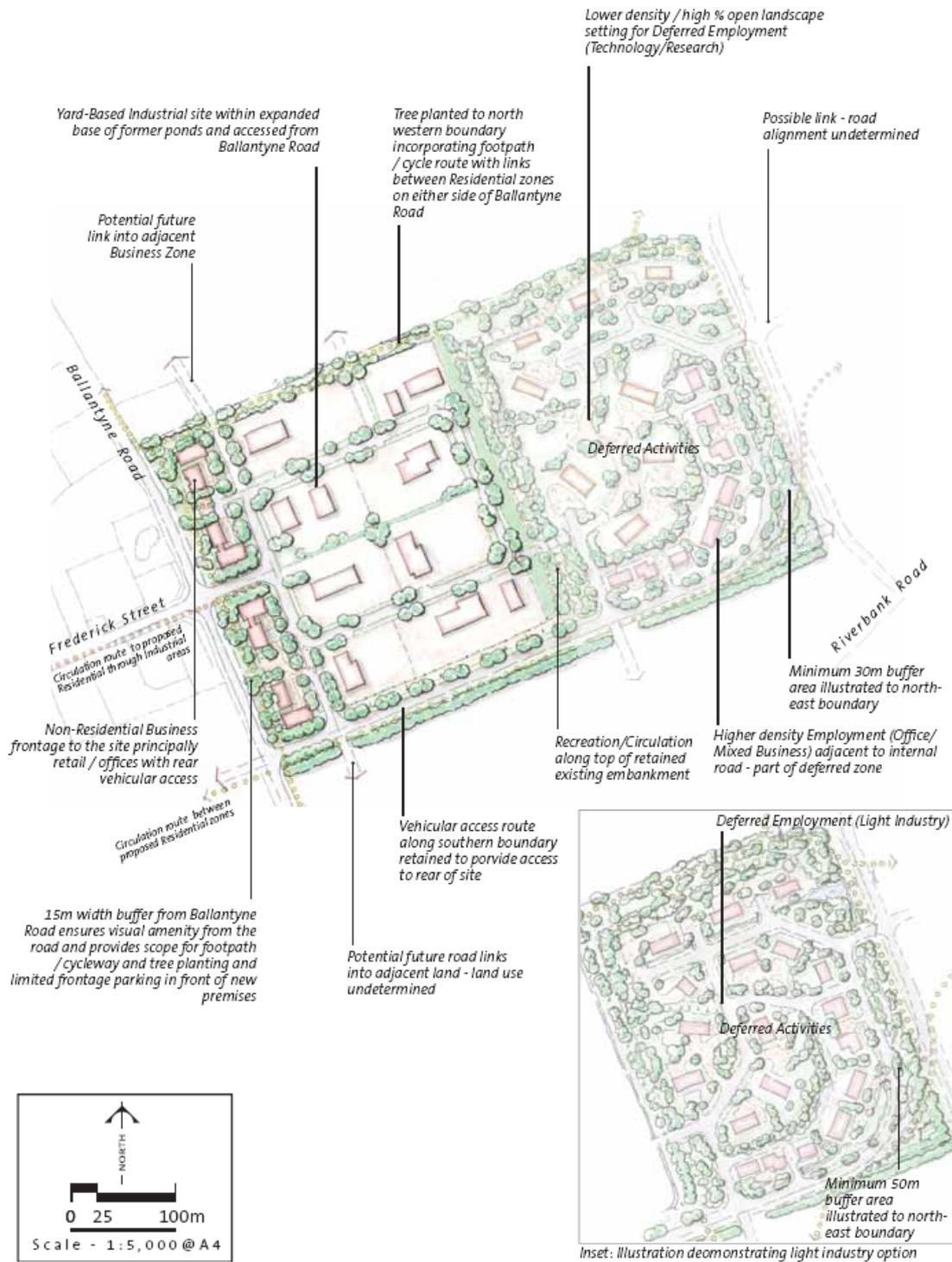


Figure 7b: Illustrative master plan

The Ponds site, once developed, will contribute to the existing and projected shortage of appropriately zoned land for yard based industrial and mixed business activities within the Wanaka area.

Section 6

Section 6 states:

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 recognise and provide for the following matters of national importance:

- (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: [not applicable to this Plan Change]*
- (b) *The protection of outstanding natural features and landscapes from inappropriate subdivision, use and development:[not applicable to this Plan Change]*
- (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: [not applicable to this Plan Change]*
- (e) *Relationship of Maori and their cultures 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.*

Section 6 identifies matters of national importance. As identified in the landscape Assessments which form part of this Section 32 analysis, the area covered by the Plan Change is not classified as an outstanding natural landscape or an outstanding natural feature.

A Cultural Impact Assessment prepared by Kai Tahu Ki Otago Limited has not identified any significant issues in relation to the relationship with Maori and their culture and traditions with their ancestral lands, water, waahi tapu and other taonga. The Cultural Impact Assessment is attached to this report.

An archaeological assessment has been prepared by Jill Hamel, which has identified that there are no items of heritage significance on the subject site. The archaeological assessment is attached to this report. Similarly, an ecological assessment has been prepared which does not identify any areas of significant indigenous vegetation or significant habitats of indigenous fauna. The ecological assessment is attached to this report.

Section 7

Section 7 lists “other matters” that the Council must have particular regard to. The following sub-sections are of particular relevance to this Plan Change.

- (b) *The efficient use and development of natural and physical resources:*
- (c) *The maintenance and enhancement of amenity values:*
- (f) *Maintenance and enhancement of quality of the environment:*

(g) *Any finite characteristics of natural and physical resources:*

Because of its location within the inner growth boundary of Wanaka, and the fact that it is within close proximity to existing industrial development, the rezoning of this land to provide for yard based industrial and mixed business activities is considered to be an efficient use of natural and physical resources.

Following a detailed landscape assessment of this site, and consideration of the recommendations within that assessment, it is considered that through the adoption of this Plan Change, the amenity and landscape values of the site and surrounding environment can be maintained and improved (when compared with the development rights that currently exist on the site).

Likewise, the Plan Change meets Section 7(f) of the Act by providing a logical extension to the Wanaka town, and ensuring that the development is undertaken in a comprehensive manner so that the quality of the site and surrounding environment is maintained.

Section 8

Section 8 states that:

“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 take into account the principles of the Treaty of Waitangi (Te Tiriti o Waitangi).”

There are no Treaty principles that will be impacted upon by this Plan Change.

A Cultural Impact report with regard to the Kai Tahu Otago Natural Resource Management Plan 2005 is attached to this report. No issues of concern were raised.

Section 31

Section 31 of the Act lists the functions of territorial authorities. In terms of this section, the Council is required to establish, implement and review objectives, policies and methods to achieve integrated management of the effects of the use, development or protection of land and associated natural and physical resources of the District.

(a) The establishment, implementation, and review of objectives, policies, and methods to achieve integrated management of the effects of the use, development, or protection of land and associated natural and physical resources of the district.

The analysis of objectives, policies and methods relevant to this Plan Change are addressed later in this Section 32 analysis.

Section 32

Section 32 of the Resource Management Act states that the evaluation of the alternatives, benefits and costs of any plan change must be carried out before it is adopted. The evaluation should examine the extent to which each objective is the most appropriate way to achieve the purpose of this Act; and having regard to their efficiency and effectiveness, whether the policies, rules or other methods are the most appropriate way to achieve the objectives. The Council shall have regard to all options, including the option of no action at all.

Section 32(1) stipulates that, in achieving the purpose of the Act, the local authority must consider alternatives and benefits and costs of adopting any objective, policy, rule or method in the Partially Operative District Plan (PODP). Section 32(2) requires that a further evaluation must also be made by the local authority before making a decision under clause 29(4) of the first schedule.

Section 32(3) provides:

An evaluation must examine-

- (a) The extent to which each objective is the most appropriate way to achieve the purpose of this Act; and*
- (b) Whether, having regard to their efficiency and effectiveness, the policies, rules or other methods are the most appropriate for achieving the objectives*

Section 32(4) directs that, for the purpose of this examination, an evaluation must take into account –

- (a) the benefits and costs of policies, rules or other methods; and*
- (b) the risk of acting or not acting if there is uncertain or insufficient information about the subject matter of the policies, rules or methods.*

A report summarising the Section 32 evaluation and giving reasons for the evaluation must be available for public inspection at the same time as the Plan Change (to which it relates) is publicly notified.

For a Plan Change such as that envisaged to be undertaken for this land the Section 32 report must support the use of the site for yard based industrial and mixed business activities (in the manner being proposed) as the most appropriate use for the site. It is noted that the Section 32 analysis is continued through the Plan Change process, including at the decision making stage.

Section 72

Section 72 states that the purpose of a District Plan is:

The purpose of the preparation, implementation and administration of district plans is to assist territorial authorities to carry out their functions in order to achieve the purpose of the Act.

Section 73

Section 73 provides for the preparation and change of District Plans. It states that variations and plan changes must be prepared in accordance with the First Schedule of the Act.

The requirements of the First Schedule of the Act have been met in the preparation and subsequent notification of this Plan Change.

Section 74

This section states:

74 Matters to be considered by territorial authority

(1) *A territorial authority shall prepare and change its district plan in accordance with its functions under section 31, the provisions of Part 2, [a direction given under section 25A(2),] its duty under section 32, and any regulations.*

(2) *In addition to the requirements of [section 75(3) and (4)], when preparing or changing a district plan, a territorial authority shall have regard to—*

[(a) Any—

(i) Proposed regional policy statement; or

(ii) Proposed regional plan of its region in regard to any matter of regional significance or for which the regional council has primary responsibility under Part 4; and]

(b) Any—

(i) Management plans and strategies prepared under other Acts; and

(ii) Repealed.

[(iia) Relevant entry in the Historic Places Register; and]

[(iii) Regulations relating to ensuring sustainability, or the conservation, management, or sustainability of fisheries resources (including regulations or bylaws relating to taiapure, mahinga mataitai, or other non-commercial Maori customary fishing),—]

to the extent that their content has a bearing on resource management issues of the district; and

(c) The extent to which the district plan needs to be consistent with the plans or proposed plans of adjacent territorial authorities.

[(2A) A territorial authority, when preparing or changing a district plan, must—

(a) take into account any relevant planning document recognised by an iwi authority and lodged with the territorial authority, to the extent that its content has a bearing on resource management issues of the district; and

(b) recognise and provide for the management plan for a foreshore and seabed reserve adjoining its district, once the management plan has been lodged with the territorial authority, to the extent that its contents have a bearing on the resource management issues of the district.]

[(3) In preparing or changing any district plan, a territorial authority must not have regard to trade competition.]

Through the preparation of this Section 32 report, regard has been given to the Regional Policy Statement for Otago. This report also meets the requirements of Clause 2(b)(ii) by having regard to the Long Term Council Community Plan (CCP) (refer below), which is a plan prepared under the Local Government Act. Clause 2(A)(a) is met through having regarded the Kai Tahu ki Otago Resource Management Plan.

Regional Policy Statement for Otago

The Regional Policy Statement (RPS) for Otago became operative on 1 October 1998 and is due for review on 1 October 2008.

A Regional Policy Statement is required under section 60 of the Resource Management Act 1991. The purpose of the RPS is to promote the sustainable management of natural and physical resources. Otago's RPS establishes a framework for setting objectives, policies and methods to manage Section 75 of the Act which specifies that any plan change must not be inconsistent with any RPS or Regional Plan.

The provisions of the RPS for Otago (1 October 1998) of relevance to this Plan Change include, in particular:

Issue 9.3.1

The adverse effects of urban development and settlement can impact upon the quality of the built environment and on the use of natural and physical resources.

Issue 9.3.2

Otago is dependent on an efficient network of utilities to provide for the social, economic and cultural well being of Otago's communities.

Objective 9.4.1

To promote the sustainable management of Otago's built environment in order 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*

Objective 9.4.2

To promote the sustainable management of Otago's infrastructure to meet the present and reasonable foreseeable needs of Otago's communities.

Objective 9.4.3

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

Policy 9.5.2

To promote and encourage efficiency in the development and use of Otago's infrastructure through:

- (a) *Encouraging development that maximises the use of existing infrastructure while recognising the need for more appropriate technology; and*
- (b) *Promoting co-ordination amongst network utility operators in the provision and maintenance of infrastructure; and*
- (c) *Encouraging a reduction in the use of non-renewable resources in the construction, development and use of infrastructure; and*
- (d) *Avoiding or mitigating the adverse effects of subdivision, use and development of land on the safety and efficiency of regional infrastructure.*

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*
- (b) *The creation of noise, vibrations and dust; and*
- (c) *Visual intrusion in a reduction in landscape qualities; and*
- (d) *Significant irreversible effects on:*
 - (i) *Otago community values; or*
 - (vi) *Amenity values*

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, land use and development on landscape values.*

The objectives and policies from the Regional Policy Statement are supported by the proposed Plan Change in the following ways:

- Creation of an urban environment that responds to the topography to lessen the impacts on the environment.
- Provision of zoning to provide for yard based industrial and mixed business activities in order to meet the social and economic needs of the community.
- Use of the existing form of the ponds to assist in mitigating potential effects.
- Development of land that does not adversely affect landscape values or the amenity of surrounding land.

Queenstown Lakes District Council's Long Term Council Community Plan

The Long Term Council Community Plan (LTCCP) 2006-2009 for the Queenstown Lakes District identifies key community outcomes. The following excerpt from the LTCCP identifies how those outcomes were established:

Our community outcomes were derived from a two-year community workshop process from 2002 to 2004. Common objectives were taken from the nine district-wide workshops involving over 1300 residents. The resulting outcomes, with the over-riding outcome of sustainable growth management, represent the desires of our communities and provide a solid framework for ensuring that we protect and preserve what is important to the people of the district.

The community outcomes that arose out of this process are included below. All are of relevance to this Plan Change. These read as follows:



Sustainable growth management



Quality landscapes and natural environment and enhanced public access



A safe and healthy community that is strong, diverse and inclusive of all age groups.



Effective and efficient infrastructure that meets the needs of growth



High quality urban environments that meets the needs of growth



A strong and diverse economy



Preservation and celebration of the district's local cultural heritage.

On page 19 of the CCP, the Council has identified the work in progress (as at June 2006) and the work proposed to achieve each of the above community outcomes. Wanaka Structure Plan implementation is identified as a project underway to achieve 'Growth management in a sustainable way'.

The proposed Plan Change for the Ponds site has been developed with the aim of achieving these community outcomes.

Kai Tahu ki Otago Natural Resource Management Plan

Section 74(2)(A) of the RMA requires that the District Council, when preparing a change to the District Plan, must 'take into account' any relevant planning document recognised by an iwi authority and lodged with the territorial authority, to the extent that its contents has a bearing on resource management issues of the District.

The Kai Tahu Ki Otago Natural Resources Management Plan (KTKO NRMP) has been developed to:

- *Provide the principal planning document for Kai Tahu ki Otago;*
- *Provide information, direction and a framework to achieve a greater understanding of the natural resource values, concerns and issues of Kai Tahu ki Otago;*
- *Provide a basis from which Kai Tahu ki Otago participation in the management of the natural, physical and historic resources of Otago is further developed;*
- *The KTKO NRMP 2005 shall provide the basis, but not substitute, for consultation and outline the consultation expectations of Kai Tahu ki Otago.*

Part 5 of the KTKO NRMP outlines the issues, objectives and policies for the entire Otago Region.

The following issues are relevant to any new subdivisions:

25. *To discourage subdivisions and buildings in culturally significant and highly visible landscapes.*
26. *To encourage a holistic planning approach to subdivisions between the Local Government Agencies that takes into account the following:*
 - i. *All consents related to the subdivision to be sought at the same time.*
 - ii. *Protection of Kai Tahu ki Otago cultural values.*
 - iii. *Visual amenity.*
 - iv. *Water requirements.*
 - v. *Wastewater and storm water and disposal.*
 - vi. *Landscaping.*
 - vii. *Location of building platforms.*
27. *To require that where any earthworks are proposed as part of a subdivision activity, an accidental discovery protocol is to be signed between the affected papatipu Runaka and the Company*
28. *To require applicants, prior to applying for subdivisions consents, to contact Kai Tahu ki Otago to determine the proximity of the proposed subdivision to sites of significance identified in the resource inventory*
29. *To require public foot access along lakeshores and riverbanks within subdivisions.*

Part 10 of the KTKO NRMP outlines the issues and policies for the Clutha/Mata-au Catchments. Included in this chapter is a description of some of the Kai Tahu ki Otago values associated with the Clutha/Mata-au catchments. Part 10 does not address any specific issues, policies or objectives relating to the Ballantyne Road oxidation ponds site.

The Ballantyne Road Mixed Use Plan Change is likely to increase the intensification of land use within the site, which will involve increased stormwater run-off, sewage disposal and water demand. These services can be provided for by the town's reticulation scheme, and any issues will be dealt with at the time of subdivision consent.

A cultural assessment report is attached to this Section 32 report.

Relevant Non Statutory Documents

Wanaka 2020 Community Planning Exercise

The objective for the Wanaka 2020 workshop was to develop a growth management strategy for Wanaka, which is economically, socially and environmentally sustainable, and provides:

- A vital town centre, servicing the daily needs of Wanaka.
- Protection of key landscapes and views.
- Accessibility and ease of movement throughout the town area, by car and on foot.
- Access to natural recreational amenities, through walkways, cycle ways, public open space surrounding the town and access to the lakes and rivers.
- A clear statement of the desired character of the town, and of some of the surrounding rural area and a clear definition of the transition from town to rural areas.

General growth management key points from the workshop were:

- The long term boundary should remain inside the Clutha and Cardrona Rivers
- A short term boundary should be clearly defined inside the long term, and the boundary should only be extended towards the long term limit as the expanded area is filled – and to avoid the scattered development outside a clear boundary.
- A clear distinction between the town and surrounding rural area was seen as a priority.

A network of linked walkways and cycleways was seen as highly desirable for both locals and tourist use (having cycle and walkways together is acceptable).

The Ponds site was shown as a future industrial/mixed business area within the inner growth boundary as shown in purple in Figure 8 below:

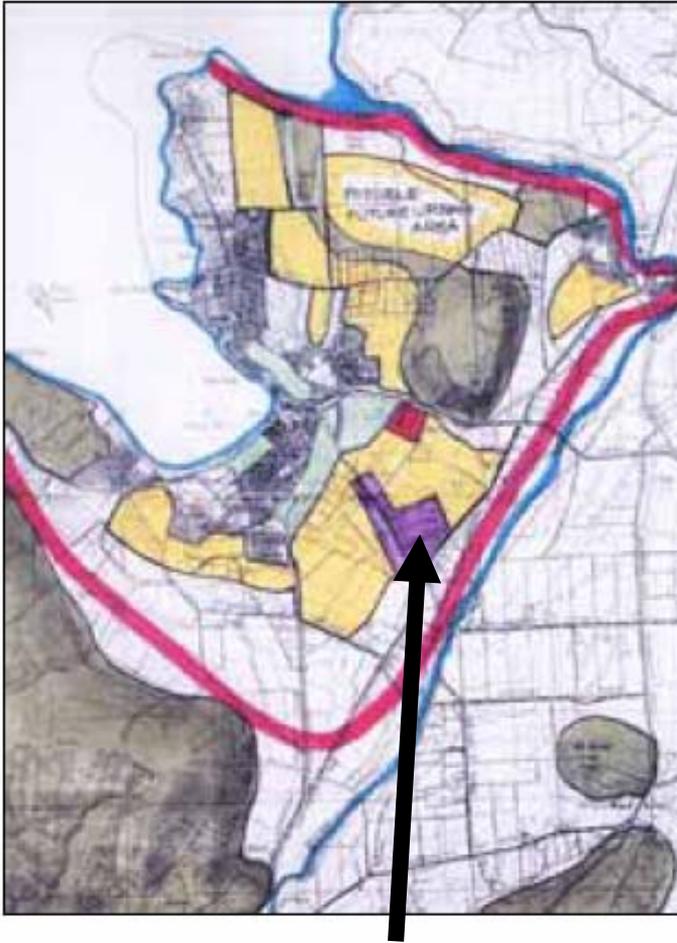


Figure 8: Wanaka 2020 plan – ponds site

The two key outcomes of the Growth Boundary are seen to be:

- Staging growth within the inner growth boundary initially and within the long term growth boundary when demand can be justified.
- Retaining the town's character.

The proposed Plan Change will assist in achieving these two key aspects of managing growth in Wanaka in that:

- The Structure Plan for the proposed Ponds Plan Change will enable development to occur in a controlled and logical fashion in an area suitable for yard based and mixed business expansion.
- Development can occur within the site in a manner consistent with existing and potential development and zoning on adjacent and surrounding land.

Wanaka Structure Plan

The Wanaka township is under considerable growth pressure owing to its prime location. The Council is faced with having to sustainably manage this growth now and into the future.

In order to address the growth issues that Wanaka is experiencing Council undertook studies to investigate and make recommendations as to the future zoning of land, and associated infrastructure issues, around the periphery of the existing urban area of Wanaka.

As a result of this analysis and associated public consultation, the conclusion was reached that the most appropriate growth management tool for Wanaka is structure planning for the entire Wanaka area.

The purpose of the Structure Plan is to ensure that there is adequate land zoned for residential and other uses to cater for future growth.

Key principles that are underlined in the project are:

- Appropriate and efficient use of land and infrastructure to enable growth;
- Good urban design;
- Protection of open space and landscape values;
- Optimal rate of release of zoned land.

The 2004 Wanaka Structure Plan (adopted by Council as a working document) is a high level guidance document, providing the first step in any re-zoning process (refer to Figure 9 below).

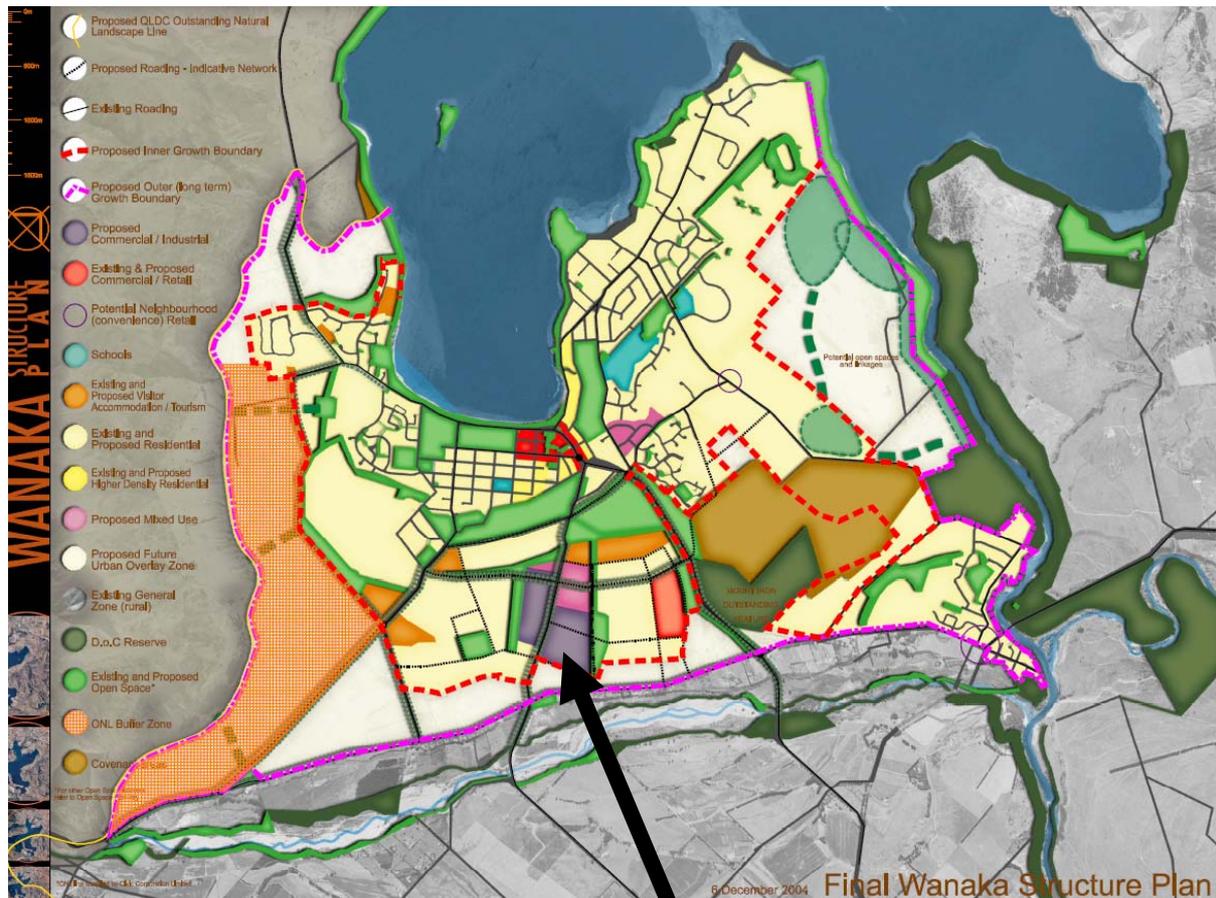


Figure 9: 2004 Wanaka Structure Plan – ponds site

The Structure Plan sets out Staging Timeframes for the resultant Plan Changes and the criteria for landowners pursuing such Plan Changes. These include:

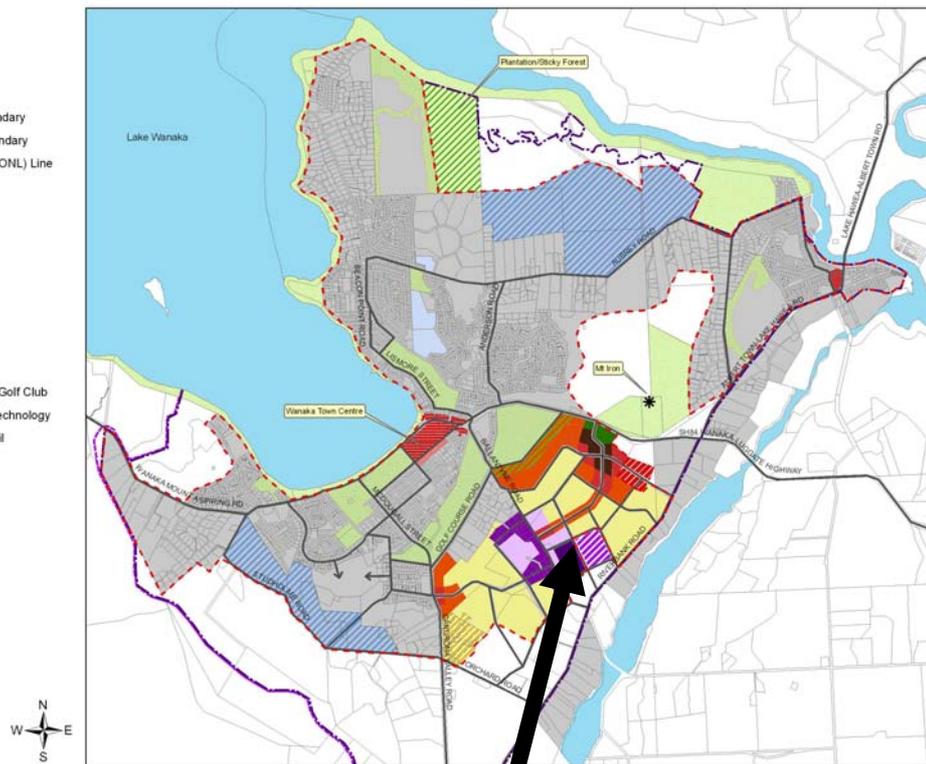
- Have landowners work with Council to determine a detailed structure plan for their area, clearly defining land uses, densities, demands on services, desired open space networks and credible roading patterns.
- Determine servicing requirements and associated costs.
- Ensure that the proposed land use is appropriate for the site, that essential roading and pedestrian linkages are provided, and that Council is able to service the development and finance any development of open spaces.

The Wanaka Structure Plan was adopted by Council in 2004 as working document. However, the structure plan is currently being finalised in conjunction with the Wanaka Transportation and Parking Study.

The revised structure plan has considered updated demographic trends, future transport requirements and has placed a greater emphasis on justifying future land demands to 2026 and protecting township character. A copy of the current Wanaka Structure Plan is shown in Figure 10 below.

Zoning Proposed

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



Indicative zone boundaries only, subject to review at implementation stage

Figure 10: Revised Wanaka Structure Plan – ponds site

2006 Commercial Land Needs Study

In March 2006 the Strategy Committee of Council commissioned a Strategic Review of business and industrial land needs in the Queenstown Lakes District. The aim of the study was to forecast the likely demand for different business and commercial uses in the District to approximately 2026. The information obtained from this study was to provide direction for the Council regarding the additional land that would be required to be rezoned to accommodate this need.

The Commercial Land Needs Study was completed and reported to the Strategy Committee and Full Council in September 2006. The study assessed and made recommendations on the following matters:

- The long term business and needs of the District, with specific emphasis on Queenstown and Wanaka;
- The need for additional business/employment areas;
- The types of activities that needed to be provided for;
- The areas of land required for these activities;
- Locations that may be appropriate for the various uses identified; and appropriate future zoning for various activities.

The report recommended that approximately 10 hectares should be set aside for yard and transport based activities within the Ballantyne Road area, and that the Ballantyne Road oxidation ponds site was the preferred location for this activity.

There is a need to provide for such uses in the Wanaka area. The Commercial Land Needs Study found that the growth of the local economy and increasing transport costs mean that many regional and national businesses are looking for a base in the District. Cromwell has become a base for many distribution and wholesale services, and the Council considers it important that appropriate land is made available in the Wanaka area for such businesses to have appropriate areas to store and service materials that are vital to development in the area.

Consultation

General and specific consultation of relevance to the Ponds Plan Change are summarised below in chronological order

Wanaka 2020

As part of the Wanaka 2020 strategic planning process three public meetings were held prior to the workshop. The workshop was held from 24-28 May 2002.

Wanaka Structure Plan

As part of this process numerous public meetings have been held:

- March 2004 Stakeholders Meeting
- May 2004 Open Days for the General Public
- June 2004 Public meeting to discuss the Structure Plan
- Submission period for general comments about the Structure Plan until 1 October 2004.

- Throughout this process consultation has been undertaken with the landowners around Wanaka.
- The Wanaka Structure Plan and associated reports to the Council's Strategy Committee have been available on the Council's website.

Revised Wanaka Structure Plan

- 5 July 2007 Presentation to Wanaka Community Board
- 21 August 2007 Presentation to Wanaka Urban Design Panel
- 22 August 2007 Community Open Day
- August/September 2007 Submission Period

Consultation Document – Ponds Site

A discussion document was sent to landowners within a radius of approximately 700 metres of the Ponds site on the 24 July 2007. The discussion document was also sent to the former owner of the site. Newspaper notices were also published and a media release prepared to obtain broader comment on the proposed Plan Change. In total approximately 120 copies of the Discussion Document were distributed. A total of 17 submissions were received.

The comments raised through the feedback received following the release of the consultation document are set out in the table below. These matters are addressed in the following section of the report.

Option	Number of submissions	Summary of issues raised
<i>Do nothing – retain Rural General Zoning</i>	10	<ul style="list-style-type: none"> • Concerns about industrial development adjacent to residential/rural residential development • Adverse amenity impacts, including noise and dust from truck movements • Potential devaluation of properties • Proposal does not allow for the orderly planning of Wanaka • Industrial development is spreading further out of town when older areas are still vacant. • Concerns about capacity of roads to cater for increased traffic • Wanaka Structure Plan should first be completed. • Any rezoning should be done in conjunction with the adjoining '3 Parks' proposal. • Need for additional offices/showrooms has not been proven as yet • Concerns about locating future yard based/industrial activities away from other businesses of this kind in Wanaka.
<i>Rezone land</i>	1	<ul style="list-style-type: none"> • Proposed yard based activity is not appropriate

<i>using existing zones from District Plan</i>		<ul style="list-style-type: none"> • A better community use is possible (sport/recreation) • Concerns about traffic and amenity impacts
<i>Rezone land for yard based activities using a master plan approach</i>	6	<ul style="list-style-type: none"> • Planning for future growth is supported • Need to avoid what has happened in Anderson Rd. • Ponds site needs to be integrated with the '3 Parks' development • Proposed Plan Change should not be implemented before the Fredrick Street extension is completed • High emphasis on the control of visual effects associated with the development is required as this has not been achieved in other industrial areas in Wanaka. Control over landscaping, external appearance and visual impact is required, with further site/zone standards to be considered (eg. minimum site area to be landscaped). A landscape plan should be required with each consent application. • Landscape reserve on Ballantyne Road supported (but should be 20 metres deep), and be planted out with tall growing tree species. • Site access from Ballantyne Road should be limited. • Road access to high density employment area needs to be more closely examined. Submitter would encourage Ballantyne Road as only access or alternatively road access should be integrated with the future development of adjoining land.
<i>Other (non-specified) options</i>	8 of the above submitters discussed other options	<ul style="list-style-type: none"> • Preference is for land to be used for recreation (sports field, playground, ice skating complex or the like) (3 people) • Yard based activities should be located at Wanaka Airport given noise and other amenity impacts from yard based activities (3 people) • Preference is for land on southern side of Ballantyne Road to be used and for the land to remain rural (1 person) • Land should be offered back to original owner and then Ngai Tahu (1 person)

Consultation with Statutory Bodies

A letter explaining the intent of the Plan Change has been sent to the following statutory bodies:

- Otago Regional Council
- Kai Tahu
- The Ministry for the Environment

No comments from these authorities were received.

It is intended that these and other relevant authorities will be consulted during the Plan Change process.

Key Issues Identified Through Planning and Consultation

Providing for yard based and mixed business activities on the site has given rise to a number of issues that must be taken into account in preparing the Plan Change. These issues are traversed below.

Efficient use of site

An important issue identified is how best to provide for yard based industrial activities while ensuring that any land identified as appropriate for that use is not taken up by competing industrial and retail activities. Any provisions, including rules, must be clear enough to ensure that inappropriate activities are prevented in order to ensure that the land on the site is used efficiently for yard based activities to meet Wanaka's future commercial land needs. As yard based industrial activities typically require larger land areas with low building site coverage, it is important that the Ponds site is efficiently used for the intended activities.

Relationship with adjoining land

The Ponds site is bordered on three sides (north, east and south) by land in single ownership. This adjoining land is identified in the revised Wanaka Structure Plan as future mixed business (to the north of the proposed yard based area) and future residential (to the north of the proposed deferred zone and to the east). Any development on the ponds site must ensure that effects of activities are contained within the site and that any uses provided for are sensitive to the potential future uses anticipated in the Structure Plan. Appropriate landscape and buffer treatments have been provided for in the proposed Plan Change to mitigate adverse effects.

Retaining the land in the Rural General Zone

Ten submissions on the Ponds discussion document requested that the ponds site be retained within the current Rural General Zone.

The submissions variously raised concerns regarding industrial development located adjacent to residential/rural areas and the subsequent adverse amenity impacts (such as noise, dust) on these areas and possible devaluation of properties. However, as discussed below with regard to design and built form a Structure Plan approach is promoted by the Plan Change, with appropriate design controls and other rules built in to ensure that development within the Zone is appropriate.

The submissions also raised concerns regarding wider impacts such as the spreading of industrial areas and the perceived separation of industrial activities away from business activities in Wanaka. However, retaining the ponds site in the Rural General zone would fail to meet the identified need for further commercial land in Wanaka within the inner growth boundary of the township.

Ensuring appropriate access and traffic management

Several submitters raised concerns about increased traffic in the locality and the capacity of the road network to cater for an increased in movements (particularly trucking movements). . As discussed previously a report commissioned from Montgomery Watson Harza (MWH)

investigates the traffic effects of developing the site for the intended purpose. This report is attached in the appendices. The report concluded that the traffic to be generated by development in the Zone can be accommodated within the existing roading network.

Encouraging a High Standard of Design/Built Form

A number of submissions on the Ponds discussion document made specific reference to the need to promote a high standard of urban design and built form on the ponds site. A Structure Plan approach is promoted by the Plan Change, with appropriate design controls and other rules built into the Plan Change to ensure that development within the Zone is appropriate.

Other matters

A number of submitters discussed other options for the area and a few submissions the focused on the relationship of the Plan Change with the broader framework including the Wanaka Structure Plan, and the development of adjoining land ('3 Parks' Proposal).

The proposed Plan Change is consistent with the revised Wanaka Structure plan and earlier strategic planning and community planning work undertaken by Council. The adjoining land is also identified within the Wanaka Structure Plan as being appropriate for development for a range of activities. While no Plan Change has yet been prepared for this land, the Ballantyne Road Mixed Use Plan Change has been prepared based on the premise that the adjoining land will be developed in accordance with the Structure Plan.

The request for land to be rezoned to allow for recreation activities would be inconsistent with Council's current strategic vision for the township and would fail to respond to the identified need for further yard based and mixed business land in Wanaka.

Affordable Housing

As a result of employment generated by the future development of the ponds site under the proposed zone, it is appropriate for the need for affordable housing contributions to be considered by Council. Appropriate policy considerations and requirements for an affordable housing impact and mitigation statement have been included in the proposed District Plan provisions.

Analysis of the relevant Objectives and Policies of the Partially Operative District Plan

Part 4 of the Partially Operative District Plan

The following section of this report identifies the existing District Wide objectives and policies that have some relevance and require consideration for this proposed Plan Change.

Part 4.1 Nature Conservation Values

Objective 1 - Nature Conservation Values

The protection and enhancement of indigenous ecosystem functioning and sufficient viable habitats to maintain the communities and the diversity of indigenous flora and fauna within the District.

Improved opportunity for linkages between the habitat communities.

Policies

- 1.5 *To avoid the establishment of, or ensure the appropriate location, design and management of, introduced vegetation with the potential to spread and naturalise; and to encourage the removal or management of existing vegetation with this potential and prevent its further spread.*
- 1.7 *To avoid any adverse effects of activities on the natural character of the District's environment and on indigenous ecosystems; by ensuring that opportunities are taken to promote the protection of indigenous ecosystems, including at the time of resource consents.*
- 1.11 *Encouraging the protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna.*
- 1.17 *To encourage the retention and planting of trees, and their appropriate maintenance.*

As the site has for a considerable period contained the oxidation ponds, there is little in the way of indigenous flora or fauna on the site, and the policies related to this objective have limited relevance to the project. The opportunity exists, however, through the landscaping of the site with future development to provide the opportunity to contribute to linkages between habitat communities.

Objective 2 – Air Quality

Maintenance and improvement of air quality.

Policies

- 2.1 *To ensure that land uses in both rural and urban areas are undertaken in a way which does not cause noxious, dangerous, offensive or objectionable emissions to air.*

The Otago Regional Council's Regional Plan: Air contains rules relating to the type of emissions fires that are appropriate in the Wanaka area. These rules have recently been amended by Plan Change 2 to the Regional Plan: Air and impose restrictions over some activities. Some industrial activities may require resource consent from the Otago Regional Council for any emissions to air from their processes

Part 4.2 Landscape and Visual Amenity

Section 4.2.4 outlines the issues in relation to landscape. Issue (12), General Landscape Issues, notes that

The landscape provides both a backdrop to development as well as the economic base for much activity. Because of the quality of the landscape and the important role it plays in the District's economy it is necessary to ensure that subdivision, development and associated activities are managed to avoid, remedy or mitigate any adverse effects resulting from the pattern of development and the location, siting and appearance of buildings.

The visual effect of subdivision, development and associated activities may be increased when the form and colour of structures contrast with the surroundings and when they are located in visually sensitive areas. The demand for housing and other developments in the rural area is growing and poor location, siting and appearance of these developments threaten to increase the level of inappropriate modification of the rural landscape. The hill and mountain slopes surrounding the lakes assume greater importance because of their role in providing a setting for the lakes. Likewise the views from any roads and public places within the District assume increasing importance as they give visual access to the mountains, lakes and landscape that, in turn, are integral to the economic wellbeing of the District, and provide a sense of place to residents and visitors.

The landscape surrounding the ponds site is not considered to be a highly sensitive landscape. There are limited views to the lake available, and although elevated, views of the Cardrona River are also limited given the intervening land and terrace formations. Views from Ballantyne Road include views towards Mount Iron and Mount Barker, depending on the direction of travel, and it is important that future development ensure that an attractive street frontage is provided to maintain the existing amenity values. A landscape buffer will be provided for on Ballantyne Road and a row of existing pines on the southern boundary will be retained to adequately screen future development. An opportunity exists to site development within the existing ponds structures to mitigate effects of the development on the landscape.

Objective 4.2.5 is relevant to the Ballantyne Road Ponds site, and is discussed below along with a consideration of the relevant policies.

Subdivision, use and development being undertaken in the District in a manner which avoids, remedies or mitigates adverse effects on landscape and visual amenity values.

Policies

1 Future Development

- (a) *To avoid, remedy or mitigate the adverse effects of development and/or subdivision in those areas of the District where the landscape and visual amenity values are vulnerable to degradation.*
- (b) *To encourage development and/or subdivision to occur in those areas of the District with greater potential to absorb change without detracting from landscape and visual amenity values.*
- (c) *To ensure subdivision and/or development harmonises with local topography and ecological systems and other nature conservation values as far as possible.*

The objective and subsequent policies for future development support the development of the Ponds site as directed by this proposed Plan Change. The visual amenity of the site is already degraded to a degree by the presence of the oxidation ponds and associated activities. While the existing amenity of the site and the surrounding area could be changed as a result of the development, the pond structures themselves provide a good opportunity for development to be absorbed into the site and its effects mitigated. The topography of the existing pond structures provides a greater opportunity for development than other sites in the District and enabling yard based industrial activities within this area is considered to be consistent with Policy 1.

6 *Urban Development*

- (b) *To discourage urban subdivision and development in the other outstanding natural landscapes (and features) and in the visual amenity landscapes of the district.*

This policy reinforces the need to protect the existing visual amenity values of the area within which the site is located. The proposed Plan Change will achieve this.

7 *Urban Edges*

To identify clearly the edges of:

- (a) *Existing urban areas*
- (b) *Any extensions to them; and*
- (c) *Any new urban areas*

- by design solutions and to avoid sprawling development along the roads of the district

The 2004 Wanaka Structure Plan and the Wanaka 2020 Community Plan are strategic community documents that have been adopted by Council. Both the Wanaka Structure Plan (2004) and the Wanaka Community Plan (2002) have identified areas within Wanaka and its surrounds that can absorb the future growth of Wanaka. The site containing the oxidation ponds has been identified as such an area. Once adopted by the Council they can form the basis for other Council policy, in this example they form the basis for a Plan Change to rezone Rural General land currently housing the Wanaka oxidation ponds to a yard based industrial zone.

17 *Land Use*

To encourage land use in a manner which minimises adverse on the open character and visual coherence of the landscape.

The topography of the site provides the potential for development to be absorbed without creating significant adverse effects. Appropriate landscaping and buffer treatments will also be provided for.

Section 32 Analysis - Alternatives for the Proposed Plan Change

Option 1 – Do Nothing and allow the site to remain in the Rural General Zone once the designation is uplifted.

Introduction

This option involves uplifting the Designation once the oxidation ponds are no longer required and taking no further action. This would have the effect of making any future development of the site subject to the resource consent process.

Effectiveness

This option is not considered to be effective in achieving the Council's objectives for the site or those of the Wanaka community. The land was originally acquired under the Public Works Act. As such, once the oxidation ponds are decommissioned and the land is no longer required for the current public purpose, the land must be offered back to the original owner. In the absence of any change to the zoning prior to this occurring, the Council and the community potentially lose the opportunity to rezone for yard based industrial and mixed business activity. Future use of the site will in part be determined by the new owners.

Retaining the ponds site as Rural General would not assist in meeting the current and projected demand for yard based industrial and mixed business activities in Wanaka and will place pressure on other inappropriate areas to accommodate such uses.

Costs

There would be a cost to the community in that uses identified in the Commercial Land Needs study would not be provided for and would have to compete with other activities in less appropriate areas, potentially giving rise to adverse effects.

Benefits

At present the ponds site contributes to the open space between Ballantyne and Riverbank Roads, which adds to the amenity of those resident and working in the area. Development in accordance with the Rural General zone may go some way to preserving this amenity but over time the site will become hemmed in by urban development as the Structure Plan's vision for the area is realised.

This method would not require any time and cost to be incurred by the Council in undertaking a Plan Change.

The assessment of resource consent applications under this method enables the consideration of effects on landscape values, infrastructure and so on, however only on a piecemeal basis application by application.

Option 2 – Retain the land for another public purpose such as recreational uses.**Explanation**

This option would not involve a Plan Change but instead would result in the Council setting the land aside for public recreational uses.

Effectiveness

Although the 2004 Wanaka Structure Plan process identified a small sliver of land in the site as being part of a recreational network, utilising the entire site for recreational purposes would not be an effective means of implementing the Wanaka Structure Plan. As with the previous option, utilising the site for recreational purposes would not assist in meeting the current and projected demand for yard based industrial and mixed business activities in Wanaka and will place pressure on other inappropriate areas to accommodate such uses.

Benefits

This option would provide a large area of open space for a range of potential recreational uses. However, to date there has been no demonstrated need for such a large area of recreational land. The Council is currently undertaking a strategic review of the recreational assets of Wanaka. Subject to the final findings of this review, it is possible that Council may deem it to be appropriate for part of the site to be used for recreation at a later date. If such a decision was made, appropriate statutory processes (eg. applying a new designation) would need to be undertaken at this time.

This method would not require any time and cost to be incurred by the Council in undertaking a Plan Change.

Costs

There would be a cost to the community in that uses identified in the Commercial Land Needs study would not be provided for and would have to compete with other activities in less appropriate areas, potentially giving rise to adverse effects.

Option 3 - Retaining Rural General Zoning and utilising the resource consent process to enable development for yard based industrial activities.

Explanation

This option would not involve a Plan Change and would instead rely on either the Council or future landowners utilising the resource consent process to undertake any additional development of the land.

Effectiveness

This option is not considered effective at achieving the aforementioned objectives as the Rural General zoning does not anticipate yard based industrial activity or mixed business activities in the form contemplated by the Plan Change and would not be supported by the objectives and policies for the zone. This option provides less certainty and may result in lengthy planning processes, including appeals to the Environment Court.

This option may result in the inefficient use of the Ponds site, and proper regard may not be had to integrated servicing and layout of any development. There is also the risk that activities not compatible with yard based activities could become established. Inappropriate subdivisions may make future re-development of the land disjointed, inappropriate, or unsuitable. This option does not provide for a comprehensive approach that a Plan Change will.

Benefits

This method would not require any time and cost to be incurred by the Council in undertaking a Plan Change.

The assessment of resource consent applications under this method enables the consideration of effects on landscape values, infrastructure etc, however only on a piecemeal basis application by application.

Costs

The process would be more costly and uncertain for parties attempting to initiate development of the site through the resource consent process. In the absence of a Structure Plan approach there would be the loss of the economies of scale of a large development and at the implementation stage, e.g. infrastructure.

The site has been identified as appropriate for yard based industrial activities and other compatible uses, and the resource consent process is considered unlikely to be the best method to achieve this. Furthermore, there could be an undesirable precedent effect if resource consents were granted for yard based industrial activities, with an associated effect on the integrity of the Rural General zone.

Option 4 – A Plan Change – Industrial Zone, as provided for in other parts of the District

Explanation

This option involves changing the zoning of the entire site from Rural General to Industry Zoning.

Effectiveness

This option would be effective in changing the zoning to one that is similar to land on the opposite side of Ballantyne Road, and would provide for a range of industrial activities into the future. However, the existing industry provisions enable a wide range of land uses and would be insufficient to ensure that the site was retained and developed principally for yard based activities.

This option would not on its own be effective as it would not provide solely for the activities identified as needed in the District in the Commercial Land Needs Study and the Wanaka Structure Plan.

Efficiency

This option is not efficient, as the existing zoning enables a range of industrial activities and associated commercial and other uses. This would ultimately result in pressure being placed on other areas to accommodate uses such as those the Plan Change is providing for.

This would be a relatively simple plan change to the District Plan and would not require substantial resources from the Council to prepare but would lead to the development of the site in a manner not anticipated by the current Structure Plan or Commercial Land Needs Study.

Benefits

This would be a relatively simple Plan change to be undertaken by the Council and would absorb limited resources in preparation.

Costs

This option does not take into account the specific characteristics of the site, which include the undulating topography created by the oxidation ponds, and existing development in the vicinity. This option would not enable additional rules, policies and objectives to be added to the Plan to address these issues.

Option 5 – A Plan Change to create site specific special zone that provides for yard based industrial activities, with provision for mixed business activities in appropriate locations.

Explanation

This option involves the creation of a Special Zone – Ballantyne Road Mixed Use Zone (Part 12 of the Partially Operative District Plan). This would involve the drafting of a new set of issues, objectives and policies, and rules for this new zone, and the inclusion of a Structure Plan addressing the Council’s preferred development of the site.

Effectiveness

This option would be effective at achieving the aforementioned objectives as specific objectives, policies, and rules can be created for the Ponds site that would take into account all of the site specific characteristics of the area and ensure that yard based activities are appropriately provided for.

Development of specific provisions in a Special Zone will ensure that the activities can be provided for in an appropriate location that takes into account the topography of the site and the characteristics of adjoining land.

Efficiency

This option would be efficient as it would enable specific provisions to be inserted into the District Plan to enable the desired uses on the site. Zoning the site for general industrial purposes would give rise to a wider range of activities that appropriate on the site, and in order to ensure the site develops in accordance with the Structure Plan separate provisions are required. The option also allows activities that are not considered compatible with the desired uses to be excluded or subjected to a more rigorous consent regime.

Benefits

The benefits of this option include providing certainty by clearly establishing in the District Plan objectives, policies and rules for future development of the site. This method also gives certainty to the community as to what could happen on the site. This option also enables the Council to develop rules specific to the landscape values of the site and for the protection of amenity values and future development on adjoining properties. A high standard of design, built form and landscaping/buffering can be provided for under this option.

Costs

The development of issues, objectives, policies and rules specific to the site will not be costly as the provisions will be derived in part from the existing Industry zone and proposed provisions identified in a separate plan change (PC19 – Frankton Flats).

There is the possibility of a precedent being set for a new “special zone” each time there is a plan change. However, in this case a specific need has been identified that the Zone is to provide for and that cannot be accommodated by the existing zones in the Plan.

Conclusions

Following the assessment of the various alternatives for this site it is concluded that it is appropriate to re-zone the Ballantyne Road oxidation pond site from Rural General to special zoning (Ballantyne Road Mixed Use Zone) to provide for yard based activities and mixed business activities. To create a well designed development on the site it is considered necessary that a structure plan is added to the District Plan to secure the location of various activity areas. The Structure Plan provides for two 'deferred' zoning areas at the rear of the site. As discussed in this report, it is considered appropriate that this area be dedicated for mixed business activities in order to provide an effective buffer between the yard based area and the surrounding land that is identified for future urban use in the Wanaka Structure Plan.

The proposed objectives, policies and rules as well as the structure plan are proposed to be added to Part 12 of the District Plan (Special Zones) and the Subdivision, Development and Financial Contributions (Part 15 of the District Plan). It will also be necessary to amend the transport rules (section 14) and sign rules (section 18) of the District Plan. It is considered through the Section 32 analysis that the existing industry zoning is insufficient on its own to achieve the objectives for development on this land.

Amendments

As a result of the above analysis, it is recommended that amendments be made to the District Plan. The appendices of this report include the proposed zoning map and proposed plan provisions. Changes to the plan provisions include introduction of a new Special Zone – Ballantyne Road Mixed Use Zone to be included in Part 12 of the District Plan (with relevant objectives, policies and rules) and proposed changes to Part 14 (Transport), Part 15 (Subdivision, Development and Financial Contributions) and Part 18 (Signs) of the District Plan.

Appendices

Technical reports commissioned
Proposed Plan Provisions and zoning map

Note: Council policies and documents referred to in this Plan Change can be downloaded from Council's website: www.qldc.govt.nz or copies can be requested from the Council.