

**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 Stage 3 of the Proposed
District Plan and Hearing
Stream 17 – General Industrial
Zone

BETWEEN **Reavers (N.Z.) Limited**

Submitter (#3340)

**PLANNING EVIDENCE OF DANIEL IAN THORNE
ON BEHALF OF
REAVERS (N.Z.) LIMITED (SUBMITTER #3340)**

1. INTRODUCTION AND QUALIFICATIONS

- 1.1 My name is Daniel Ian Thorne. I am a Senior Planner and Director of Town Planning Group (NZ) Limited, a planning consultancy that provides planning and resource management advice to local authorities, government agencies and private clients throughout New Zealand.
- 1.2 I hold a Bachelor's Degree in Environmental Management and a Post Graduate Diploma in Resource Studies (Distinction) from Lincoln University. I am an Associate Member of the New Zealand Planning Institute, and have over fourteen years' experience in the resource management field.
- 1.3 I have prepared resource consent applications and plan change requests for a variety of activities across the South Island and regularly give expert planning evidence in respect of the same. I have been involved in a number of plan change proposals and plan reviews, most recently the Christchurch District Plan, and Stages 1 and 2 of the Queenstown Lakes Proposed District Plan (**PDP**).
- 1.4 I have been involved in planning in the Queenstown Lakes District since 2015 and am familiar with the planning environment and local issues. In particular, I have assisted Reavers (N.Z.) Limited (**Reavers**) with a range of resource consent applications across their industrial land holding at Frankton, including their submission on Stage 1 of the PDP which sought the rezoning of rural land and stopped road to industrial¹. I have also assisted other clients with a number of resource consents for various developments within the mixed-use business and industrial areas of the Frankton Flats B Special Zone.
- 1.5 I have read the Code of Conduct for Expert Witnesses contained in the Environment Court's Practice Note 2014. I agree to comply with the Code and confirm that my evidence has been prepared in accordance with it. The matters which I give expert opinion evidence are within my area of expertise and on which I am qualified to express an opinion. I have not omitted to consider material facts known to me that might alter or detract from the opinions expressed in my evidence.

¹ Assigned the submission reference #720, albeit subsequently deemed outside of the scope of Stage 1 of the PDP. The relief sought has been accepted as part of Stage 3 of the PDP.

2. SCOPE OF MY EVIDENCE

- 2.1 I have been asked by Reavers to provide planning evidence in support of their submission on Stage 3 of the PDP, specific to Chapter 18A – General Industrial Zone (**GIZ**). The Reavers submission sought a number of changes to Chapter 18A as notified, as well as supporting certain aspects of the same. My brief of evidence will focus only on a small number of the more notable matters of contention arising from the s42A Report, focused around the Frankton industrial context. This should not however be construed as agreement (or otherwise) with respect to the s42A Report's position on the other submission points raised by Reavers.
- 2.2 On this basis, my brief of evidence is focused and covers the following:
- (a) Restricted discretionary activity status for buildings;
 - (b) Minimum road boundary setback;
 - (c) Minimum internal boundary setback;
 - (d) Trade suppliers.
- 2.3 In drafting my evidence I have read the Section 32 Report prepared for Chapter 18A, the Section 42a Report prepared by Mr Place (Planning), and the evidence of Ms Hampson (Economics) for the Queenstown Lakes District Council (**QLDC**).

3. RESTRICTED DISCRETIONARY STATUS FOR BUILDINGS (RULE 18A.4.5)

- 3.1 In the context of an industrial zone, in which lower levels of amenity are anticipated and recognised by the policy framework², I consider that restricted discretionary status for buildings is excessive and not reasonably necessary to manage built form amenity outcomes within the zone.
- 3.2 Whilst I accept there may be some examples of poor quality built form outcomes in the Glenda Drive industrial context, I would anticipate that these would be older style developments, or driven by functional requirements of the industrial activities they house. In my opinion, certainly the more recent

² Policy 18A.2.3.1, s42A Report

and modern buildings established within the Frankton industrial area achieve an appropriate level of built amenity.

- 3.3 The imposition of restricted discretionary activity status and the extensive listed matters of discretion create in my view, a degree of uncertainty in terms of industrial building development. Further, this may potentially serve to elevate amenity outcomes over the functional or operational requirements of industrial activities, potentially undermining the viability of such activities. By way of zone comparison, restricted discretionary activity status is applied to buildings within the Business Mixed Use Zone, which I suggest has a much higher expected amenity and design outcome than that of the GIZ. I consider it is reasonable and appropriate that a more enabling approach is undertaken for buildings within the GIZ.
- 3.4 I consider controlled activity status, as per the Operative District Plan framework, is the most appropriate response in terms of enabling industrial activities and buildings in a manner that enables a pleasant level of amenity to be achieved, as sought by Objective 18A.2.3. I also note that the zone provisions include a range of other standards relating to building setbacks, heights, coverage and outdoor storage, which if breached, provide Council with further opportunity to review, and potentially refuse, resource consent applications.

4. MINIMUM ROAD BOUNDARY SETBACK (RULE 18A.5.3(A))

- 4.1 I acknowledge that the s42A Report has proposed a reduction in the notified minimum road boundary setback from 5m to 3m (for 'all other road boundaries'). Whilst I support this reduction, I consider that the Operative District Plan road boundary setback of 2m is the most appropriate outcome for the GIZ. A 2m building setback affords sufficient space for landscaping, enables buildings to engage with the street³, and provides flexibility in building development and the location of outdoor storage areas⁴ so as to ensure the most efficient use of the industrial land resource.

5. MINIMUM INTERNAL BOUNDARY SETBACK (RULE 18A.5.3(B))

³ Policy 18A.2.3.2, s42A Report

⁴ Rule 18A.5.8 requires outdoor storage areas to be located outside of the road boundary setbacks.

- 5.1 At present, Rule 18A.5.3(B) requires a minimum internal boundary setback of 7m where a site adjoins any other zone outside of the GIZ, with no changes recommended to this Rule by the s42A Report. As identified in **Figure 1**, the Frankton GIZ is largely bisected by Glenda Drive such that most sites have an internal boundary that adjoins land zoned Informal Recreation or the Frankton Flats B Special Zone (Activity Area E1 – Industrial)

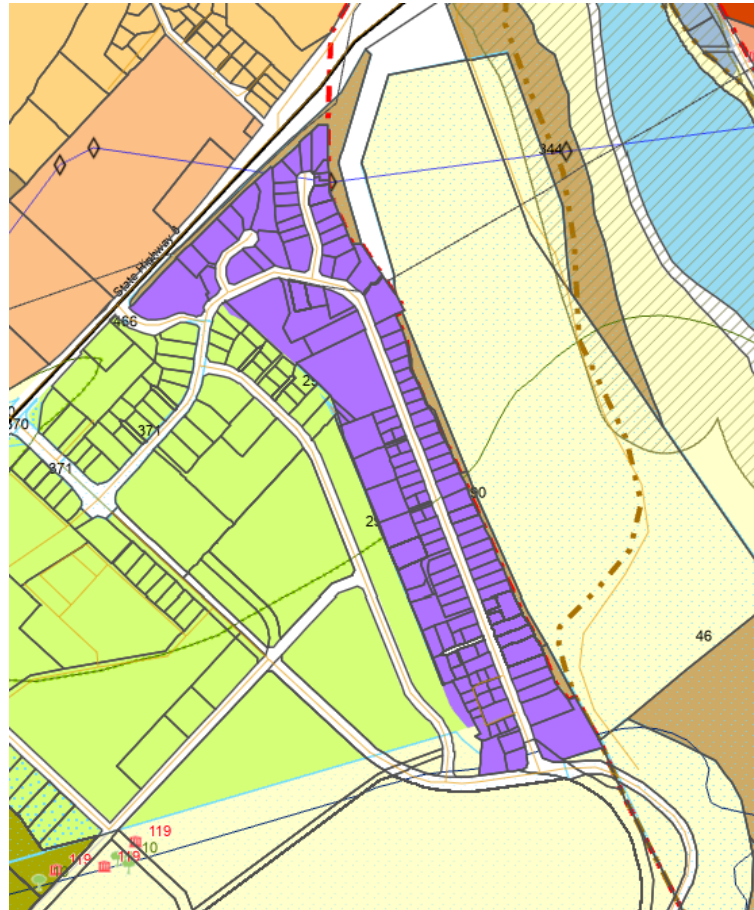


Figure 1: Operative and Proposed District Plan Map – Incorporating Stage 1, 2 and 3 of the PDP (QLDC GIS)

- 5.2 As a consequence of this, a large number of sites are subject to a 7m boundary setback, effectively reducing the availability of that land to be developed for industrial buildings without a potentially uncertain resource consent process. I note that the Rule is not explicit as to the setback applying only to 'buildings', however I have presumed this is the case.

- 5.3 With particular regard to the land holding of Reavers, this largely follows the alignment of SH6, with an approximately 10m strip of local purpose 'beautification' reserve, zoned Informal Recreation, separating the land from SH6. As identified in **Figure 2**, this land is partially landscaped in places, does not comprise any walkways, and due to the topography of SH6 which slopes up from the Shotover Bridge, is steep and serves to effectively obscure views of the industrial area from SH6 until nearing the intersection with Hardware Lane.



Figure 2: View west along SH6, with the Reavers land holding to the left of the image.

- 5.4 While I am cognisant of the purpose of the Informal Recreation Zone, I suggest that in this location the land zoned as such broadly only serves as visual relief from the built environment, as opposed to serving any other function such as a trail network or an area for respite and relaxation. To this end, I consider that the imposition of a 7m setback requirement from the Informal Recreation zoned land adjacent to the Reavers land holding is inappropriate, and not necessary to manage a potential amenity outcome along this boundary.

6. TRADE SUPPLIERS

- 6.1 I acknowledge that the s42A Report has proposed a more enabling approach to trade suppliers, with the introduction of discretionary activity status and a policy framework which seeks to distinguish between wholesale and retail focused trade suppliers, with the latter to be avoided.

- 6.2 The issue of trade suppliers is traversed at length in the s42A Report and the economic evidence of Ms Hampson. However, based on my review of the economic evidence and the relevant trade supplier definition, I consider the concerns raised by the s42A Report relating to trade suppliers to be somewhat overstated.
- 6.3 The evidence of Ms Hampson clearly outlines the economic costs of enabling trade supplies within the GIZ, with these broadly focused around the occupation of land that could be used for industrial and service activities, a slight increase in land values, and potential net additional traffic generation and reduction in efficient trip making. With respect to these matters, the costs were deemed minor, or for the most part, unable to be reliability quantified. The economic benefits of enabling trade suppliers within the GIZ as noted by Ms Hampson are in my opinion more extensive, involving greater flexibility in location for trade suppliers, less competition for land in mixed business zones, a reduction in the risk of constraining future growth of trade supply activity, and additional opportunities for some trade suppliers to locate in close proximity to industrial and service trade customers.
- 6.4 Overall, Ms Hampson concludes that trade suppliers are a key and growing component of the industrial and wider economy⁵, and the cumulative effect of prohibiting trade suppliers is expected to have only a marginal effect on the overall effectiveness of the provisions to achieve the GIZ's objectives⁶. On this basis Ms Hampson considers that providing some form of provision for trade suppliers in the GIZ would be unlikely to undermine the intent of the zone to provide for the establishment, operation and long term viability of industrial and service activities⁷.
- 6.5 Based on my evaluation of the evidence of Ms Hampson, I consider there to be no clear or pressing resource management issue with respect to trade suppliers locating within the GIZ, and that the policy response to distinguish between wholesale and retail trade suppliers as identified in the s42A Report is not warranted.
- 6.6 The definition of 'trade supplier' requires a business to comprise a mixture of wholesale and retailing, and be involved in one of a number of specific

⁵ Paragraph 10.30, Evidence of Ms Hampson on Chapter 18A

⁶ Paragraph 10.32, Evidence of Ms Hampson on Chapter 18A

⁷ Paragraph 10.31, Evidence of Ms Hampson on Chapter 18A

categories. For the most part, I consider that the potential for a business involved in one of those categories to achieve a status of a 'retail destination' or a 'commercial attraction' as per the wording of Policy 18A.2.2.x of the s42A Report to be limited. I would anticipate that a more retail focused trade supplier would be attracted to a higher amenity location, with other retail focused activities in proximity so as to attract the general public, as opposed to locating within the GIZ.

- 6.7 I also suggest that if a trade supplier principally servicing the retail sector was advanced within the GIZ, it could arguably be defined as a 'retail activity', and potentially a 'large format retail activity' if over 500m² in area, both of which are prescribed prohibited activity status by the s42A Report. In this regard, I understand that the Bunnings development along SH6 was determined by the Environment Court to be a 'retail activity' under the District Plan⁸.

7. SUMMARY

- 7.1 I have recommended a number of minor changes to the proposed provisions for Chapter 18A as amended by the s42A Report, with these focused around the activity status for buildings, the road and internal boundary setbacks, and the treatment of trade suppliers within the GIZ.
- 7.2 I consider the minor changes proposed serve to enable a more efficient use of the industrial land resource, provide greater certainty for landowners and tenants, and maintain an appropriate level of amenity for the GIZ. To this end, I consider the changes more appropriately meet the objectives of the GIZ.

DATED 29 May 2020

Daniel Ian Thorne

⁸ ENV-2018-CHC-015, Paragraph 12