

**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 12 –
Upper Clutha Mapping
Annotations and
Rezoning Requests

**SECTION 42A REPORT / STATEMENT OF EVIDENCE OF CRAIG BARR
ON BEHALF OF QUEENSTOWN LAKES DISTRICT COUNCIL**

GROUP 2 WANAKA URBAN FRINGE

17 March 2017

 **Simpson Grierson**
Barristers & Solicitors

S J Scott / C J McCallum
Telephone: +64-3-968 4018
Facsimile: +64-3-379 5023
Email: sarah.scott@simpsongrierson.com
PO Box 874
SOLICITORS
CHRISTCHURCH 8140

TABLE OF CONTENTS

1. INTRODUCTION AND SCOPE	2
2. EXECUTIVE SUMMARY	3
3. SIR CLIFFORD SKEGGS AND MARIE ELEANOR LADY SKEGGS (412) AND WINTON PARTNERS FUNDS MANAGEMENT NO. 2 LIMITED (653).....	4
4. BERNIE SUGRUE (588).....	7
5. ALLENBY FARMS (502)	14
6. M BERESFORD (149)	31
7. TRUSTEES OF THE BLENNERHASSETT FAMILY TRUST (413)	34
8. MURRAY STEWART BLENNERHASSETT (413), RN MACASSEY, M G VALENTINE, L D MILLS & RIPPON VINEYARD AND WINERY CO LIMITED (692) ..	36
9. HAWTHENDEN LIMITED (776)	38
10. STUDHOLME ROAD RURAL LIFESTYLE ZONE SUBMISSIONS	47
11. WILLOWRIDGE DEVELOPMENTS LIMITED (249)	55
12. ORCHARD ROAD AND RIVERBANK ROAD	64
13. ORCHARD ROAD HOLDINGS (91)	65
14. JACKIE REDAI AND OTHERS (152).....	69
15. RIVERBANK ROAD SUBMISSIONS	73
16. SCOTT MAZEY FAMILY TRUST (518).....	77
17. IAN PERCY AND FIONA AITKEN FAMILY TRUST (725)	80
18. CHRISTINE PAWSON (432), TREVOR AND MARY-ANNE SIEVERS (440)....	83

1. INTRODUCTION AND SCOPE

- 1.1 My name is Craig Alan Barr. My qualifications and experience are set out in my first, strategic statement of evidence.
- 1.2 I confirm that I have read the Code of Conduct for Expert Witness contained in the Environment Court Practice Note and that I agree to comply with it. I confirm that I have considered all the material facts that I am aware of that might alter or detract from the opinions that I express, and that this evidence is within my area of expertise, except where I state that I am relying on the evidence of another person.
- 1.3 This evidence provides recommendations to the Hearings Panel (**Panel**) on submissions to the Proposed District Plan (**PDP**) grouped as Wanaka Fringe – Group 2. These submissions are on land that is outside, but adjacent to, or within relatively close proximity to, the proposed Wanaka Urban Growth Boundary (**UGB**), as identified on the PDP maps.
- 1.4 The submissions on urban and Lake Hāwea rezoning (Statement 1A), Wanaka business land rezoning (Statement 1B), and Rural (Statement 3) are contained in separate statements of evidence. Appendix 1 to my strategic evidence specifies in what statement each a submission is addressed, i.e. in the 1A, 1B, 2, 3, or the Strategic statements. In addition I have used a range of assessment principles (**Rezoning Assessment Principles**) and context factors to assist in the assessment of the rezoning requests. These are set out in paragraph 2.13 of my strategic evidence.
- 1.5 The following assessment of submissions is undertaken in the order as set out in Appendix 1 of my strategic evidence.
- 1.6 I refer to and rely on my first, strategic statement of evidence, and the evidence of:

- (a) Ms Helen Mellsop (Landscape – Upper Clutha Basin);
- (b) Mr Glenn Davis (Ecologist);
- (c) Mr Ulrich Glasner (Infrastructure); and
- (d) Ms Wendy Banks (Transportation).

1.7 All references to PDP provision numbers, are to the Council's Reply version of those provisions (unless otherwise stated).

2. EXECUTIVE SUMMARY

2.1 76 submissions on rezoning or mapping annotations are assessed in this Group 2 area (Wanaka Fringe).

2.2 Having carefully assessed individual submissions, and their implications (individually and collectively) against the relevant matters set out in the Strategic Report, I do not recommend any modifications to the Wanaka UGB.

2.3 Overall, I oppose all the submissions seeking rezoning and I recommend they are rejected, except for the following changes to the notified PDP Planning Maps which I recommend are accepted:

- (a) Hawthenden Limited (776) - rezone from Rural Zone to Rural Lifestyle Zone at Hawthenden Farm located at the end of Studholme Road (Area C - 35 ha potentially resulting in approximately 17 additional lots) and an amendment to the Outstanding Natural Landscape (**ONL**) boundary where it crosses through the Hawthenden property;
- (b) Scurr and others (160) - rezone from Rural to Rural Lifestyle Zone at Studholme Road with a building restriction area along Cardrona Valley Road. This 56 ha group of properties would result in approximately 10 additional lots; and

- (c) Allenby Farms (502) - modifying the mapping of the Clutha River Outstanding Natural Feature boundary, at the Hikuwai Conservation Reserve.

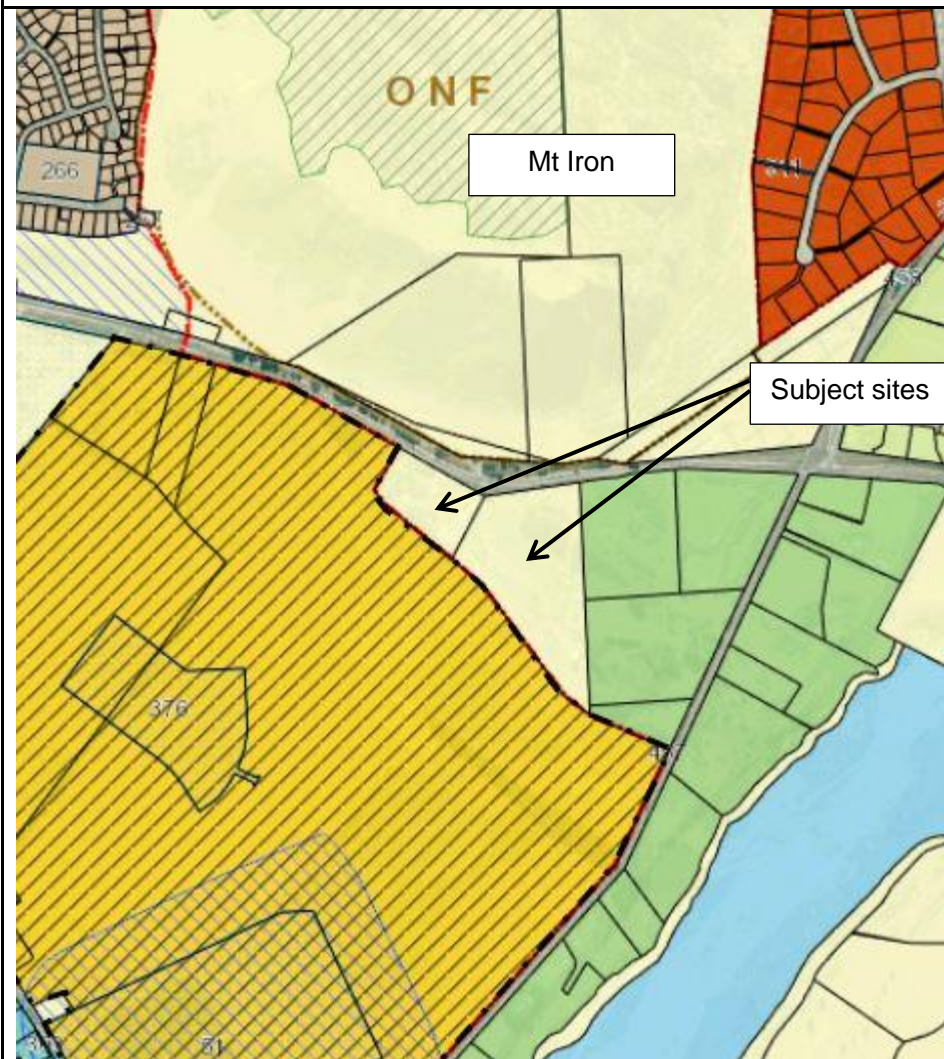
3. SIR CLIFFORD SKEGGS AND MARIE ELEANOR LADY SKEGGS (412) AND WINTON PARTNERS FUNDS MANAGEMENT NO. 2 LIMITED (653)

Overall Recommendation	
Recommendation	Reject
Summary	The PDP Wanaka UGB as notified is located in a suitable and appropriate location and the submitter has not provided any sound resource management reasons to extend the UGB.

Property and submission information	
Further Submitters	1166 (Sir Clifford and Lady Marie Skeggs): Support to submission 653. 1012 Willowridge Developments Limited: Support
PDP Zone and Mapping annotations	Rural Zone Rural Landscape Classification
Zone requested and mapping annotations	Relocate UGB to include Lot 1 DP 303207 Three Parks Zone and Three Parks Structure Plan
Supporting technical Information or reports	None
Legal Description	Lot 1 DP 15227, Lot 1 DP 303207
Area	2.512Ha, 7.325 ha
QLDC Property ID	2045, 15999
QLDC Hazard Register	LIC 1 - Nil to Low Liquefaction risk Potentially Contaminated Site – DG075 Dangerous goods licence (Lot 1 DP 303207)

Summary of Council assessments and recommendations	
Indigenous vegetation	Not opposed
Infrastructure	Not opposed
Traffic	Opposed

Description of the site



Excerpt from Planning Map 18. The subject land is the area on the southern side of State Highway 6, the Operative Three Parks Zone (Yellow striped) and Rural Lifestyle Zoned land (Green) to the east. The UGB follows the Operative Three Parks Zone at this location.

- 3.1 The submitters are seeking an extension to the PDP Wanaka UGB to include the subject sites. The submission also seeks to include the site in the Three Parks Structure Plan.
- 3.2 Winton Partners request that the subject site including the 'Puzzling World' land located to the west of the Skeggs' land should be included in the PDP Wanaka UGB because these sites adjoin commercial zones.
- 3.3 I acknowledge that the 'Puzzling World' activity is a long standing commercial activity and while it has an obvious presence of buildings, it is also a tourism activity and has a

reasonable amount of open space around it. I do not consider there to be any compelling justification for amending the PDP to include these sites within the UGB. I also note that the Skeggs' land is of a rural living character and there is no clear justification for including it within the UGB within the submission. I also note that Winton Partners have not requested rezoning their land.

- 3.4** The Skeggs' land was subject to a private plan change request¹ to enable commercial activities, primarily visitor accommodation, however this was withdrawn and is of no statutory relevance in evaluating this proposal.
- 3.5** I note that Winton Partners submitted on the PDP to remove all UGBs and at the same time is also seeking that these areas be included within the UGB. The matter of UGBs is addressed at paragraphs 18.10 – 18.13 of my first, strategic statement of evidence.
- 3.6** Mr Glasner opposes the rezoning to some form of special zone that provides for Tourism and Community Facilities and/or Commercial Activities zone, from an infrastructure perspective, because it has not been confirmed how firefighting water provision FW3 would be provided to the site and this zoning could anticipate more than minor development.
- 3.7** Mr Davis considers that the site is likely to be dominated by exotic grass and tree species and he does not oppose the rezoning from an ecological perspective.
- 3.8** I do not support the submitter's request to locate their land within the Three Parks Zone and include it within the Three Parks Structure Plan from both a resource management perspective and for sound resource management practice reasons.

1 Plan Change 47: <http://www.gldc.govt.nz/planning/district-plan/district-plan-changes/plan-change-47-alpha-view-visitor-accommodation-sub-zone/>

3.9 With regard to resource management reasons, the submitter has not provided any information as to the costs and benefits associated with this land being located within the Operative Three Parks Structure Plan. Potential issues not addressed also include the effect on other activities within the Operative Three Parks Zone.

3.10 From a sound resource management practice perspective, accepting the relief sought would result in a part of the Three Parks Zone being located in Volume 1 and the remainder in Volume 2. I consider that this has the potential to create complexities in terms of the future administration of this land.

3.11 I recommend the submissions are rejected and the PDP Wanaka UGB is retained in its notified location.

4. BERNIE SUGRUE (588)

Overall Recommendation	
Recommendation	Reject
Summary	Retaining the Rural Zone for this site will ensure a design led response for any future development that is likely to be sympathetic with the proximity of the site to Mt Iron and the main entrances to Wanaka and the West Coast (State Highways 84 and 6)

Property and submission information	
Further Submitters	None
PDP Zone and Mapping annotations	Rural Zone
Zone requested and mapping annotations	Rural Residential Zone
Supporting technical Information or reports	Section 32 evaluation Landscape assessment Infrastructure overview
Legal Description	Lot 5 DP 15016
Area	5.834 ha
QLDC Property ID	2225
QLDC Hazard Register	LIC 1 – Nil to Low liquefaction risk

Summary of Council assessments and recommendations	
Landscape	Opposed
Indigenous vegetation	Not opposed
Infrastructure	Not opposed
Traffic	Not opposed

Aerial Photograph of the site



Aerial photograph showing the land subject to submission outlined in yellow. State Highway 6 adjoins the site on the southern and eastern boundaries.

- 4.1** The submission seeks to rezone the site from Rural to Rural Residential. The Rural Zone does not contemplate any 'as of right' development for rural living. The Rural Residential zone provides a minimum allotment size of 4000m² and this could enable up to 9 allotments on this site.
- 4.2** The submission is supported by a section 32 evaluation and overview of the consent history of the site.² Currently there are development rights for just the one residential unit, which is established. The submission's section 32 evaluation considers 3 options for the site: the status quo zoning, Rural Lifestyle zoning or Rural Residential Zoning. The submission states that Rural Residential Zoning is preferred because:
- (a) it enables a greater density of residential activities;
 - (b) while the potential to cause adverse effects on the landscape is acknowledged, the submission states

² Section 32 Evaluation Report. 237 Wanaka – Luggate Highway, Wanaka. Dated October 2015.

that the Rural Residential zoning better reflects the character and scale of activities in the wider area; and

- (c) a restriction on buildings could be imposed on the site to provide a visual amenity buffer from the State Highway.

4.3 The landscape assessment lodged with the submission³ identifies that while the site itself is not particularly memorable, it is located at the foreground of the Mt Iron ONF, and adjacent to the entrance to Wanaka and Albert Town. The landscape assessment considers that the main landscape issues are visual effects on the entrance to Wanaka and Albert Town, and the effect on the ONF qualities of Mt Iron.

4.4 The landscape assessment notes that a component of the site and rezoning, and subsequently development, is the tree cover. The site is covered in mature conifers set out in grid patterns. The landscape assessment notes that trees are undesirable in that they are a wilding pest species and screen the base of Mt Iron, however notes that they have a positive landscape contribution in that they provide screening. Redevelopment of the site would open up views to the buildings on site and residential development on Old Racecourse Road.

4.5 Ms Mellsop considers that Rural Residential Zoning and subsequent density of housing, could only be absorbed within the landscape if an effective landscape buffer screened residential activities from Wanaka – Luggate Highway and Albert Town Lake Hāwea Road.

4.6 Ms Banks considers that the requested zone change would have minimal impacts on the surrounding road network.

4.7 Mr Glasner agrees with the infrastructure feasibility report provided with the submission and notes that the development

³ Rezoning Application 237 Wanaka Luggate Highway Landscape and Visual Assessment Report. Michelle Snodgrass. 18 May 2015.

could connect to the Council's network where it is available adjacent to the site. Mr Glasner does not oppose the rezoning from a water and wastewater perspective.

- 4.8** Mr Davis considers that the site is likely to be dominated by exotic grasses and trees and he does not oppose a Rural Residential Zoning from an ecological perspective.
- 4.9** From a planning perspective, I consider it is important to acknowledge the importance of this site in so far as it is part of the entrance to Wanaka and Albert Town. This is emphasised further by both landscape architects recognising that it sits at the foreground to the ONF of Mt Iron. I also note that there is an established pattern of rural living in this area. This is due to development undertaken in the Rural Lifestyle Zone to the South, and the Rural Residential zoned properties at Balneaves Lane, to the east, and within the PDP Wanaka UGB, the Large Lot Residential zoned properties to the north.
- 4.10** On the basis of the information presented by the landscape architects, further development on this site would open up views of Mt Iron and the established Large Lot Residential Zone Development to the north and west and as viewed from the respective SH 84 and SH 6 roads.
- 4.11** On this basis, and given the relatively small size of the site and its location relative to other zones, some form of zoning that more readily contemplates residential activity could be appropriate. However, I consider that the placement of buildings and how any such redevelopment of the site would occur is of critical importance.
- 4.12** I have considered the merits of whether, if the site was zoned Rural Residential, imposing a Building Restriction Area (**BRA**) would serve to manage the issues raised. I consider that a 50m setback along the southern and eastern road boundaries adjacent to State Highways 84 and 6 could be appropriate. While 50m would constrain development of the site because it

is a triangular shape, it could help ensure that development on this site appears as part of the established Large Lot Residential Zone, rather than as the sprawl of buildings along the SH 84 section leading to and from Wanaka.

4.13 However, this setback may simply not go far enough to fully realise the potential 'win-win' associated with a carefully designed development of the site that could see the existing trees removed and the views of the base of Mt Iron opened up at this location, and the siting of a small cluster of residential buildings. To achieve this, further detailed analysis of the location of the buildings and the mitigation required with respect to ensuring the buildings did not unnecessarily degrade the views of Mt Iron is in my opinion required.

4.14 On this basis I consider that the most appropriate outcome will be achieved by retaining the notified Rural Zone. I consider this is because the Assessment Matters in Part 21.7 demand a design-led outcome and the following provisions are particularly relevant to development in these circumstances **[CB15]**:

21.7.2.3 Effects on landscape quality and character:

The following shall be taken into account:

- a. where the site is adjacent to an Outstanding Natural Feature or Landscape, whether and the extent to which the proposed development will adversely affect the quality and character of the adjacent Outstanding Natural Feature or Landscape;*
- b. whether and the extent to which the scale and nature of the proposed development will degrade the quality and character of the surrounding Rural Landscape;*
- c. whether the design and any landscaping would be compatible with or would enhance the quality and character of the Rural Landscape.*

21.7.2.5 Design and Density of Development

In considering the appropriateness of the design and density of the proposed development, whether and to what extent:

- a. *opportunity has been taken to aggregate built development to utilise common access ways including roads, pedestrian linkages, services and open space (ie. open space held in one title whether jointly or otherwise);*
- b. *there is merit in clustering the proposed building(s) or building platform(s) having regard to the overall density and intensity of the proposed development and whether this would exceed the ability of the landscape to absorb change;*
- c. *development, including access, is located within the parts of the site where they will be least visible from public and private locations;*
- d. *development, including access, is located in the parts of the site where they will have the least impact on landscape character.*

4.15 I also note the suggestion in the consultation letter from the NZTA appended to the submission that walking and cycling linkages should be explored. I note that this matter is also applicable under the Rural Zone assessment matter 21.7.3.3 (c).

4.16 Overall I consider that the most appropriate zoning is Rural and that the submission should be rejected.

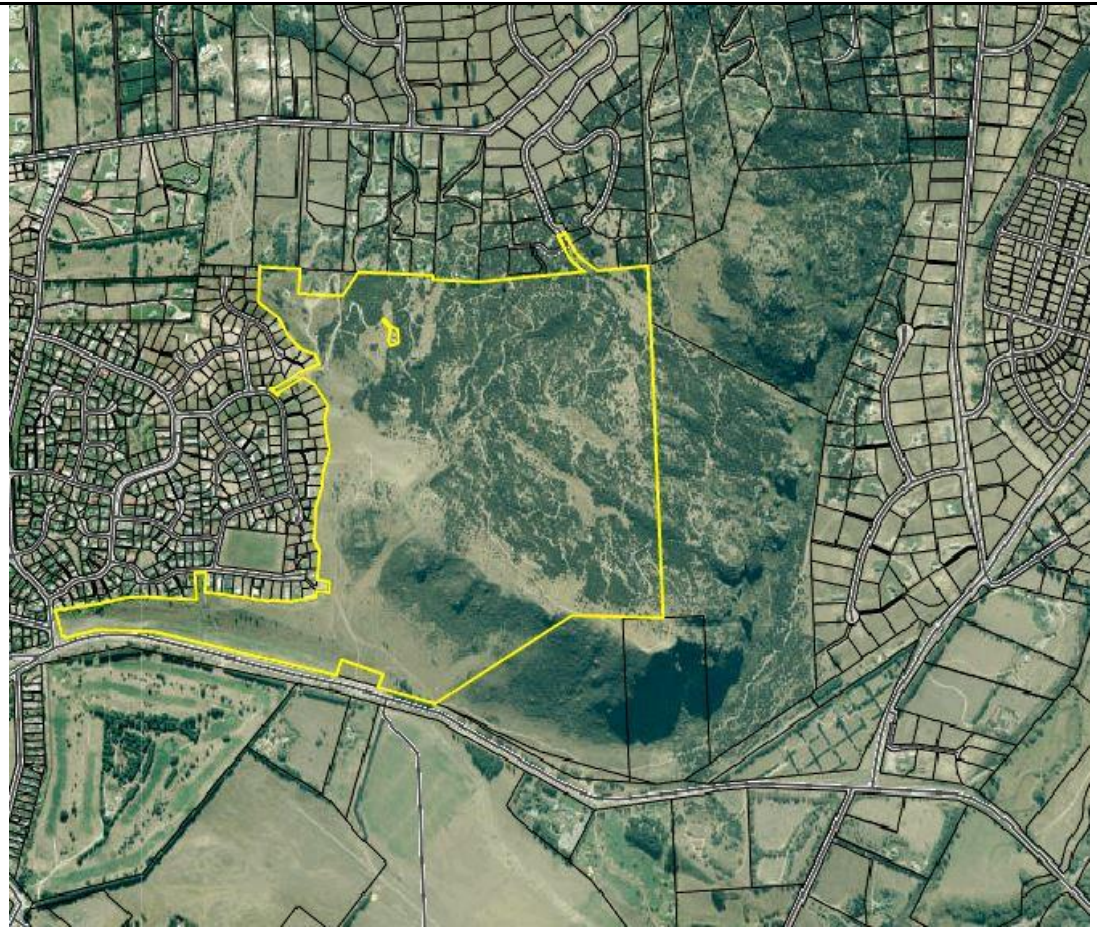
5. ALLENBY FARMS (502)

Overall Recommendation	
Recommendation	Reject (with the exception of the Clutha River ONF)
Summary	<p>Reduction of the SNA E18C and extension of the area to the south: Reject</p> <p>Amendments of the PDP Wanaka Urban Growth Boundary: Reject</p> <p>Amendment of the Mt Iron ONF boundary: Reject</p> <p>Amendment of the Clutha River ONF boundary: Accept</p> <p>Removal of the BRA adjacent to SH6 and replacement of this with a new BRA on the western base of Mt Iron: Reject</p> <p>Rezoning from Rural to Large Lot Residential (49.6 ha) although volunteered to be limited to between 10-15 houses at the top of Mt Iron: Reject</p>

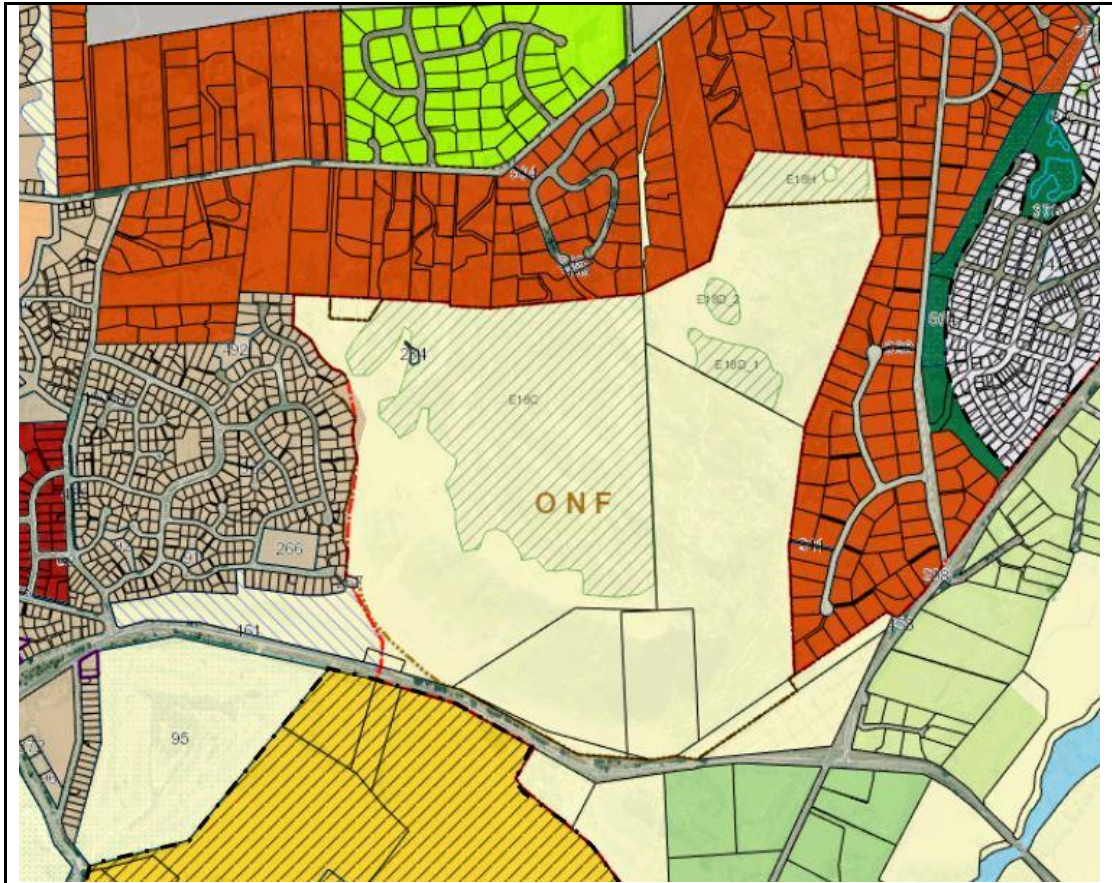
Property and submission information	
Further Submitters	1041 (Quentin Smith): Oppose - with regard to the removal of the BRA
PDP Zone and Mapping annotations	Rural Zone Outstanding Natural Feature (ONF) Rural Landscape Classification (RLC) Significant Natural Area (SNA) E18C Large Lot Residential Zone Wanaka UGB
Zone requested and mapping annotations	Rezone from Rural to Large Lot Residential Reduce northern part of SNA E18C and extend it to the south Amend ONF Boundary Amend ONL Boundary Remove BRA New BRA
Supporting technical Information or reports	Ecology assessment
Legal Description	Lot 104 DP 412843
Area	90.12 ha
QLDC Property ID	26017
QLDC Hazard Register	LIC 1 – Nil to Low liquefaction risk Landslide Area - Rockfall Potentially Contaminated Site – Uncertified fill

Summary of Council assessments and recommendations	
Landscape	Opposed with the exception of an amendment to the ONF boundary at Hikuwai.
Indigenous vegetation	Opposed
Infrastructure	Opposed
Traffic	Opposed

Aerial Photograph of the site



Aerial photograph of the land subject to submission outlined in yellow. The small separate site located within the Allenby Farms site is a QLDC water supply reservoir (Designation 234).



Excerpt of the PDP zoning and overlays (Map 18). The BRA is located in the western corner of the site. The ONF Boundary is the brown dashed line, which follows the extent of Large Lot Residential Zoning on the northern part of Mt Iron. SNA E18C is identified by the green diagonal lines. Mt Iron also contains 3 additional SNAs on other properties.

5.1 The submitter seeks the following:

- (a) a reduction in SNA E18C 16 ha at the northern extent to facilitate Large Lot Residential Zoning, and the addition of 16ha to the SNA to the south;
- (b) amending the Wanaka UGB so that it includes the entire Mt Iron landform Inclusive of Rural Zoning and ONF classification;
- (c) amending the Mt Iron ONF boundary to include the existing development on the northern upper slopes and eastern lower slopes of Mt Iron zoned Large Lot Residential, reducing the boundary of the ONF along the western and southern base;
- (d) removing the notified BRA located between the established Low Density Residential Zone and SH 84;

- (e) including a new BRA at the western base of Mt Iron on Rural Zoned land between the existing Low Density Residential Zone and the requested ONF boundary;
- (f) rezoning 49.6 ha of Rural Zoned land to Large Lot Residential Zone with the inclusion of a 'Large Lot Residential Mt Iron Subzone' that limits development to between 10-15 houses, and requires maintenance of SNA E18C; and
- (g) relocating the UGB and the Clutha River ONF boundary at Hikuwai near Albert Town.

5.2 Discussion of these submissions and the views of Council's experts is set out under sub-headings below.

SNA E18C

5.3 SNA E18C contains a Kanuka woodland. Allenby Farms seek an adjustment to the area to exclude 16ha at the northern edge. This land is also the area requested to be rezoned from Rural to Large Lot Residential Zone. Allenby Farms have suggested that if the rezoning is accepted, a further 16ha located to the south is volunteered for inclusion as an SNA.

5.4 This matter was initially addressed in the Rural Hearing 02 for Chapter 33 Indigenous Vegetation and Biodiversity,⁴ where Mr Davis considered that the removal of the Kanuka woodland would be inappropriate and was not supported.⁵ Mr Davis notes in his evidence for the Rural Hearing that the Wildlands Report that forms part of Allenby Farms' submission suggests that the reduction of the SNA would be acceptable because Kanuka is common to the local area. Mr Davis disagrees, and notes that although Kanuka is the most prevalent indigenous community in the local area, it is located within a Land Environment that has less than 20% indigenous vegetation remaining.

4 [CB45].
5 [CB48].

- 5.5 I refer to and rely on Mr Davis's ecological assessment. Mr Davis agrees with Wildlands' assessment in that a portion of the area to the south would qualify as an SNA, because it better captures the ecological gradient present and habit for the 'At Risk' *Pimelea sericeovillosa subsp. pulvinaris*. However, I have not included this as a recommendation because the submission makes it clear that this area is not volunteered as an SNA unless the overall rezoning is supported.
- 5.6 In addition, I do not agree with the submission where it states that the additional area to be included as an SNA has higher ecological values than the notified SNA area.⁶ This statement does not appear to be substantiated.
- 5.7 After Hearing Stream 02 concluded last year, Allenby Farms undertook clearance of indigenous vegetation within SNA E18C without consent. Allenby Farms Limited pleaded guilty to the clearing work and are required to remediate areas of the clearance.⁷ Mr Davis considers that regardless of the clearance that occurred, from an ecological perspective, the boundary of E18C does not require adjustment further to that put forward in his evidence for the Rural Hearing Stream 02.⁸

Location of the Mt Iron ONF

- 5.8 Allenby Farms have submitted that the ONF boundary of Mt Iron does not reflect the topography and should be modified to include the entire landform. It is requested to move the ONF boundary northwards over the existing urban development zoned Large Lot Residential. The submitter states:⁹

The foothills and lower vegetated slopes of Mt Iron cannot reasonably be separated out from the remainder of the ONF.

6 Allenby Farms Submission (502) at 6.
7 *Queenstown Lakes District Council v Allenby Farms Limited* [2017] NZDC 3251.
8 **[CB48]** at paragraph 8.32.
9 Allenby Farms Submission (502) at 8.

- 5.9** Ms Mellsop considers that Mt Iron is a prominent landmark within the Upper Clutha and has significant natural, aesthetic, experiential and shared values. Ms Mellsop considers that the existing urban development on the north western side of Mt Iron has resulted in cumulative adverse effects on the natural character, visual coherence and legibility of the landform. In her view, Mount Iron is highly sensitive to the adverse cumulative effects of any additional development that would degrade the important landscape values of the mountain.
- 5.10** With respect to the location of the ONF boundary, Ms Mellsop's opinion is that while she has sympathy for the proposition that the entire landform should be included in the ONF as they are applied in the PDP, such a categorisation would be without effect because the classifications do not apply to urban land. Ms Mellsop considers that the level of modification in the Large Lot Residential Zone, including roading, substantial earthworks and vegetation clearance mean that it could no longer be considered as part of an ONF. Ms Mellsop also considers that the western base of Mt Iron where it is sought to be reduced should be retained. Ms Mellsop considers the notified ONF boundary is appropriate from a landscape perspective. I refer to and rely on Ms Mellsop's expert landscape opinion on that matter.
- 5.11** From a planning perspective, I do not agree with the Allenby Farms submission where it states that the 'foothills and lower slopes' that contain Large Lot Residential Zoned land and have been developed to an urban density, cannot reasonably be separated from the ONF. I prefer the approach of Ms Mellsop to exclude the area of distinctly urban development from the more natural areas of the ONF identified in the plan and consider that it is entirely reasonable to do so.
- 5.12** Furthermore, I consider that Allenby Farms' request to reduce the area of the ONF on the western base of Mt Iron also contradicts their assertion that "*The foothills and lower vegetated slopes of Mt Iron cannot reasonably be separated*

out from the remainder of the ONF".¹⁰ It is this land that is zoned Rural and is not developed any differently from the majority of Mt Iron.

5.13 It could be that from a geomorphologist's or other earth science specialist's perspective, the underlying features of the landform that make it notable are the same, irrespective of development, but central to this matter is the planning framework for protecting ONFs including the objectives and policies of the PDP. I consider that including an area of established urban development in an ONF could compromise the integrity of the policy framework.

5.14 The relevant objectives and policies are **[CB3, 4 and 6]**:

Strategic Directions Chapter 3

Objective 3.2.5.1 – Protection of the Outstanding Natural Features and Landscapes from inappropriate subdivision, use and development.

Objective 3.2.5.3 - New urban subdivision, use or development will occur in those areas which have potential to absorb change without detracting from landscape and visual amenity values.

Objective 3.2.5.4 - The finite capacity of rural areas to absorb residential development is considered so as to protect if the qualities of our landscapes

Urban Development Chapter 4

Policy 4.2.8.1 – Limit the spatial growth of Wanaka so that:

- *A distinction between urban and rural areas is maintained to protect the quality and character of the environment and visual amenity*

10 Allenby Farms Submission (502) at 8.

- *Outstanding Natural Landscapes and Outstanding Natural Features are protected from encroachment by urban development.*

Landscape Chapter 6

Policy 6.3.1.6 - When locating urban growth boundaries or extending urban settlements through plan changes, avoid impinging on Outstanding Natural Landscapes or Outstanding Natural Features and minimise degradation of the values derived from open rural landscapes.

Policy 6.3.2.1 - Acknowledge that subdivision and development in the rural zones, specifically residential development, has a finite capacity if the District's landscape quality, character and amenity values are to be sustained.

Policy 6.3.3.1 - Avoid subdivision and development on Outstanding Natural Features that does not protect, maintain or enhance Outstanding Natural Features.

Policy 6.3.6.2 - Avoid indigenous vegetation clearance where it would significantly degrade the visual character and qualities of the District's distinctive landscapes.

- 5.15** I consider that the future administration of PDP Policies, in particular 6.3.1.6, 6.3.3.1 and 6.3.6.2 cited above, could be compromised if the ONF of Mt Iron includes established urban development. I consider that the presence of a significant area of existing urban development within the ONF (or an ONL) would be inconsistent with the message in the policy framework that urban development on ONFs is not likely to be considered appropriate subdivision use and development. In the case of Mt Iron, this rezoning could lead to an expectation that significant urban development is consistent with the management and protection of ONFs in the PDP and lead to

further degradation of the qualities of the ONF from the encroachment of urban development.

- 5.16** I also disagree with the submitter's reasoning to include the established urban zones as part of the Mt Iron ONF as there are many established urban zones in the District located in what would otherwise be an ONL. Areas such as Fernhill and the upper slopes of the Low Density Residential zoned (urban) environment along Frankton Road and Kelvin Peninsula in Queenstown could, if the submitter's logic were applied elsewhere, also be ONL, because it would not be reasonable to separate the foothills and lower slopes from the remainder of the ONL.
- 5.17** For the above reasons, I consider that excluding the Large Lot Residential Zone from the Mt Iron ONF is the most appropriate planning response to managing both the Large Lot Residential Zone and the Rural Zone and ONF classification in the PDP. I recommend the submission is rejected.

Wanaka UGB

- 5.18** Allenby Farms submit that the location of the UGB is illogical in the context of the objectives and policies that anticipate that areas within the UGB are not suitable for development. Allenby Farms request that the UGB is extended to the east to include the Rural Zoned land along SH 84 (including the Skeggs site and Puzzling World discussed in Section 3 above) out to Riverbank Road and Albert Town Lake Hāwea Road SH 6. The submitter also seeks an extension of the UGB to include the Hikuwai conservation area located on the northern side of Aubrey Road.
- 5.19** Mr Davis considers that the requested amendments to the UGB to include the Hikuwai Conservation Reserve are inappropriate from an ecological perspective because the site contains an indigenous kanuka woodland in an advanced

stage of regeneration and is situated within a lowland environment with less than 10% indigenous vegetation remaining. The kanuka woodland lacks the diversity of the original woodland that dominated the area prior to human settlement but is a modified representation of the original indigenous cover. In Mr Davis's view, the proposed UGB adjustment has potential to increase development pressure on this area.

5.20 The Urban Development Chapter contemplates that not all land within the UGB is anticipated to be developed for urban development,¹¹ as correctly identified by the submitter. However, I note that the majority of this land within the Wanaka UGB is zoned specifically for landscape protection (Operative Open Space Zone – Landscape Protection¹²) or in the case here, that it is zoned Rural, is owned by the Council and designated as a reserve.

5.21 The small areas of Rural Zoned land that are privately owned and within the notified UGB include the portion of Allenby Farms' land that is overlain by the BRA adjacent to SH 84, the Rural Zoned land overlain by the BRA at the northern end of Beacon Point Road¹³ and Rural Zoned land the BRA at Kirimoko.¹⁴

5.22 In the immediate area of Mt Iron the Rural Zoned land within the UGB is:

- (a) the portion of Allenby Farms' land that is overlain by the BRA; and
- (b) the Wanaka Golf Course (Designation 95).

11 [CB4], Policy 4.2.2.4.

12 Refer to [CB26] for the PDP Planning Maps 18, 19, 20 and 24 that show the Operative Open Space zone – Landscape Protection.

13 Refer to the Anzac Trust Submission. Group 2 Report.

14 Refer to the Alistair Munro (3) and Wanaka Central Developments (326) submissions discussed in the Group 1 Report.

5.23 The currently non-urban zoned land that would be located within the UGB extension as requested by the submitter, if the submission is accepted, is:

- (a) the Rural Zoned land, Rural Landscape Classification overlay, that is addressed in the Skeggs and Winton Partners submission above;
- (b) the Rural Zoned land, Rural Landscape Classification that contains a dwelling and is located on a relatively small site (8000m²) between the Low Density Residential Zone at Islington Place and the Large Lot Residential Zone to the north (Lot 1 DP 26209, 104 Rob Roy Lane);
- (c) the Rural Zoned land, Rural Landscape Classification that is also addressed in the submission by Bernie Sugrue above;
- (d) the Rural Lifestyle Zoned land that is addressed in the submissions on the 'Riverbank Road' area addressed below; and
- (e) Rural Zoned land that is at the southern edge of Mt Iron and is managed by the Department of Conservation Reserve land.

5.24 For the reasons set out in more detail in the discussions on those submissions above and below I consider that this land should be retained as Rural Zone or Rural Lifestyle Zone as notified. Therefore, there is no logical reason to amend the Wanaka UGB to include this land.

5.25 I also consider that the location of the UGB is appropriate where it follows the eastern boundary of the BRA, crosses SH 84 and continues eastward around the Operative Three Parks Zone because it does not include Rural Zoned land that is readily contemplated to be developed in any way. This approach to the location of the UGB is consistent with the privately owned Rural Zoned land within the Wanaka UGB that is overlain with a BRA at Kirimoko, and the Anzac Trust land at the northern end of Beacon Point Road.

- 5.26** On the basis of the above I do not consider there to be appropriate justification for including Mt Iron in the Wanaka UGB. I also consider that the planning framework in the Strategic Chapters is appropriately tailored to Mt Iron being located outside the Wanaka UGB.
- 5.27** With respect to the request to include the Hikuwai Conservation Area in the UGB, I consider that this would be contrary to the intended purpose of the UGB method within the PDP and do not support this from a resource management perspective.
- 5.28** On the basis of the above I recommend that the submissions on the alteration of the Wanaka UGB should be rejected.

Requested Large Lot Residential Zone

- 5.29** The submission from Allenby Farms is seeking to rezone 19.6ha of Rural Zoned land within the ONF, to Large Lot Residential. The submitter has volunteered that the area should be given its own 'sub zone' and that these can make provision for ongoing management of SNA E 18C, and limit the number of dwellings to between 10 to 15.
- 5.30** In Ms Mellsop's view, rezoning of this land to Large Lot Residential would result in substantial adverse effects on the natural character and visual amenity values of the Mount Iron ONF. Ms Mellsop considers that the earthworks, buildings and indigenous vegetation loss associated with Large Lot Residential development would result in cumulative adverse effects on the landscape values of this sensitive feature.
- 5.31** Mr Glasner considers that Large Lot Residential Zoning development would expect to be connected to the Council's water and wastewater network. Mr Glasner considers that there are likely to be constraints to provide adequate water pressure owing to the elevation of the requested Large Lot

Residential Zone above the connection point, and that there are not any Long Term Plan projects that would resolve this. Mr Glasner opposes the rezoning.

- 5.32** Ms Banks opposes the rezone request on the basis that there is not any supporting information as to how the sites would be accessed.
- 5.33** Mr Davis opposes the rezoning from an ecological perspective. The rezoning would result in the loss of Kanuka that would degrade the SNA.
- 5.34** From a planning perspective I consider additional Large Lot Residential Zoning within the Mt Iron ONF would be inappropriate. I refer to the Strategic Direction policies referenced above at paragraph 5.14 and emphasise that additional urban zoning on Mt Iron would not give effect to these policies, or the applicable policies of the RPS 1998¹⁵ or have regard to the applicable objectives and policies of the Decisions Version of the Proposed Otago RPS [CB34]. On the basis of the clear direction of the relevant higher order policy provisions and the potential effects of the proposal, I recommend that the rezoning is rejected.

Building Restriction Area (BRA)

- 5.35** The submission from Allenby Farms has sought that the BRA alongside the Wanaka – Luggate Highway (SH 84) be removed, on the basis that it no longer protects the amenity of the 'entry to Wanaka'. An alternative BRA on the western slopes of Mount Iron is sought.
- 5.36** Ms Mellsop opposes this submission in part, and agrees that houses are clearly visible on the moraine ridge above part of the BRA and that it is already clear to people approaching Wanaka from the east that they are within the urban area.

15 Refer to Paragraphs 5.10-5.13 of the Strategic report.

5.37 Ms Mellsop considers that the BRA does provide a setback of open space on the northern side of the road that is mirrored on the southern side by the presence of the golf course and the presence of an open space setback within the Three Parks Special Zone. Ms Mellsop also notes that the BRA also allows the eroded edge of the moraine to be visible and legible.

5.38 Ms Mellsop acknowledges that while development west of a line continuing south from the eastern boundary of 20 Rob Roy Lane (Lot 16 DP19553) would reduce the pleasantness and coherence of the approach into Wanaka, it would not be to a significant extent. Refer to **Figure 1** that illustrates this identified area.

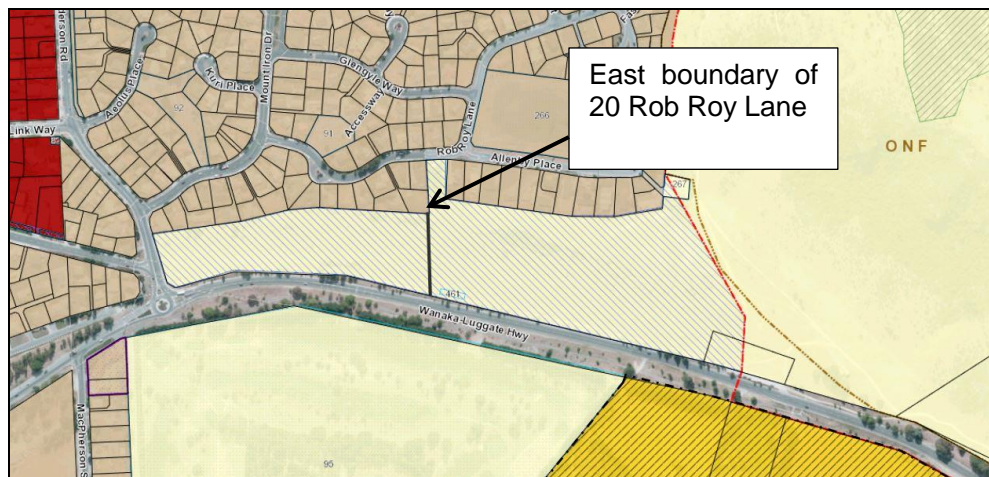


Figure 1: PDP zoning map showing the Allenby Farms BRA. The black line indicates the location area parallel to the eastern boundary of 20 Rob Roy Lane. Diagonal hatching is the BRA.

5.39 Ms Mellsop considers that east of this point, the BRA should be retained. Ms Mellsop considers that as viewed from along the SH 84 corridor, the houses above the escarpment are no longer visible and eastbound observers have a clear and valued view to Mount Iron.

5.40 Ms Mellsop considers that the alternative BRA on the western mountain slopes is not required, as the feature is protected from built development by the stringent PDP assessment matters for ONFs. I agree with Ms Mellsop and refer to the

discussion above recommending that the ONF boundary should be retained.

- 5.41** Mr Davis is not opposed to the removal of the BRA from an ecological perspective because the area subject to the BRA is dominated by exotic grasses.
- 5.42** From a planning perspective, I consider the entire BRA as notified should be retained. While I acknowledge and rely on Ms Mellsop's comments with regard to the reduced sensitivity of the area within the BRA to the east of the identified line at 20 Rob Roy Place, I consider that the whole area subject to the BRA contributes to openness and the overall view toward Mt Iron and part of the entrance to Wanaka.
- 5.43** I consider that the BRA in its current form assists with implementing the following Strategic policies **[CB4]**:

4.2.8.2 Ensure that development within the Wanaka Urban Growth Boundary:

...

- *Provides a sensitive transition to rural land at the edge of the Urban Growth Boundaries through the use of: appropriate zoning and density controls; setbacks to maintain amenity and open space; and design standards that limit the visual prominence of buildings*

...

- *Does not diminish the qualities of significant landscape features*

- 5.44** In making this recommendation I also acknowledge that development anticipated under the operative Three Parks Zone¹⁶ will modify the environment within that zone and views to it. I recommend that the BRA is retained as notified and that the submission should be rejected.

16 Operative District Plan. Section 12. Special Zone. Three Parks.

Clutha River ONF at Hikuwai

- 5.45** The submission seeks the relocation of the Clutha River ONF boundary at the Hikuwai Conservation Area north of Mount Iron. The notified PDP boundary includes the entire conservation reserve within the ONF but the submitter considers that this introduces an inconsistency in the definition of the river ONF.
- 5.46** Ms Mellsop does not oppose the relief sought, to the extent that the upper flat part of the terrace should not be included in the ONF. Ms Mellsop has identified that the ONF boundary should follow the crest of the highest terrace escarpment and then the road and urban zoning boundaries to join the river bank at Albert Town. I agree with and rely on Ms Mellsop's advice on this matter. I therefore recommend the ONF boundary is modified at this location as supported by Ms Mellsop.
- 5.47** However, I do not consider the area should be located within the UGB. The land is a DoC conservation reserve and there is no resource management justification to locate this land within the UGB, when it can easily be located outside, as part of the Rural Zoned Clutha River.

Summary

- 5.48** On the basis of the above I recommend that with the exception of the matter relating to the Clutha River ONF boundary at Hikuwai, all of the Allenby Farms submission is rejected.

6. M BERESFORD (149)

Overall Recommendation	
Recommendation	Reject
Summary	The most appropriate Zone is Rural because the site has important landscape values, and has servicing and access constraints.

Property and submission information	
Further Submitters	None
Land area/request referred to as	Sticky Forest
PDP Zone and Mapping annotations	Rural Zone Outstanding Natural Landscape Rural Landscape Classification
Zone requested and mapping annotations	Low Density Residential Zone
Supporting technical Information or reports	None
Legal Description	Section 2 of 5 BLK XIV Lower Wanaka Survey District
Area	50.67 ha
QLDC Property ID	13504
QLDC Hazard Register	LIC 1 – Nil to Low liquefaction risk

Summary of Council assessments and recommendations	
Landscape	Opposed
Indigenous vegetation	Not opposed
Infrastructure	Opposed
Traffic	Opposed

Aerial Photograph of the site



Aerial photograph of the land subject to submission outlined in yellow.

- 6.1** The submitter seeks that the land is rezoned from Rural to Low Density Residential. The submission states that this would be a more efficient use of land, as the land is presently covered in pine trees and not well suited for rural activities and because the site is surrounded by residential activities.
- 6.2** I am familiar with the site and aware of the extent of the informal tracks that have been established on it and of its regular use for mountain biking.

- 6.3** Applying the Low Density Residential Zone to this land could result in approximately 765 allotments. The submission is not accompanied by any technical reports evaluating this significant development proposal.
- 6.4** From a landscape perspective, Ms Mellsop considers that the location of the ONL is appropriate as shown in the notified PDP. Ms Mellsop considers that Low Density Residential development on this site would not be appropriate, including on the land outside of the ONL. Ms Mellsop considers that the site is part of a visually prominent moraine landform and is an important component of the natural setting of urban Wanaka.
- 6.5** Mr Glasner states that this rezoning proposal would incur significant upgrades to the wastewater network and water is not readily available without upgrades. Mr Glasner opposes the proposal on this basis and would prefer that areas within the UGB are taken up for development in favour of this site. Mr Glasner considers there would be a need for significant network upgrades required for the wastewater supply that are not anticipated in the Long Term Plan.
- 6.6** Ms Banks opposes the proposed rezoning on the basis that there is no information as to where the site would obtain road access, or any information on roading and connections within the site.
- 6.7** Mr Davis does not oppose rezoning the land to Low Density Residential, because the site is dominated by exotic pine forest.
- 6.8** Overall, I consider the most appropriate zoning is Rural. The site has important landscape views and its relationship as the urban edge to the established urban zoning within the Wanaka UGB make it unsuitable for urban development under the Low Density Residential zone. The site also has significant constraints in terms of establishing roading access and the provision of water and wastewater services is also

problematic. None of these matters have been addressed in the submission and I recommend that the submission is rejected.

7. TRUSTEES OF THE BLENNERHASSETT FAMILY TRUST (413)

7.1 Submission 413 supports the location of the ONL as it relates to the submitter's land. However, the submission seeks to amend the location of the PDP Wanaka UGB at the western extent of Wanaka to follow the ONL. The location of the submitter's property and the landscape line is shown in **Figures 2 and 3** below.

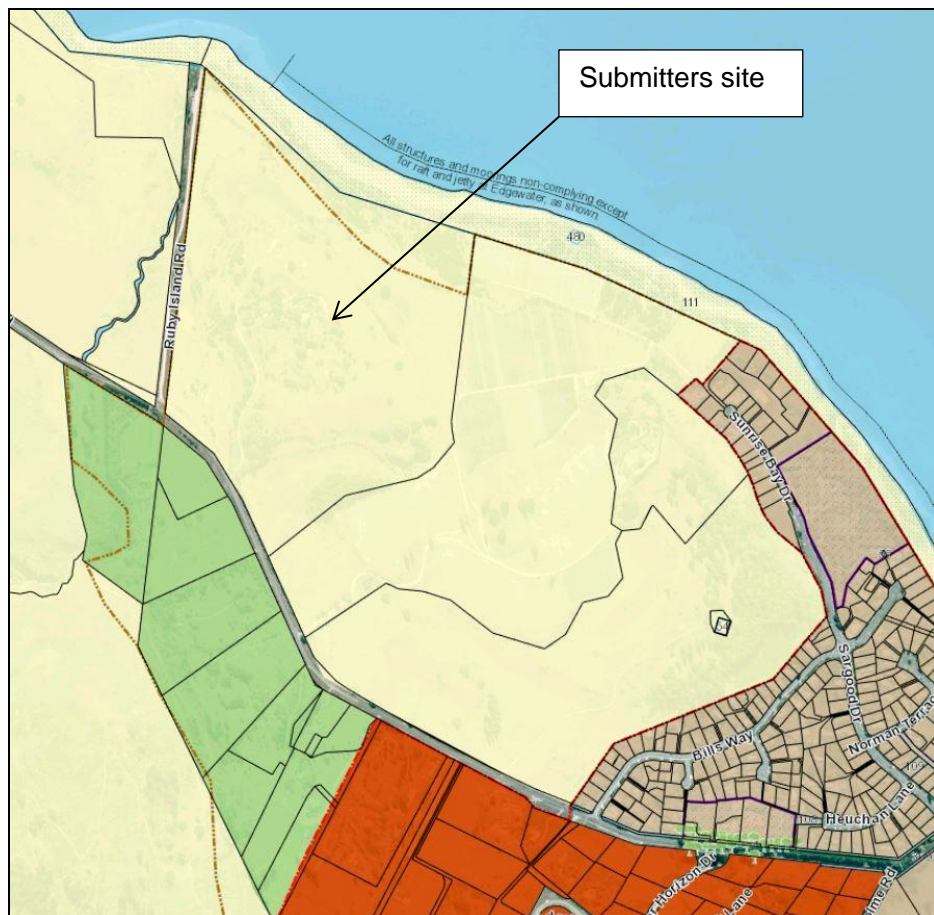


Figure 2: Excerpt of Planning Map 18 that shows the PDP ONL Boundary. Refer to Figure 3 below that shows the location of the submitter's property outlined in blue.

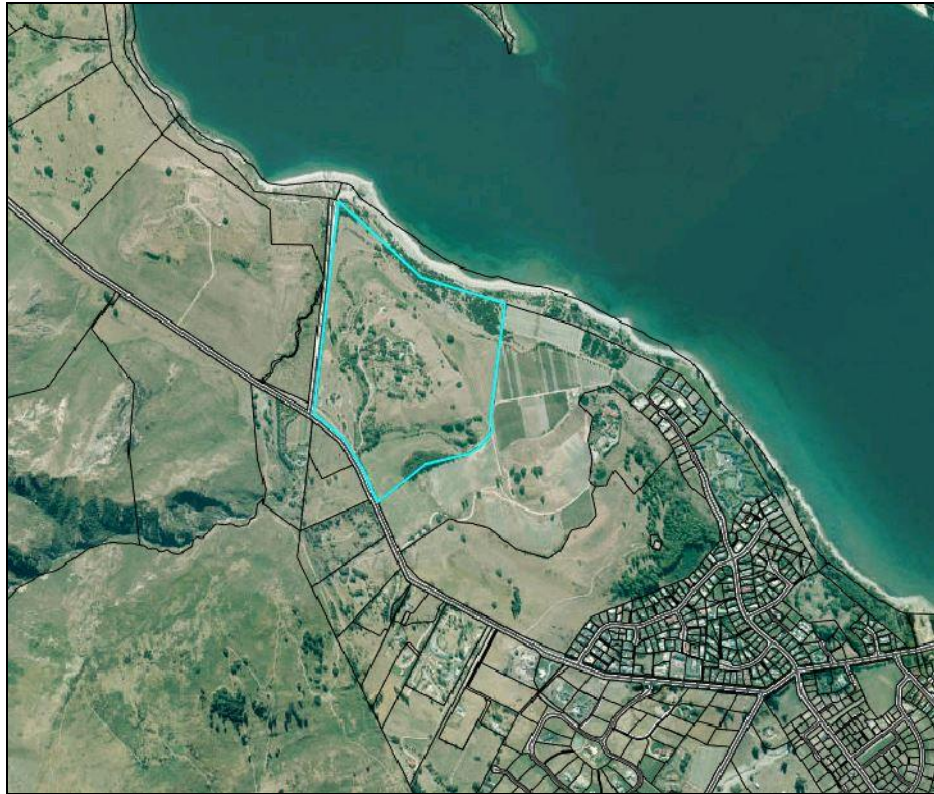


Figure 3: Aerial photograph of the submitter's site outlined in blue.

7.2 The land uses, pattern of development and character of this land is consistent with the Rural Zone. I do not consider it appropriate to extend the PDP Wanaka UGB to follow the ONL line because there are no sound resource management reasons that justify this.

7.3 I consider there to be sufficient land for urban growth within the UGB and it does not need to extend to the west to provide for growth in the short term or the medium term. The submitter has not provided reasons for extending the UGB or requested any urban zoning. Including this land within the Wanaka UGB would be inconsistent with the overall policy framework that directs urban growth to areas within the UGB.

7.4 I accept that the Urban Development Chapter **[CB4]** and framework contemplates that not all land within the UGB will be fit for urban development (Policy 4.2.2.4). However, in the case of this land, there is no associated resource management reason to do so. The land is not part of a trade off or buffer area associated with an urban development, nor

is it a park or reserve that cannot practicably be separated from the wider urban area. I consider at this location the urban limit and UGB as notified in the PDP provides a distinct transition between rural and urban and this is an important and valued part of the entrance to and departure from Wanaka along the Wanaka – Mt Aspiring Road toward Mount Aspiring National Park. As emphasised in Urban Development Policy 4.2.8.1 [CB4]:

Limit the spatial growth of Wanaka so that:

...

A distinction between urban and rural areas is maintained to protect the quality and character of the environment and visual amenity.

7.5 On the basis of the above I recommend the submission is rejected.

8. MURRAY STEWART BLENNERHASSETT (413), RN MACASSEY, M G VALENTINE, L D MILLS & RIPPON VINEYARD AND WINERY CO LIMITED (692)

8.1 Similar to the above, Murray Blennerhassett seeks that the Wanaka UGB is relocated to follow the boundary of Ruby Island Road. He has also sought that the notified Rural zoned land between this boundary (approximately 100ha) and the urban area of Wanaka be assessed for potential Rural Lifestyle or Rural Residential zoning. Rippon Vineyard, belonging to Submitter 692, is located within this area and while this submitter has sought relocation of the UGB, they have not suggested a particular zoning for the included urban land. Submitter 692 has also sought a minor relocation of the ONL boundary so that it follows Waterfall Creek rather than Ruby Creek Road.

8.2 Ms Mellsop considers that there is potential for the landscape to absorb development associated with Rural Lifestyle Zoning. However, she suggests that restrictions on earthworks,

access and building restrictions on the hill slopes is necessary to address the likely effects of such development. Ms Mellsop also notes that there is the potential for views of the distant mountains toward Mt Aspiring/Main Divide to be lost if additional dwellings and substantial tree planting occurs as a result of additional development. In terms of landscape value, and sensitivity I rely on Ms Mellop's advice.

- 8.3** It is clear from Ms Mellsop's evidence that there are areas with high degrees of amenity in a section 7(c) RMA context affected by these proposals. I consider that rezoning this land to Rural Lifestyle would not provide the certainty required by Ms Mellsop.
- 8.4** Ms Mellsop considers that the ONL boundary is appropriately located where it follows the boundary of Ruby Island Road. I refer to and rely on Ms Mellsop's opinion.
- 8.5** From an ecological perspective, Mr Davis considers that the ecological values of this site need to be better understood to provide support for intensification of land use. Mr Davis considers that based on the description of the location and an aerial image of the site, Kanuka woodland and possibly areas of native grassland and cushion plants are present.
- 8.6** I consider that the Rural Zone Landscape Assessment Matters for the Rural Landscape Classification (part 21.7, **[CB15]**) are the most appropriate management method to ensure and promote a design led outcome with any such development, that is sympathetic to the landscape values and rural character at this location. In summary, I recommend the submissions are rejected.

9. HAWTHENDEN LIMITED (776)

Overall Recommendation	
Recommendation	Accept in Part
Summary	<p>The ONL Boundary as identified in the PDP, subject to minor recommendations from Ms Mellsop is recommended.</p> <p>Area A should be retained as Rural Zone.</p> <p>Area B should be retained as Rural Zone, or Rural Lifestyle but not Rural Residential as requested.</p> <p>Area C is considered appropriate for Rural Lifestyle Zoning.</p>

Property and submission information	
Further Submitters	None
Land area/request referred to as	Hawthenden Farm
PDP Zone and Mapping annotations	Rural Zone ONL Rural Landscape Classification
Zone requested and mapping annotations	Amendment of ONL Boundary Rural Lifestyle Zone in two areas Rural Residential Zone
Supporting technical Information or reports	Landscape assessment Geology assessment
Area	<p>The farm is 229ha. Three areas are requested to be rezoned and capacity for residential properties as indicated in the submission:</p> <p>Area A: 14.2 ha Rural Lifestyle zone (7 properties)</p> <p>Area B: 15.8 ha Rural Residential zone (35 properties)</p> <p>Area C: 35 ha Rural Lifestyle Zone (17 properties)</p>

QLDC Hazard Register	LIC 1 – Nil to Low Liquefaction risk LIC 1 (P) Probably low liquefaction risk Alluvial Fan – ORC fla (fan less recently active) Alluvial Fan – ORC fra (fan recently active) Alluvial Fan – Regional Scale – Active, debris dominated, location approximate Alluvial Fan – Regional Scale – Active, composite – location approximate Alluvial Fan High Hazard Investigation Landslide Area – Debris flow area Flooding - Rainfall
----------------------	---

Summary of Council assessments and recommendations	
Landscape	Opposed in part
Indigenous vegetation	Not opposed
Infrastructure	Opposed
Traffic	Opposed

Aerial Photograph of the site



Aerial photograph of the entire landholding subject to submission (highlighted blue). Refer to submission 776, in particular 'Sheet 7' for more detailed information on the parts of the site subject to rezoning requests and the amendment of the ONL Boundary.

9.1 The submission seeks to modify the ONL boundary, and to apply the Rural Lifestyle Zone and Rural Residential Zone to the following:

- (a) Area A: 14.2 ha Rural Lifestyle zone (7 properties);
- (b) Area B: 15.8 ha Rural Residential zone (35 properties); and
- (c) Area C: 35 ha Rural Lifestyle Zone (17 properties).

9.2 **Figure 4** below is taken from the submission's landscape assessment¹⁷ and illustrates the location of the areas where rezoning from Rural to Rural Lifestyle or Rural Residential is sought. The landscape submission provides a detailed

17 Refer to Submission 776 'Hawthenden Farm – Wanaka Landscape and Visual Assessment. Rough and Milne. 22 October 2015.

description of the location of Areas A-C and of what types of landscape character these areas fall into.

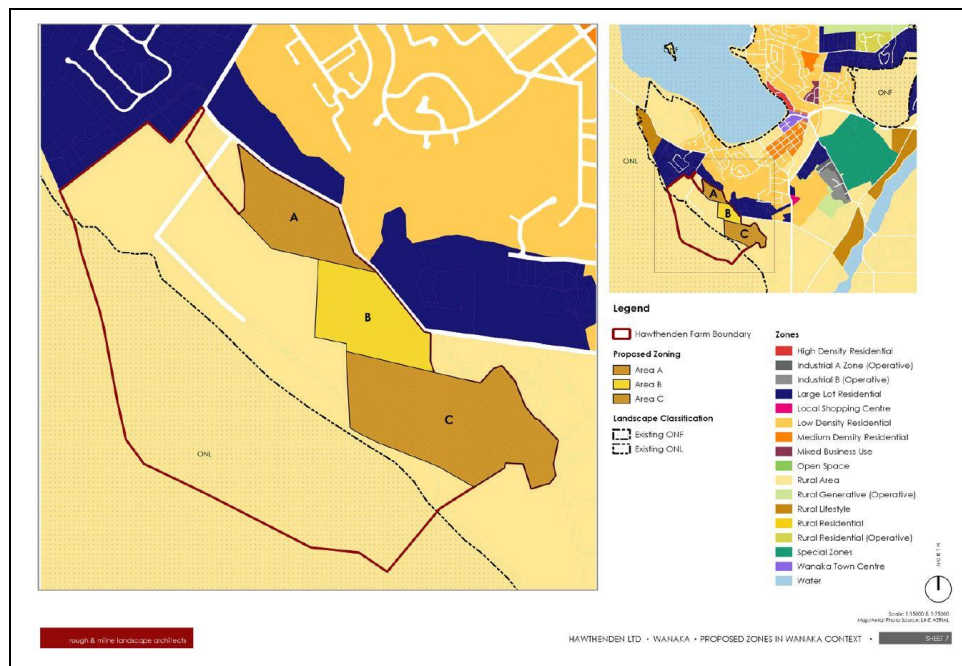


Figure 4: Sheet 7 of the submission's landscape assessment that illustrates the areas sought to be rezoned.

9.3 Mr Davis considers that the land subject to the submission is likely to have been cultivated and dominated by introduced pastures and the rezoning would be appropriate from an ecological perspective.

9.4 The landscape assessment supporting the submission considers that the fan at the base of the steeper slopes does not have values that qualify as an ONL. Ms Mellsoy discusses in detail how the location of the ONL boundary site passes through the subject site,¹⁸ including previous assessments of the location of the ONL boundary. Ms Mellsoy's view is that the fan does have a moderate to high level of natural character, and recommends that overall, the ONL line as notified is appropriate. In light of the level of inquiry on the ONL line at this location Ms Mellsoy recommends some minor modifications to the location of the ONL boundary.

18 Refer to Ms Mellsoy's statement of evidence dated 17 March 2017.

- 9.5** With regard to the rezonings, Ms Mellsop notes that all three areas adjoin existing or proposed urban zoning to the north of Studholme Road. With respect to the two Rural Lifestyle Zone requests (Areas A and C), Ms Mellsop agrees with the Rough and Milne report that Rural Lifestyle zoning in Areas A and C could be absorbed without significant adverse effects on the rural character of the peri-urban area or on the visual amenity values of the surrounding urban and rural landscapes. Ms Mellsop considers that the rezoned areas would form a transitional rural living buffer between urban Wanaka and the rural area and would be experienced and viewed in the context of future urban development within the Urban Growth Boundary.
- 9.6** With respect to the Rural Residential zoning request, Ms Mellsop agrees that the rezoning area has little visibility outside the immediate vicinity but considers that Rural Residential zoning would not be consistent with the objective of maintaining a clear distinction between urban and rural areas. She considers that the density and nature of development could be very similar in the proposed Rural Residential zone and the Large Lot Residential-zoned land north of Studholme Road. In her view, Rural Lifestyle zoning of Area B would be more appropriate from a landscape perspective and would result in a continuous buffer of rural living character along the southern side of Studholme Road, particularly if land on the corner of Studholme Road and Cardrona Valley Road is also rezoned to Rural Lifestyle.
- 9.7** Mr Glasner opposes the proposed rezonings because of the likely technical difficulties associated with servicing this development. The area is not currently connected to the water and wastewater supply, and the site is outside the current water and wastewater scheme boundaries.
- 9.8** While accepting Mr Glasner's opinion, I also accept that Rural Lifestyle and Rural Residential Zoned developments in the District are often self-sufficient in terms of water and

wastewater provision. However given the close proximity of the rezoning sites to the Wanaka UGB, and in some places the reliance on future urban development to justify landscape based effects, it is important that the submitter is aware of the Council's position on this matter.

9.9 In terms of traffic, Ms Banks has estimated development from the rezoning would generate 77 trips per peak hour and this has the potential for cumulative adverse effects on Studholme Road. On this basis Ms Banks opposes the rezoning request.

9.10 From a planning perspective, I note that all three areas sought to be rezoned are not located within the ONL.¹⁹ I also note that elements associated with development including lighting, access, restriction of curtilage areas, additional building height and bulk restrictions, are not controlled to the same degree in the Rural Lifestyle Zone compared to the Rural Zone. This fact is considered less critical when considering Rural Lifestyle zone requests outside the ONL such as this. I do however note that the landscape assessment identifies that the rural character and amenity values are high.

9.11 I also note that the geology assessment report lodged with the submission²⁰ does not specifically address natural hazards in the context of the scale and intensity of the development proposed. No specific mitigation has been proposed, and it is not known whether mitigation in part of or all of Areas A-C would be required. Mitigation associated with siting development near alluvial fans often involves creating bunds or earth mounds to direct flows away from developed areas. Currently, the landscape assessment does not take into account potential changes to the landscape associated with hazard mitigation works. There is also the possibility that such works could be required to be undertaken outside of Areas A-C and within the Rural Zone and potentially the area identified as an ONL.

19 All three ONL boundary locations in this context being the notified PDP, the alternative line suggested by the submitter and the amended line recommended by Ms Mellsop.
20 The Geology of the Hawthenden Farm Area South West Wanaka. October 2015. Steve Leary.

9.12 The submission has identified that the existing farming activities have been hindered by the urban development located to the west and that the rezonings would provide a buffer. The submission does not state whether there would be reverse sensitivity effects of the new rezoning on the remaining Rural Zoned land and what are presumed to be the continuation of farming activities.

Area A – Rural Lifestyle Zone 14.2 ha

9.13 I acknowledge Area A appears to be carefully considered and located, and that Ms Mellsop agrees that there is capacity within this area to absorb rural living development. However, there are aspects of the rezoning request that I am not satisfied are appropriate:

- (a) the submission makes an assumption that roading²¹ in the area will be from Studholme Road. While this is an unformed legal road I am not aware of any intention by the Council that this will be built;
- (b) the landscape assessment notes that due to its aspect, the slopes of Area A are able to be viewed from numerous vantage points around Wanaka.²² Consequently, building platforms will need to be carefully located;²³
- (c) the landscape assessment considers that adding 7 buildings in this area is reliant upon the softening of the area due to urban development occurring to the east, within the PDP Wanaka UGB;²⁴ and
- (d) the landscape assessment considers that driveways will need to be avoided on north east facing slopes.²⁵

9.14 It is my opinion therefore, from a planning perspective that the Rural Lifestyle Zone may not provide the most appropriate

21 Refer to Submission 776 'Hawthenden Farm – Wanaka Landscape and Visual Assessment, Rough and Milne, 22 October 2015 at 20.

22 Ibid at 20.

23 Ibid at 21.

24 Ibid at 20.

25 Ibid at 21.

zoning regime for Area A. Although this site is not located within the ONL, the landscape assessments confirm it has high rural character values. In terms of applying the most appropriate zoning regime, the Rural Zone discretionary activity status is in my view best equipped to deliver a sensitive, design led response to rural living development at this location.

- 9.15** I also consider that the hazards in Area A require further consideration and mitigation measures may need to be designed and considered as part of the overall landscape assessment.
- 9.16** Overall therefore, I consider that this site is too sensitive to development for a broad brush Rural Lifestyle zone and any rural living development should be subject to the Rural Zone provisions to ensure adequate attention is paid to the impacts of development.

Area B – 15.8 ha Rural Residential Zone

- 9.17** I agree with Ms Mellsop where she is concerned that a Rural Residential Zone adjacent to a similar zone within the UGB (4000m² Rural Residential Zone and 2000m² of the Large Lot Residential Zone) would lead to very similar outcomes. I consider that this would erode the potential to maintain a distinct urban and rural transition.
- 9.18** Although Studholme Road is not formed at this location, I consider that it is relevant and forms a legible boundary for urban expansion in South West Wanaka.
- 9.19** Noting the ability of this area to absorb, and that it is clearly less sensitive than Area A, I consider that the Rural Lifestyle could be appropriate at this location. I also consider that the 2ha average would help maintain a distinct urban and rural edge.

- 9.20** I also note that the location of Area B is further away from the fan hazards. While these would still need to be assessed at the time of subdivision, it appears that if mitigation works are necessary they would not be as likely as Area A to require works within the Rural Zoned area including the ONL.
- 9.21** I do not support Rural Residential Zoning hard against the boundary of the UGB because this would appear as a continuation of urban development outside the UGB and erode the distinct transition between urban zones and Rural areas that is encouraged by Policy 4.2.8.1 **[CB4]** of the Urban Development Chapter.
- 9.22** On this basis I recommend the submission is rejected. I consider that rezoning the land to Rural Lifestyle Zone, which could create 7 properties could be appropriate. However, this does not form my recommendation at this point.

Area C: 35 ha Rural Lifestyle Zone

- 9.23** As set out above, Ms Mellisop agrees with the landscape assessment that Rural Lifestyle Zoning can be absorbed in Area C. Area C is located the closest of all 3 areas to the valley floor and flat land adjacent to Studholme Road and Cardrona Road. Area C is also completely out of any fan hazard areas as identified on the Council's hazard register.
- 9.24** The landscape assessment draws comparisons²⁶ to the likely development outcome of applying the Rural Lifestyle Zone to the existing environment of the adjoining Rural Zone located to the south east of Area C. I do not agree with these comparisons because while I acknowledge that the environment in this area has been developed to a relatively intensive level of rural living, the environment is the outcome of the Rural Zone discretionary regime. Applications will have been subject to the visual amenity landscape assessment

26 Ibid at 23.

criteria in Part 5 of the ODP and the District Wide Landscape objectives and policies. The majority of the applications have been notified and supported by landscape assessments²⁷ to obtain a design led response.

9.25 By comparison, the Rural Lifestyle subdivision regime is contemplative of a development right associated with a minimum allotment size and there is not the same obligation for a design led response, or the prospect for applicants that inappropriate applications would be notified and potentially declined.

9.26 I also note that the Rural Zoned properties located to the east, on the southern side of Studholme Road have a density in the order of 3.1 ha.²⁸ Therefore, this is 1ha greater than that envisaged under the Rural Lifestyle Zone.

9.27 While mindful of the above, I consider the sensitivity of the landscape, the location of Area C, in combination with the pattern of development in the wider area to the south east is such that Area C is appropriate to be rezoned as Rural Lifestyle Zone. I note that the recommendation of this submission has an influence on the assessment of the submission to the south on Studholme Road (Scurr et al). These submitters are addressed below.

10. STUDHOLME ROAD RURAL LIFESTYLE ZONE SUBMISSIONS

10.1 Submissions have been received from the following to rezone the Rural Zoned land south of Studholme Road to Rural Lifestyle Zone:

- (a) Calvin Grant & Jolene Marie Scurr (160), Glenys & Barry Morgan (161), Don & Nicola Sarginson (227), Nicola Todd (254), Robert & Rachel Todd (783), Joanne Young (784).

²⁷ Refer to RM140275 R & C McAulay – subdivision and identification of a building platform..

²⁸ These are the 18 properties identified in submission 783 as being rezoned from Rural to Rural Lifestyle Zone.

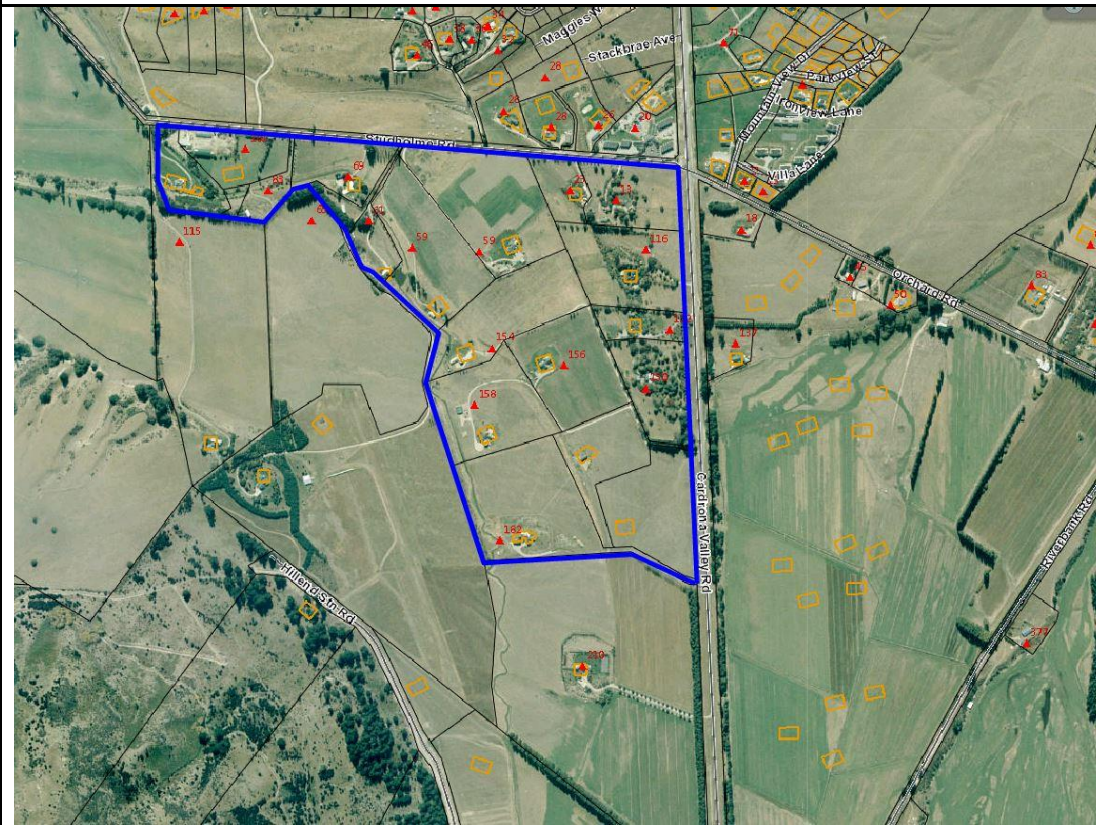
10.2 In addition, Murray Stewart Blennerhassett (322) has requested the land is rezoned to Rural Residential Zone.

Overall Recommendation	
Recommendation	Accept
Summary	Rezoning the area to Rural Lifestyle Zone reflects the character and will maintain a distinct transition between the PDP Wanaka UGB.

Property and submission information	
Further Submitters	Support: 1156 Paterson Pitts Partners (Wanaka) Ltd 1135 Glenys & Barry Morgan
Land area/request referred to as	Studholme Road Rural Zone Area
PDP Zone and Mapping annotations	Rural Zone Rural Landscape Classification
Zone requested and mapping annotations	Rural Lifestyle Zone Murray Blennerhassett (Rural Residential Zone)
Supporting technical Information or reports	None
Legal Description	Various
Area	55.38
QLDC Property ID	various
QLDC Hazard Register	LIC 1 – Nil to Low liquefaction risk

Summary of Council assessments and recommendations	
Landscape	Oppose in part
Indigenous vegetation	Not opposed
Infrastructure	Not opposed
Traffic	Opposed

Aerial Photograph of the site



Aerial photograph of the land subject to submission (shown by the blue outline. Area C of the Hawthenden Submission (776) adjoins the eastern boundary of the submission area. The PDP Wanaka UGB is located on the northern side of Studholme Road.

- 10.3** The submitters seek that the Rural Lifestyle Zone is applied to the land. The reasons they give in the submissions are that the properties in the area have a density between 1.1 ha and 6.1 ha, and that the Rural Lifestyle zoning would maintain rural character and would not undermine the integrity of the urban growth boundary. I have also reviewed the size of the properties in this area and can confirm this density.
- 10.4** Ms Mellsop has undertaken a lot size analysis and identifies that the density of the 18 properties in the area is 3.1 ha. Ms Mellsop considers that Rural Lifestyle zoning could be absorbed without significantly detracting from the natural character and visual amenity of the landscape, while noting that the remaining level of pastoral character would be compromised.

- 10.5** Ms Mellsop also discusses the potential for Rural Lifestyle Zoning to introduce more amenity planting and shelterbelts that would affect views to Mt Aspiring along Cardrona Valley Road. Ms Mellsop considers these views have values and if the Rural Lifestyle zoning is accepted, recommends a zone standard is imposed that limits the height of buildings and vegetation within the view shaft.
- 10.6** On the basis that the development would not seek to utilise the Council's water or wastewater network, Mr Glasner does not oppose the rezoning request.
- 10.7** Mr Glasner opposes the submission of Mr Blennerhassett to rezone the land from Rural Zone to Rural Residential Zone because in his view, Rural Residential zoning adjacent to the scheme boundary would generally anticipate connection to the Wanaka water and wastewater supply. It is unclear what level of upgrades would be required to adequately service the zone and I do not support the extension of infrastructure beyond the scheme boundaries particularly where Mr Glasner understands that there is sufficient available land within the UGB to serve further residential growth.
- 10.8** In terms of traffic, Ms Banks opposes intensifying the sites to the west of Cardrona Valley Road for the reason that Cardrona Valley Road provides the main access into and out of Wanaka from Queenstown. Further, she considers it is important that the number of accesses are kept to a minimum given the area is located in a high speed rural environment.
- 10.9** Mr Davis does not consider the area to have any ecological values and notes that the sites are dominated by exotic pasture grasses.
- 10.10** While cognisant of Ms Mellsop's concerns and desire to maintain the view shaft, where it is still available, I consider such rules to be problematic in terms of drafting, quantifying the baseline to determine compliance, and ongoing monitoring as a permitted standard. The type of restrictions Ms Mellsop

recommends are common conditions of resource consents to the activities consented in the Rural Zone under the discretionary regime. Further complicating this is that it is not fanciful under the Rural Zone or the Rural Lifestyle Zone provisions to establish a shelter belt of a non-wilding species as a permitted activity. However, these types of conditions are common where development applies to non farming development proposals assessed under the discretionary regime.

10.11 I would therefore not support a standard that limits vegetation. Therefore, I consider there are two practicable options:

- (a) either retain the Rural Zoning and deal with these matters as they arise; or
- (b) impose a less sophisticated rule to manage the values espoused by Ms Mellsop.

10.12 It is my view that Rural Lifestyle Zoning is appropriate at this location, and because of the size of the area recommended this would be a comprehensive approach to land use and management of landscape issues in this area, on the basis of my recommendation to rezone Area C of the Hawthenden (776) submission land. I accept that rezoning this land to Rural Lifestyle will remove the impetus for a design led response. However, the non-complying rule requiring²⁹ a 2 ha site average will ensure that there is a distinct transition between the urban edge of Wanaka and the rural area to the south.

10.13 In terms of potential methods to address the issue raised by Ms Mellsop, I consider the clearest, efficient and most practicable method to manage the effects on amenity from Cardrona Valley Road is to include a 60m BRA along the Cardrona Valley Road boundary. While a building restriction setback would not stop any person planting on the boundary, the placement of dwellings at a substantial setback would

29 [CB16], 22.5.12.2

mean that buildings and related amenity or shelter vegetation are also setback a commensurate distance.

10.14 The setback from Roads in the Rural Lifestyle Zone is 20m.³⁰ Viewing this rule in the context of the submitters' land along Cardrona Valley Road, the existing pattern of development is such that there are five properties adjoining Cardrona Valley Road. As measured using the Council's online map viewer, the four properties with buildings on them have the buildings set back from Cardrona Valley road approximately 100m, 98m, 84m and 63m. The southern most property has an active building platform and this is set back from Cardrona Valley Road 132m. On this basis it is clear that there is an established pattern of development that has made efforts to be located a reasonable distance from Cardrona Valley Road. This is likely a result of the emphasis in the discretionary planning regime under the ODP to mitigate adverse effects of development from public roads.

10.15 Therefore, it is my view that the most appropriate method to manage the juxtaposition of Rural Lifestyle development with the views (where such views exist) is to impose a BRA setback along Cardrona Valley Road over the recommended Rural Lifestyle Zone. Any buildings within a BRA would be a non-complying activity pursuant to Rule 22.4.10. I consider the width of the BRA should be 60m. This would ensure that the pattern of development is encouraged to remain consistent with that already established along Cardrona Valley Road. I consider this is important also in the context that if the properties fronting Cardrona Valley Road undertake infill subdivision, the new allotments and location of buildings platforms are done so in a manner sympathetic to the view shaft along Cardrona Valley Road.

10.16 Ms Banks considers that the the rezoning request would generate cumulative adverse effects, including that Studhome Road has not been fully formed. A discussion of the

30 **[CB16]**, Rule 22.5.5. Note the notified PDP Rule was 10 metres, rolled over from the ODP. The Reply version of the Rule is recommended to be 20 metres.

combined areas of the Hawthenden C (776) area and rezoning this 56 ha of land to Rural Lifestyle Zone is discussed below.

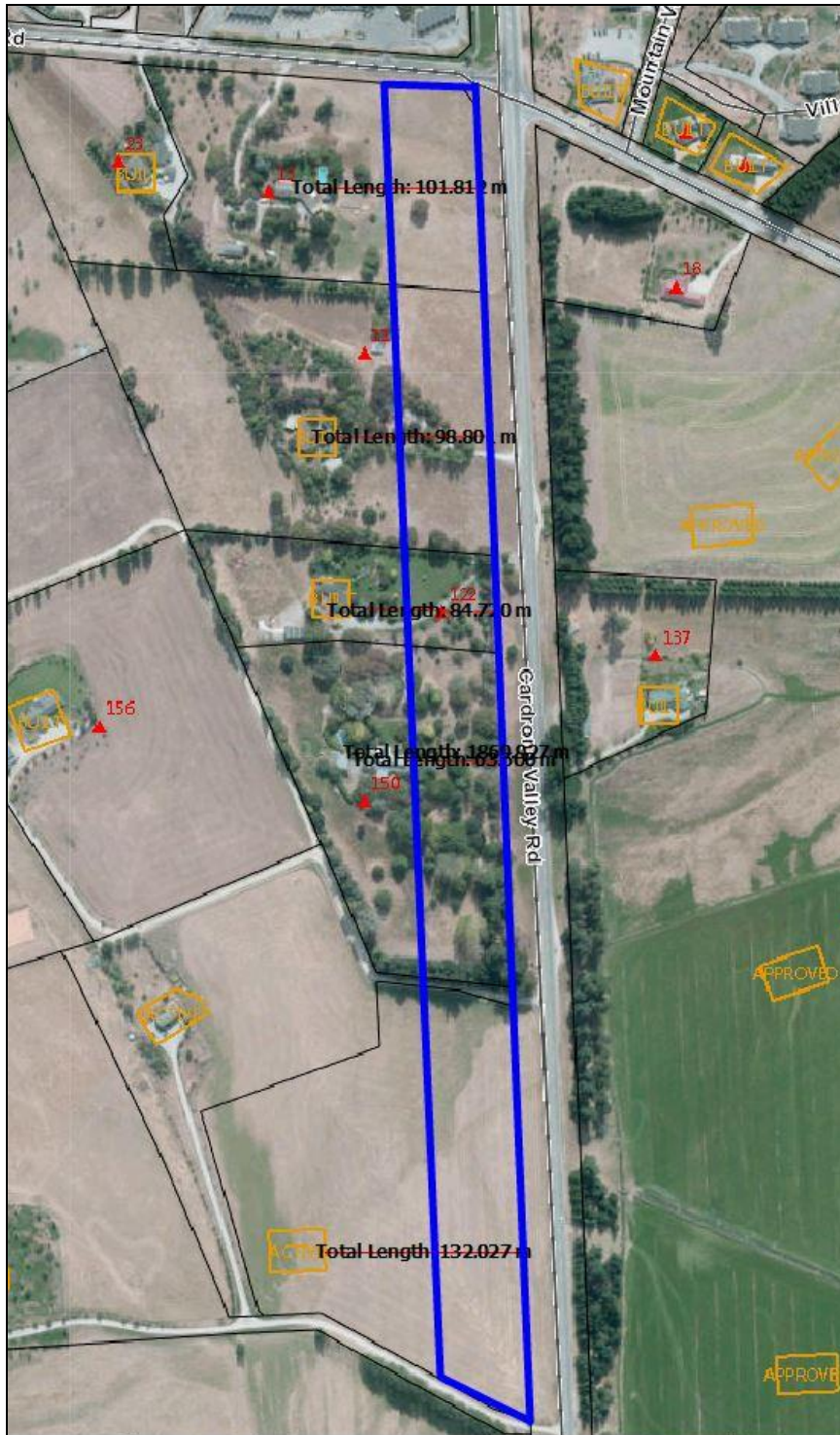


Figure 5: Annotated aerial photograph of the submitters' land requested to be rezoned, showing the recommended building restriction area in relation to the existing pattern of buildings.

10.17 I recommend the submission of Murray Blennerhassett to rezone the land on the southern side of Studholme Road Rural residential is rejected. I consider this would erode the transition between the rural areas and urban development within Wanaka.

10.18 With respect to the overall rezoning recommended to be accepted, **Figure 6** below illustrates the area recommended to be rezoned from Rural Zone to Rural Lifestyle.

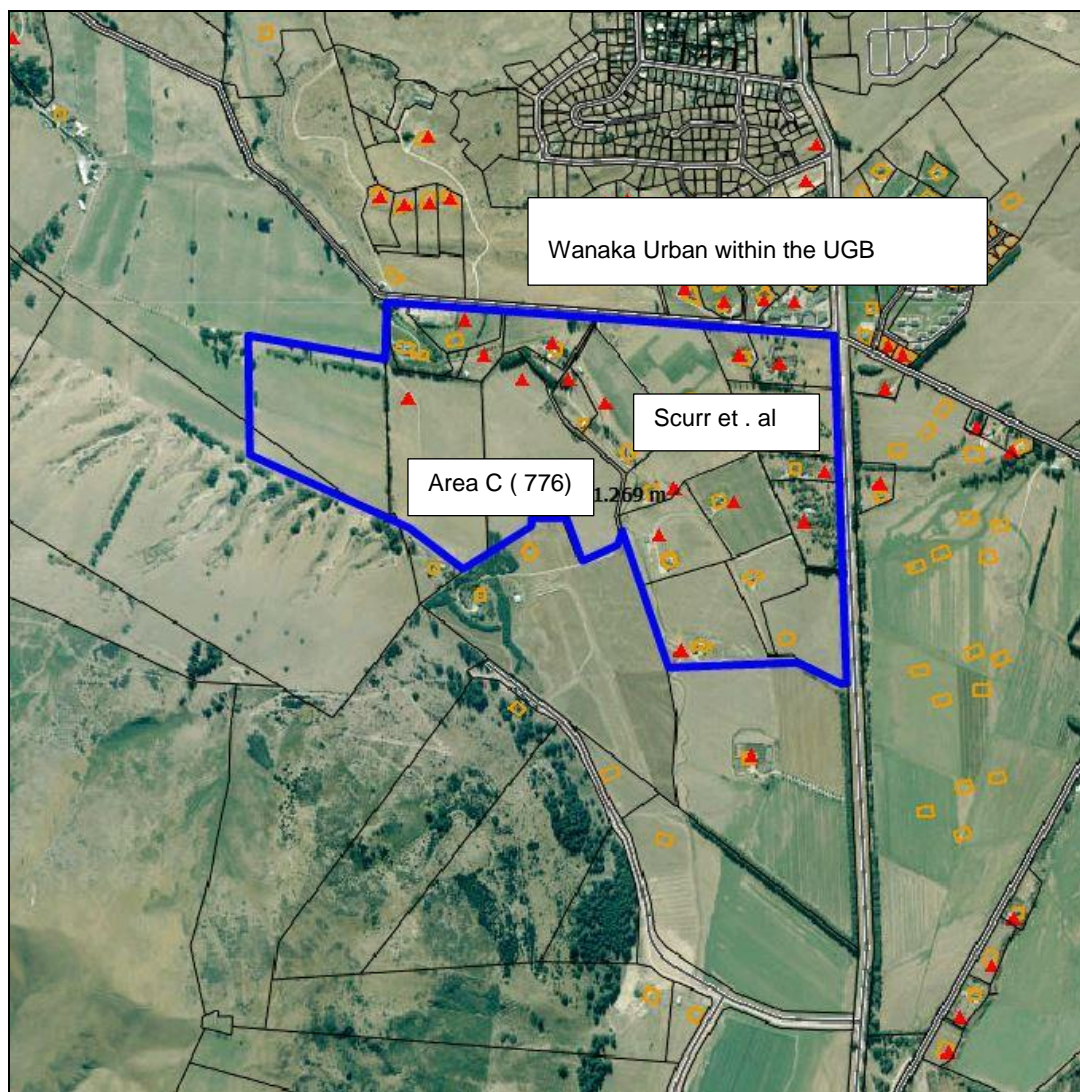


Figure 6: Annotated aerial photograph of the Hawthenden (776) and Scurr et. al submissions where Rural Lifestyle zoning is recommended.

10.19 To summarise, in terms of the potential allotments to be enabled when considering the Hawthenden Area C

submissions and the Scurr et. al area, the recommended Rural Lifestyle zoning could enable ten additional lots in the Scurr et. al area and 17 properties in the Hawthenden land, resulting in a potential yield of 27 Rural Lifestyle properties.

10.20 Overall, I recommend that Rural Lifestyle zoning is accepted at the Hawthenden Area C land and the Scurr et. al land.

11. WILLOWRIDGE DEVELOPMENTS LIMITED (249)

Overall Recommendation	
Recommendation	Reject
Summary	The consented contractors yard/truck depot including mitigation planting provides a suitable transition from the Industrial Zone along Ballantyne Road to the Rural Zone.

Property and submission information	
Further Submitters	None
PDP Zone and Mapping annotations	Rural Zone Rural Landscape Classification Building Restriction Area – associated with the former oxidation ponds zoned Operative Ballantyne Road Mixed Use Zone.
Zone requested and mapping annotations	Industrial B
Supporting technical Information or reports	None
Legal Description	Lot 3 DP 17123
Area	12.296 ha
QLDC Property ID	27614
QLDC Hazard Register	LIC 1 – Nil to Low liquefaction risk Potentially Contaminated Site – DG075 Dangerous goods licence

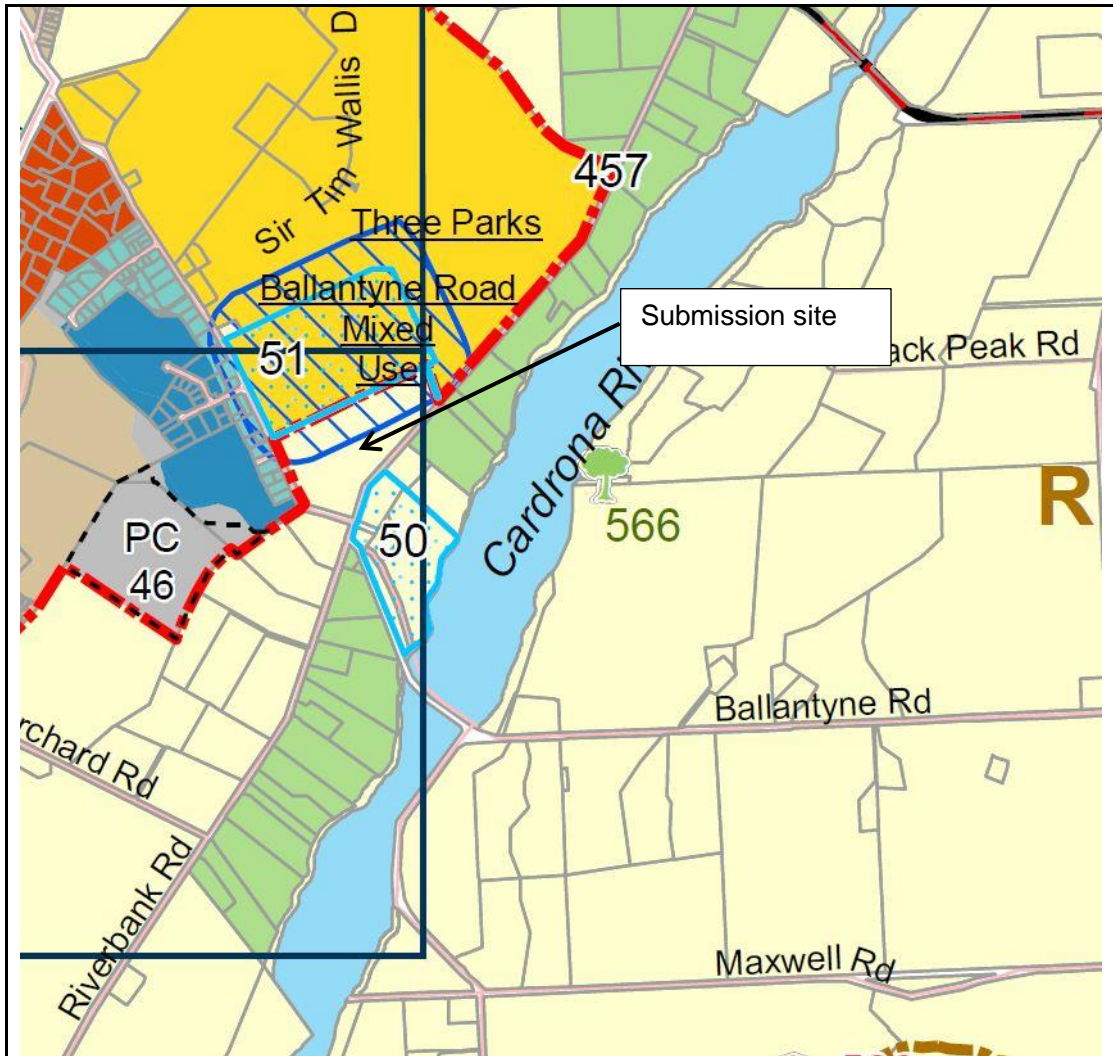
Summary of Council assessments and recommendations

Landscape	Not opposed (but qualified)
Indigenous vegetation	Not opposed
Infrastructure	Not opposed
Traffic	Opposed

Aerial Photograph of the site



Aerial photograph of the land subject to the submission.



Excerpt of Planning Map 18, illustrating the location of the site and surrounding zoning and overlays.

11.1 The submitter requests that the site is rezoned from Rural Zone to Industrial B. There is no PDP 'Industrial B Zone' (and Industrial zones as a whole, have not been notified in Stage 1). I infer that the submitter seeks entitlements that are the same as the ODP Industrial B Zone.³¹

Surrounding Environment

11.2 The zoning and planning issues around this site include:

- (a) the (operative) Ballantyne Road Mixed Use Zone is located to the north. The site is that of the former

31 Refer to <http://www.gdgc.govt.nz/planning/district-plan/volume-1-district-plan/section-11-business-and-industrial-areas/>

Wanaka oxidation ponds, reflected in Designation 51 and associated BRA as shown on the planning maps. To date the site has not been developed. From a review of the Plan Change 32 documents,³² my understanding is that the site is likely to require land contamination remediation to some extent, however this was not remediated as part of the plan change 32. In addition, the BRA is not part of the section 32 assessment prepared for PC32, nor as part of the rezoning submission, but part of Designation 51, which reflects the oxidation ponds;

- (b) located to the north and north east is the (operative) Three Parks Zone. The areas adjoining the subject site are identified on the Three Parks Structure Plan as residential.³³ These land uses are confirmed through the approval of the Outline Development Plan (RM140354). I note that the residential activity areas (Refer to **Figure 8** below) do not have any provisions (for instance, set backs or earth bunds) where they border the (operative) Ballantyne Road Mixed Use Zone or the notified Rural zoning of the Subject site;
- (c) the structure plan and rules³⁴ in the Ballantyne Road Mixed Use Zone Activity Areas D (Low Density Employment) and E (High Density Employment) that adjoin the Three Parks residential areas encourage less noxious activities than centrally within the site in Activity Areas B (Mixed Business) and C (Yard Based);
- (d) the land on the opposite side of Ballantyne Road is zoned Industrial B. Refer to **Figure 7** below that illustrates the operative zoning;
- (e) the land to the south on the opposite side of Riverbank Road is zoned Rural, and is subject to

32 Refer to <http://www.qldc.govt.nz/planning/district-plan/district-plan-changes/plan-change-32-ballantyne-road-mixed-use-zone-wanaka/>

33 Refer to <http://www.qldc.govt.nz/planning/district-plan/volume-1-district-plan/section-12-special-zones-three-parks/>

34 Rule 12.24.36 Table 1. Refer to [http://www.qldc.govt.nz/assets/OldImages/Files/District_Plan/District_Plan_Volume_1/Section_12_Special_Zones_Ballantyne_Road_Mixed_Use_Zone/Section_12_Special_Zones_\(Ballantyne_Road_Mixed_Use_Zone\)_Rules.pdf](http://www.qldc.govt.nz/assets/OldImages/Files/District_Plan/District_Plan_Volume_1/Section_12_Special_Zones_Ballantyne_Road_Mixed_Use_Zone/Section_12_Special_Zones_(Ballantyne_Road_Mixed_Use_Zone)_Rules.pdf)

QLDC Designation 50 'Closed Landfill and Transfer Station'. The land further to the east is zoned Rural Lifestyle Zone;

- (f) the land to the south west is zoned Rural, and the site adjacent to Ballantyne Road and the Riverbank Road corner is subject to Aurora Designation 571 'Substation'. The QLDC Wanaka Dog Pound is also located on this site; and
- (g) the land on the eastern side of Riverbank Road is zoned Rural Lifestyle.

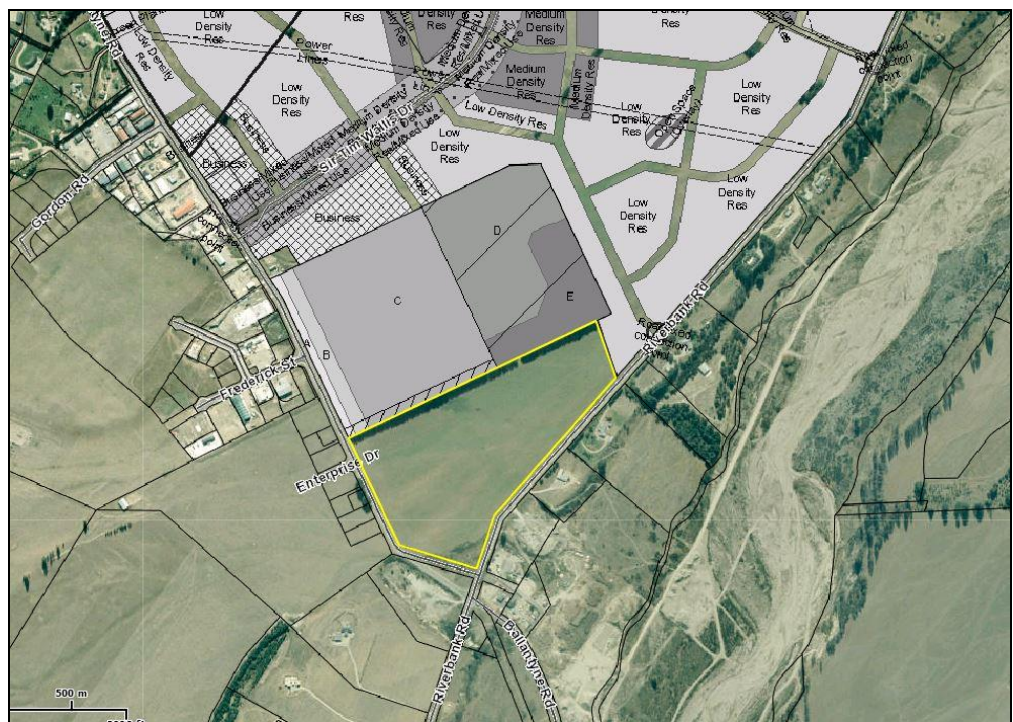


Figure 7: Aerial photograph of the subject site outlined in yellow, with the Operative District Plan, Ballantyne Road Mixed Use Zone, and Three Parks structure plans overlaid.

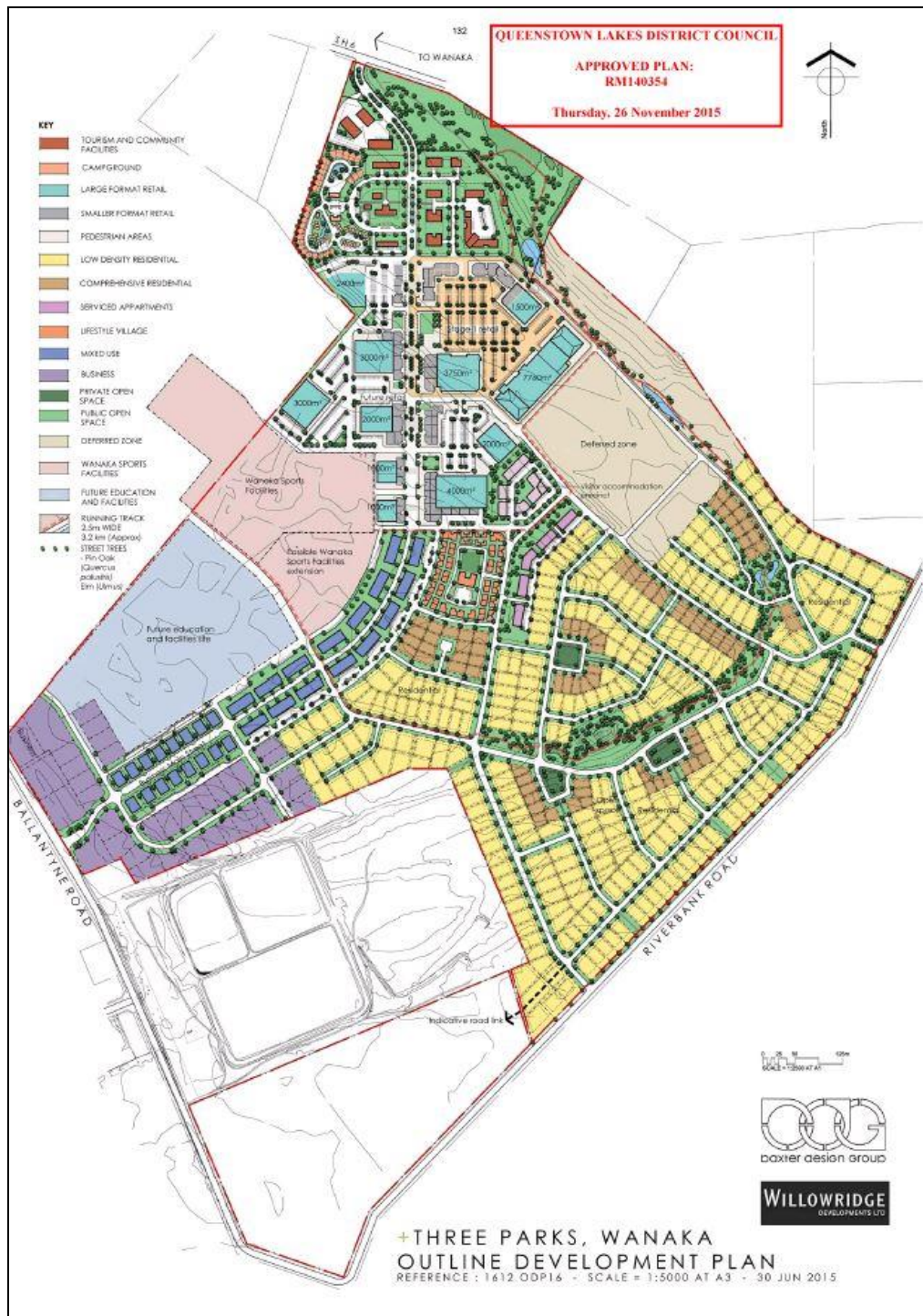


Figure 8: Approved Outline Development Plan RM140354 of the Three Parks development. Note the possible road link shown to the subject site, through the residential area of Three Parks.

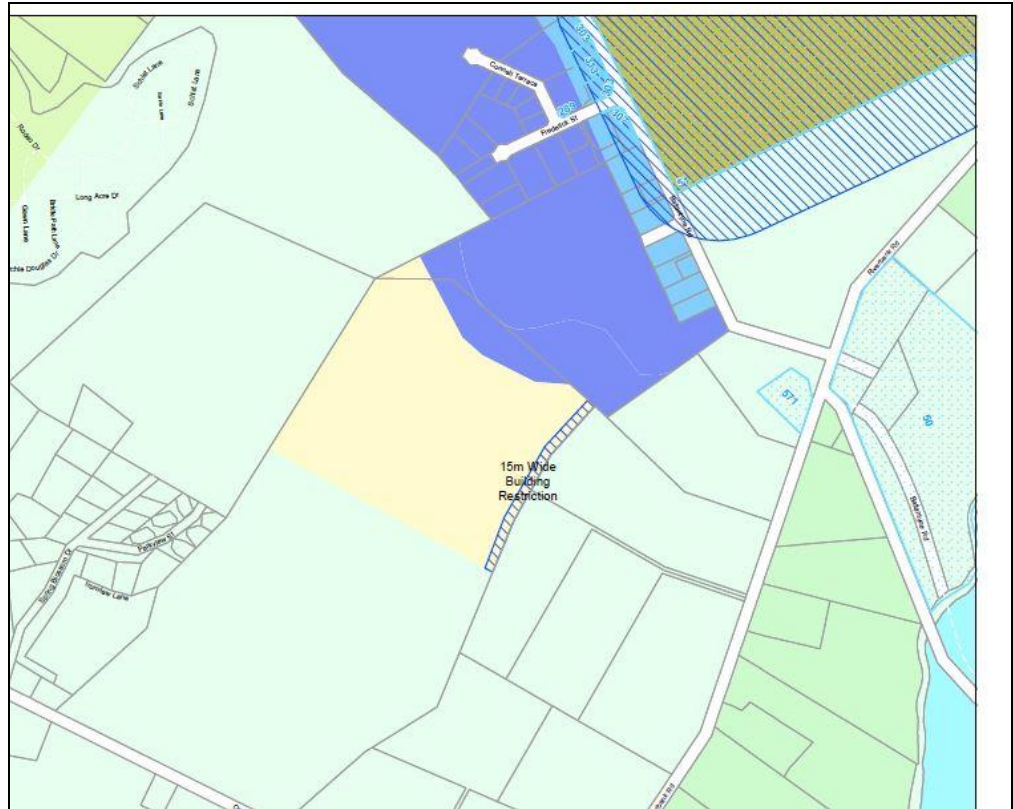


Figure 9: Excerpt of Operative District Plan Planning Map 23 showing the recently made Operative Plan Change 46 Ballantyne Road Industrial and residential Extension.

The Site

- 11.3** Currently the site comprises pasture and has no buildings. It is worthwhile to note that there is a resource consent³⁵ on this site for a contractor's yard, held by the submitter. At the time of preparing this evidence a variation had been applied for to amend the size of the buildings.
- 11.4** Resource consent RM160218 authorises a 50m long by 8m high service and administration building and a 36m long and 4.8m high truck park canopy building.
- 11.5** The conditions of consent require a shelterbelt and mounding are installed along the boundary.

35 RM160218 granted on 26 June 2016. Expires on 26 June 2021. Variation RM161144.

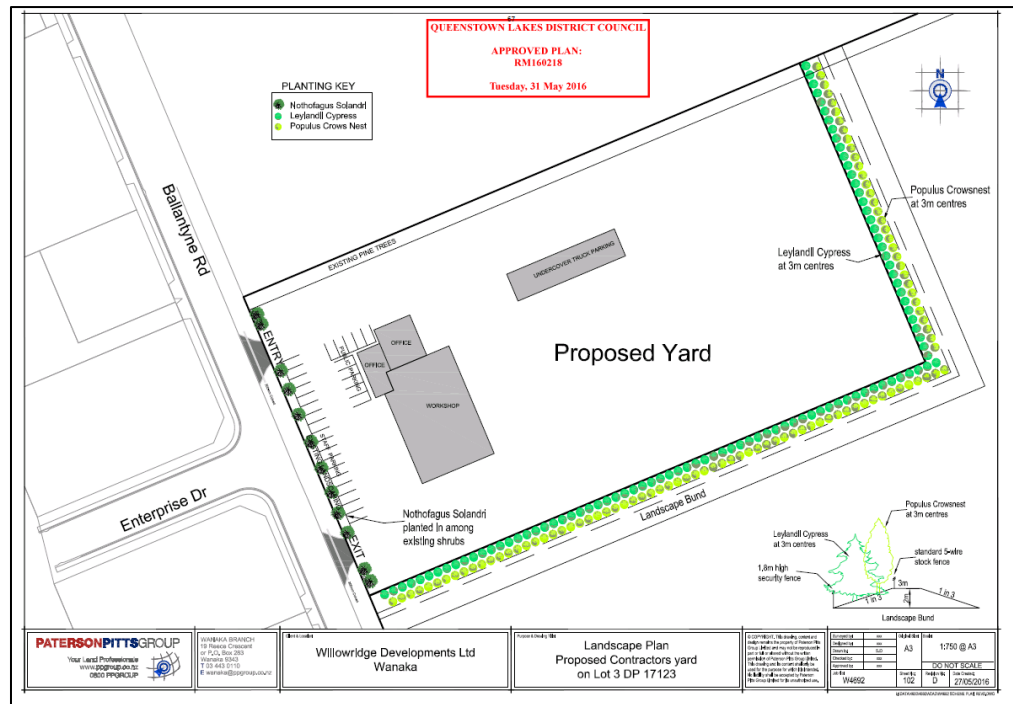


Figure 10: Approved Resource consent plan RM160218.

- 11.6** Ms Mellsoy, from a landscape perspective, would not oppose an Industrial B zoning as long as a landscape buffer or setback was provided to protect the visual and residential amenity of future low density residential development and the rural and visual amenities of Riverbank Road and rural living properties to the south-east.
- 11.7** With regard to water and wastewater, Mr Glasner opposes the rezoning because it would require an extension to the Council’s network where servicing is constrained.
- 11.8** Ms Banks considers that an integrated transport assessment is required to be able to support the potential effects on the roading network, in particular the Ballantyne Road and Riverbank Road intersection.

- 11.9** Mr Davis states that the site is dominated by exotic pasture grasses and he is not opposed to the rezoning from an ecological perspective.
- 11.10** I consider that the consented development on the site provides an appropriate transition between the more intensive general manufacturing activities and associated buildings that can be expected from the (operative) Industrial B Zone, and the Rural and Rural Lifestyle Zoned activities to the south west through to east.
- 11.11** I also consider the consented activity alleviates the matter of the constraint on infrastructure servicing at this location, as identified by Mr Glasner. The consented contractor's yard would have a lower demand for water and wastewater, and therefore reduces the burden of the Council to extend its water and wastewater for a more intensive general industrial or manufacturing land use that is envisaged under the Industrial B Zone, as sought by the submitter.
- 11.12** Overall from a resource management land use perspective, I am comfortable with this site being zoned for Industrial or yard based types of land uses, and consequential changes to include this land within the UGB, providing suitable measures are put in place to deal with the potential issue of incompatible land uses with the future residents in the Three Parks Zone residential area that adjoins the site. In addition I would also recommend some form of buffering along the Riverbank Road boundary to soften the potential effects contemplated in industrial zones, from the rural environment.
- 11.13** However, from a 'sound resource management practice' perspective I do not support the creation of an Industrial B chapter through a submission process. The Council has resolved to review the Ballantyne Road Mixed Use, Industrial A and B zones as part of Stage 2 of the District Plan review, and I recommend that the appropriate zone provisions for this land, need to be determined through that process.

- 11.14** In the context of the consented activities on the site, and the adjoining property to the north, I consider that the type of zoning on this site would be better suited to a yard based activity, such as that consented, rather than the more intensive and potentially noisy general industrial zone.
- 11.15** I am also mindful of the consented environment of this site and its position just outside the Wanaka UGB. I am not supportive of these types of activities just outside the UGB and I note that this activity would require a non-complying resource consent under the PDP Rural Zone rules,³⁶ and has the potential to not be viewed favourably against the Strategic Directions.
- 11.16** Notwithstanding this matter, I consider that the most appropriate response is to recommend the submission is rejected. If the Panel are of a view to accept the Industrial Zone then I consider they should inform the Council of this to investigate the rezoning of the site as part of the Stage 2 review when the industrial zones are reviewed.

12. ORCHARD ROAD AND RIVERBANK ROAD

- 12.1** Submissions have been received from the following persons to rezone properties located along Orchard Road, and Riverbank Road up to the intersection with Ballantyne Road:
- (a) Orchard Road Holdings Ltd (91) seek that the land located north of Orchard Road, east of the PDP Wanaka UGB, and south of the (operative) Plan Change 46 area is rezoned from Rural Zone to Low Density Residential; and
 - (b) Jackie Redai and others (152) seek that the land located on the western side of Riverbank Road between Orchard Road and Ballantyne Road is rezoned from Rural to Rural Residential.

36 [CB15], Rule 21.4.1.

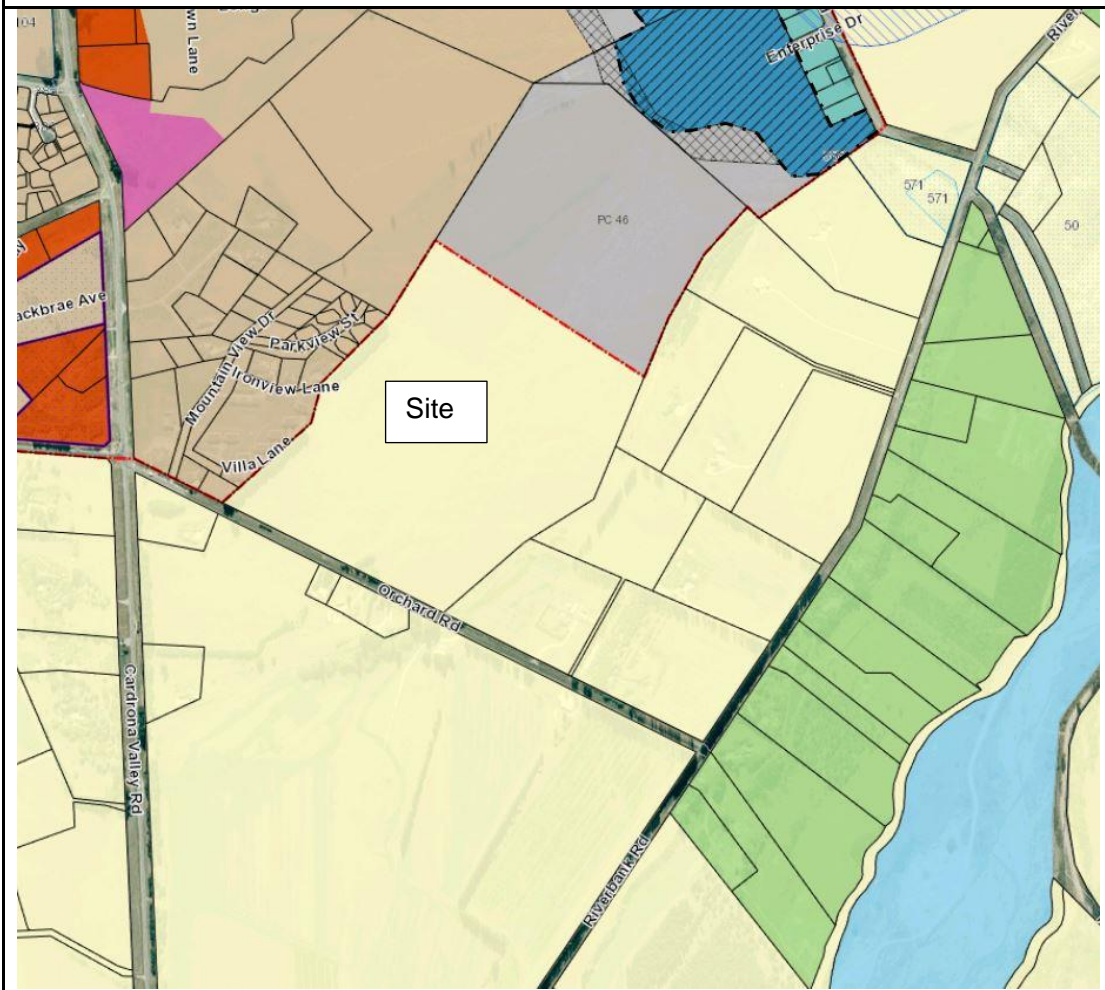
13. ORCHARD ROAD HOLDINGS (91)

Overall Recommendation	
Recommendation	Reject
Summary	The potential number of residential allotments is such that a structure plan is considered necessary. The wastewater generated would be likely to exceed the capacity of the Council's network.

Property and submission information	
Further Submitters	1027 (Denise and John Prince): Oppose 1131 (Jackie and Simon Redai): Oppose
Land area/request referred to as	Orchard Road and Riverbank Road
PDP Zone and Mapping annotations	Rural Zone
Zone requested and mapping annotations	Low Density Residential
Supporting technical Information or reports	None
Legal Description	Lot 3 DP374697
Area	24 ha approximately.
QLDC Property ID	27727
QLDC Hazard Register	LIC 1 – Nil to Low liquefaction risk

Summary of Council assessments and recommendations	
Landscape	Opposed in part
Indigenous vegetation	Not opposed
Infrastructure	Opposed
Traffic	Opposed

Location of the site



Excerpt from Planning Map 23 illustrating the site and the portion of it that is not part of the PDP Stage 1 (Plan Change 46 land) of the land subject to submission

- 13.1** It is sought to rezone the land from Rural to Low Density Residential. The northern portion of this land is zoned Low Density Residential under the ODP, having recently completed Plan Change 46: Ballantyne Road Industrial and Residential Extension.
- 13.2** I have calculated the area of Lot 3 DP 374697 that is within the Rural Zone of the PDP (and within scope) to be approximately 23ha. Reducing 32% for roads and reserves, this could enable 632 allotments, based on a density of 450m² for each.³⁷

³⁷ Refer to my first, strategic report at section 14 for the assumptions used to calculate the development yield.

- 13.3** The submitter considers the land should be rezoned Low Density Residential in order to ensure that sufficient residential zoned land is available at the southern part of the town, that this is a logical extension and can be adequately serviced.
- 13.4** From a landscape perspective, Ms Mellsop does not oppose the zoning of this land to Low Density Residential. However, Ms Mellsop considers that a landscape buffer and a requirement for internal road access to lots would be needed to protect the rural amenity of Rural-zoned land south of Orchard Road.
- 13.5** Mr Glasner notes that because the request is for Low Density Residential Zoning it is expected that the future development would be connected to the Council's water and wastewater network. Mr Glasner states that there are constraints in the Riverbank Road wastewater pump station that would service this development.
- 13.6** Mr Glasner considers that modelling would be required to be certain of the effects on the Council's wastewater network before the proposal could be supported from an infrastructure perspective.
- 13.7** Ms Banks opposes the rezoning sought from a traffic perspective. While the network would accommodate the extra trips, she is concerned with the additional accesses that would be created and their locations and the impact it would have on the intersection of Ballantyne Road and Riverbank Road.
- 13.8** Taking into account the proposed development in the area such as Three Parks, Ms Banks considers that an assessment would be required to determine whether a roundabout is installed to accommodate the increase in trips along Riverbank Road and improve road safety.
- 13.9** Mr Davis considers that based on aerial photography the indigenous vegetation on the site has been removed. Mr

Davis does not oppose the submission from an ecological perspective.

- 13.10** On the basis of the above comments and advice from the respective experts, I consider that the site could be rezoned to Low Density Residential Zone. However, Mr Glasner considers that there are infrastructure wastewater constraints, and the potential development yield of in the order of 632 allotments requires significant certainty in my view as to the edge effects and mitigation as identified by Ms Mellsop. In addition, to available wastewater capacity, I also consider that certainty is required for the ability for infrastructure to provide a spatial skeleton for the urban land uses, layout of roading and connections.
- 13.11** I consider that a structure plan is necessary that shows the major and minor roads, potential location of any parks, and the walking and cycling connections, both within the site and to the Low Density Residential Zones that adjoin the site on its west and north boundaries.
- 13.12** The PDP Subdivision Chapter policies **[CB18]** and the Good practice Subdivision Guidelines notified with the PDP encourage connections and walking and cycling as part of subdivision design.³⁸ I consider that if this site is rezoned to Low Density Residential and developed to an urban density, good connections and subdivision design are important and I consider a structure plan inserted to the subdivision chapter of the PDP, subject to its merits, would assist with this providing certainty.
- 13.13** Therefore I recommend that the submission is rejected.

³⁸ Refer to <http://www.qldc.govt.nz/assets/Uploads/Planning/District-Plan/Section-32s/QLDC-Subdivision-Design-Guidelines-May15.pdf>

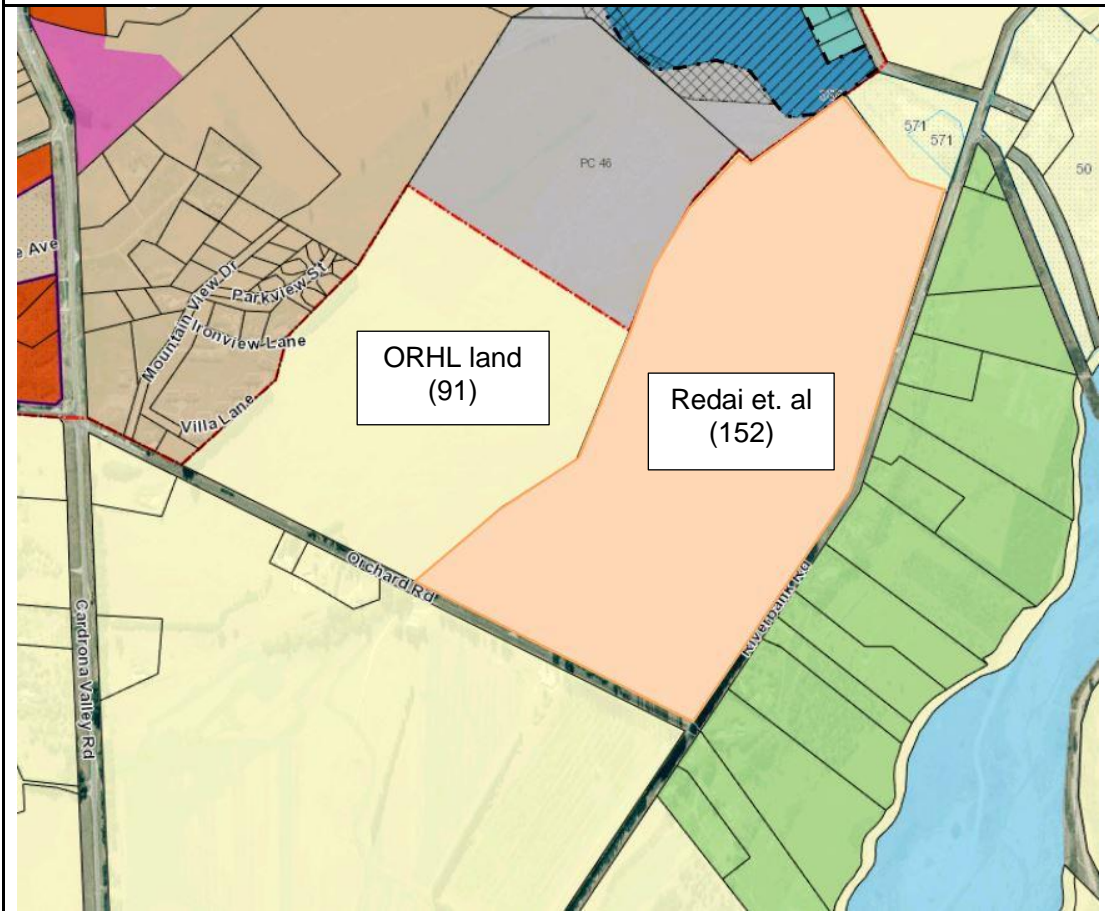
14. JACKIE REDAI AND OTHERS (152)

Overall Recommendation	
Recommendation	Reject
Summary	The Rural Residential Zone would lead to sprawl of buildings and ad hoc infill subdivision. The Rural Zone is the most appropriate zone.

Property and submission information	
Further Submitters	1013 (Orchard Road Holdings Ltd): Oppose 1136.2 (Ian Percy): Oppose
Land area/request referred to as	Orchard Road and Riverbank Road
PDP Zone and Mapping annotations	Rural Zone
Zone requested and mapping annotations	Rural Residential Zone
Supporting technical Information or reports	None
Legal Description	Various
Area	39 ha approximately
QLDC Property ID	Various
QLDC Hazard Register	LIC 1 – Nil to Low liquefaction risk Seismic Hazard – Fault line (concealed)

Summary of Council assessments and recommendations	
Landscape	Opposed
Indigenous vegetation	Not opposed
Infrastructure	Opposed
Traffic	Opposed

Location of the site



Excerpt from Planning Map 23 showing the area subject to the submission (shaded a peach colour). The Willowridge (91) submission land is located to the west.

- 14.1** The submitters seek that the Rural Residential Zone is applied over this land. The approximate area is 41 ha and this has the potential for 69 allotments under the Rural Residential zoning of 4000m².
- 14.2** A further submission from Orchard Road Holdings Ltd opposes the rezoning on the basis the submission should be disallowed in advance of a decision on Plan Change 46. I confirm that Plan Change 46 is now operative.
- 14.3** A further submission from Ian Percy opposes the submission, seeking certainty that their growing, award winning vineyard business can continue to operate with the same safeguards as currently exist in the existing Rural General Zone. Mr Percy's property contains a vineyard and a frost fan, and is located within the area that is sought to be rezoned. Mr Percy

has also requested a rezoning from Rural Zone to a zone similar to the Gibbston Character Zone. This matter is discussed in Part 15 below.

- 14.4** Ms Mellsop opposes a Rural Residential zoning as it would result in a loss of the remaining rural character in the landscape setting of south-eastern Wanaka and would blur the distinction between urban and rural areas.
- 14.5** Ms Mellsop does however consider that Rural Lifestyle zoning could be accommodated without significant degradation of landscape values. Ms Mellsop considers that such zoning would maintain the rural character of the transitional area between urban Wanaka and the wider Rural Zone, and would be consistent with the landscape character east of Riverbank Road.
- 14.6** In the event that the future development would be serviced, Mr Glasner opposes the rezoning because it would be likely to require substantial extensions and upgrades to the Council's network. Mr Glasner considers that specific modelling would be required to determine feasibility
- 14.7** From a traffic perspective, Ms Banks opposes the rezoning because of the cumulative effects onto the road network. As set out in the discussion of the ORHL (91) submission above, Ms Banks opposes the rezoning sought from a traffic perspective. While the network would accommodate the extra trips, she is concerned with the additional accesses that would be created and their locations and the impact it would have on the intersection of Ballantyne Road and Riverbank Road.
- 14.8** Ms Banks considers that an assessment would be required to determine whether a roundabout is installed to accommodate the increase in trips along Riverbank Road and improve road safety.

- 14.9** Mr Davis notes that the sites are dominated by exotic pasture grasses, vineyards and other exotic plants. He does not oppose the rezoning from an ecological perspective.
- 14.10** I refer to and reply on Ms Mellsop's evidence that a Rural Residential Zone would not be appropriate at this location. I also consider that introducing the Rural Residential Zoning would be likely to lead to incompatible land uses with the established vineyard and use of the frost fan in particular, in the immediate vicinity of Mr Percy's property.
- 14.11** I consider that rezoning to Rural Residential would lead to sprawl, and given the multiple allotment ownership of the submission site area, the type of subdivision pattern would be likely to be infill and the overall area would lack coherency. There would be a proliferation of accesses onto Riverbank Road, whereas if the site was held in one ownership a comprehensive subdivision design could be more likely to result.
- 14.12** While Ms Mellsop considers from a landscape perspective that Rural Lifestyle zoning would be appropriate, in balancing the evidence and relevant considerations I consider that a design led emphasis would be the most appropriate method to manage rural living development at this location. I consider that the Rural Landscape Classification Assessment Matters in part 21.7 of the Rural Zone chapter **[CB15]** provide the most appropriate framework to manage present activities in the area and any future applications for residential development.
- 14.13** On the above basis I recommend the submission is rejected.

15. RIVERBANK ROAD SUBMISSIONS

15.1 Submissions have been received from the following to rezone properties located along Riverbank Road from Rural Lifestyle Zone to Rural Residential Zone:

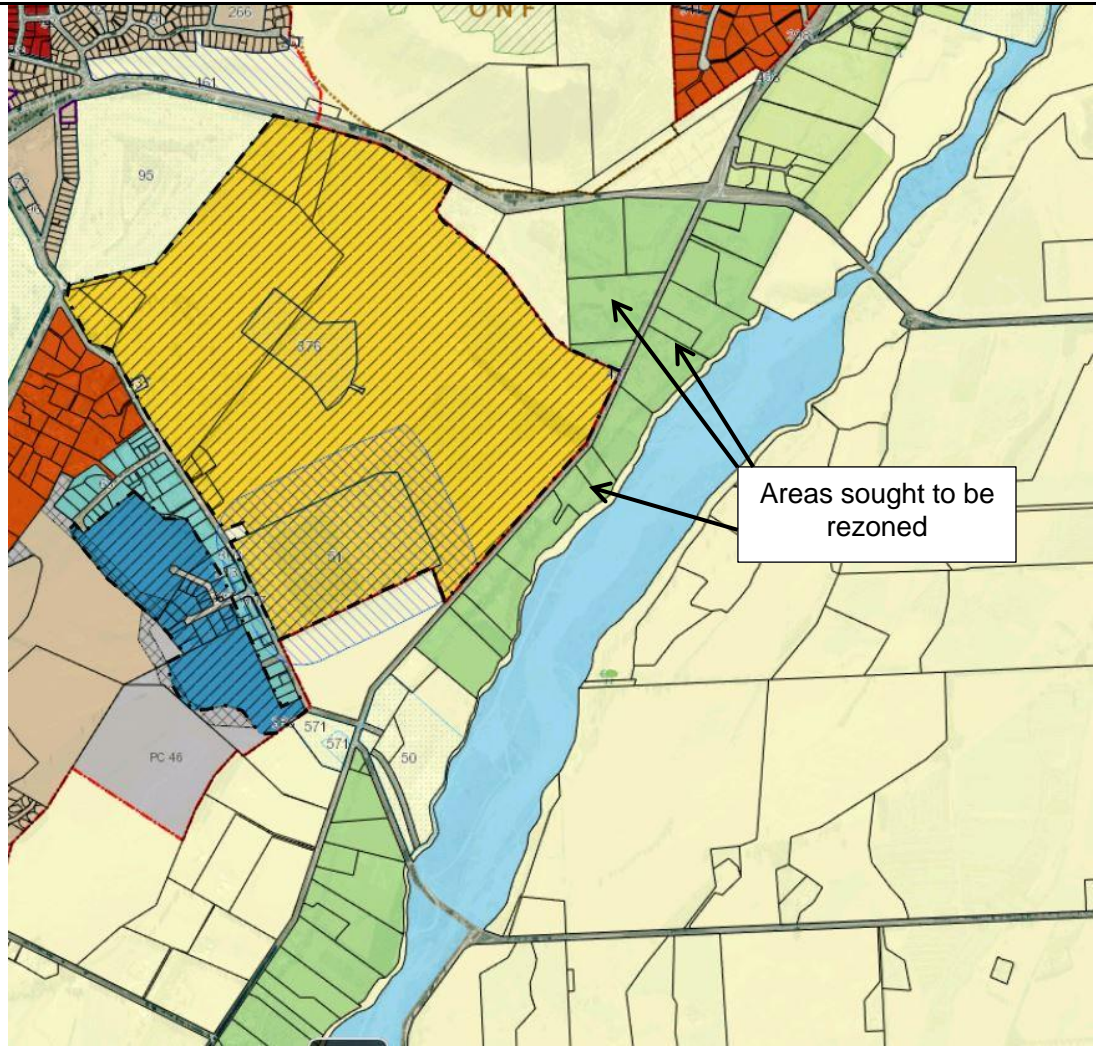
- (a) Elizabeth Purdie (17), John Young (733), Marianne Roulston (741), Gerald Telford (742), K and M R Thomlinson (743), Danni and Simon Stewart (745), M and E Hamer – (747), Craig Jolly and Maree Shaw (749), Peter J E and Gillian O Watson (750), Graham P and Mary H Dowdall (753), E B Skeggs (756).

Overall Recommendation	
Recommendation	Reject
Summary	The Rural Residential Zone would weaken the transition from the UGB, lead to sprawl of buildings and in particular the increased intensity of buildings on the upper terrace adjacent to the Cardrona River where it is unlikely subdivision would be on the lower terrace within the river bed channel.

Property and submission information	
Further Submitters	1065 (Ohapi Trust): Support 1013 (Orchard Road Holdings Ltd): Oppose 1136 (Ian Percy): Oppose
Land area/request referred to as	Riverbank Road Rural Lifestyle Zone
PDP Zone and Mapping annotations	Rural Lifestyle Zone
Zone requested and mapping annotations	Rural Residential Zone
Supporting technical Information or reports	None
Legal Description	Various
Area	30 ha approximately.
QLDC Property ID	Various
QLDC Hazard Register	LIC 1 – Nil to Low liquefaction risk LIC 2 (P) – Possibly Moderate Seismic Hazard – Fault line (concealed) Flooding - Rainfall

Summary of Council assessments and recommendations	
Landscape	Opposed
Indigenous vegetation	Not opposed
Infrastructure	Opposed
Traffic	Not opposed

Location of the site



Excerpt of Planning Map 18 showing the Rural Lifestyle Zone (dark green) that is sought to be rezoned to Rural Lifestyle Zone.

15.2 The submitters seek that the existing Rural Lifestyle zoned land along Riverbank Road, generally located between Orchard Road and SH 6, is zoned from Rural Lifestyle to Rural Residential. The sites on the eastern side of Riverbank Road are developed to a relatively high density in rural living terms as viewed from Riverbank Road, owing to the majority of sites being 'split' by the lower Cardrona River Terrace where it crosses through the sites. The majority of development is located on the upper terrace adjacent to Riverbank Road.

15.3 Ms Mellsop states in her evidence that the existing rural living area forms part of the approach to Wanaka from the east and,

with the views of Mount Iron, makes a significant contribution to the natural character and visual amenity experienced as people approach the town. While the site is not within or adjacent to any ONL or ONF, the escarpment and lower floodplains form part of the natural feature of the Cardrona River.

- 15.4** Ms Mellsop opposes the rezoning and considers the Rural Lifestyle Zoning should be retained.
- 15.5** On the basis that future development would be connected to the Council's wastewater network, Mr Glasner opposes the rezoning and it is his first preference that land within the UGB is serviced.³⁹
- 15.6** From a traffic perspective, Ms Banks has assessed the submissions, including in the context of the (operative) Three Parks Zone accesses off Riverbank Road and does not consider the traffic generated from this rezoning to be significant.
- 15.7** Mr Davis considers that there may be small areas of tussock grassland remaining but if present will be very small in size and highly unlikely to contain threatened plants or be important ecologically. Mr Davis does not oppose the rezoning from an ecological perspective.
- 15.8** I consider that the most appropriate zoning is the notified PDP Rural Lifestyle Zone. Rural Residential zoning would appear as peri urban sprawl along Riverbank Road that would reduce the rural living character present and the distinct transition between the rural living areas and the Wanaka urban area. On this basis I recommend the submission is rejected.

³⁹ Mr Glasner's evidence in Hearing Stream 1A and 1B was that utilisation of UGBs results in much greater certainty in terms of infrastructure planning and funding, and generally provides a more cost effective approach with a range of community benefits. See [CB37] at paragraphs 5.1-5.11.

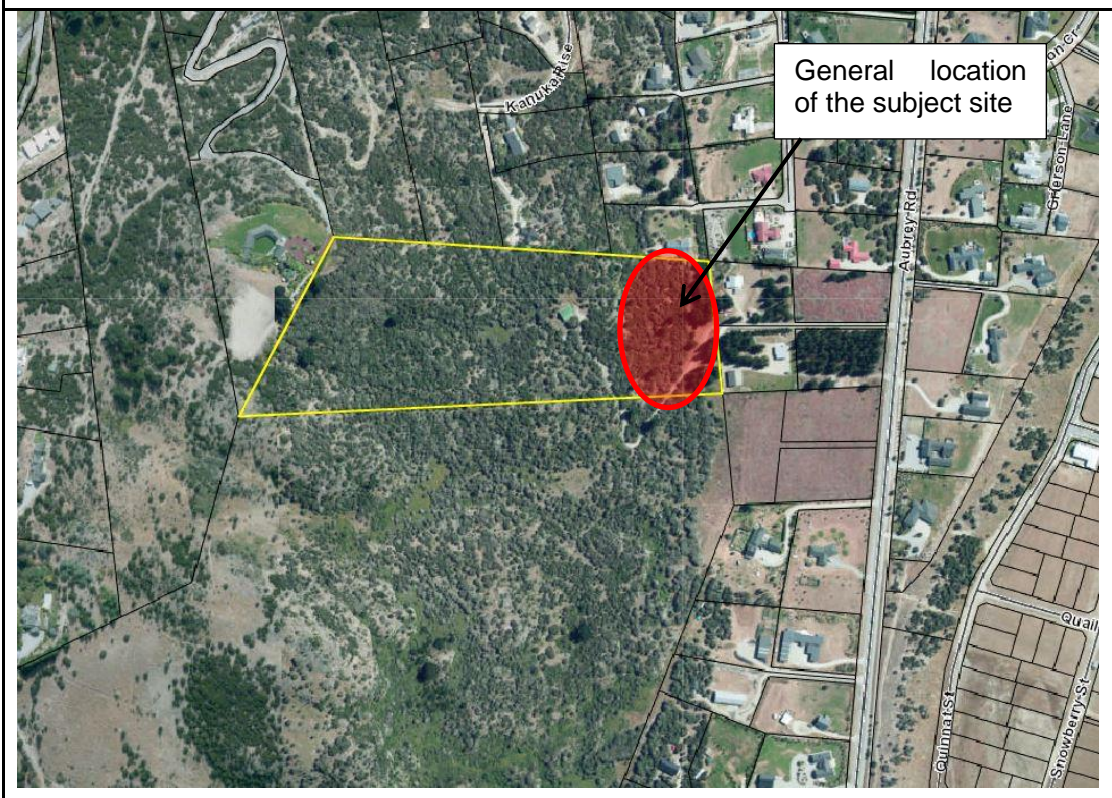
16. SCOTT MAZEY FAMILY TRUST (518)

Overall Recommendation	
Recommendation	Reject
Summary	The Rural Zone contains the most appropriate provisions to manage the effects of development on the ONF of Mt Iron.

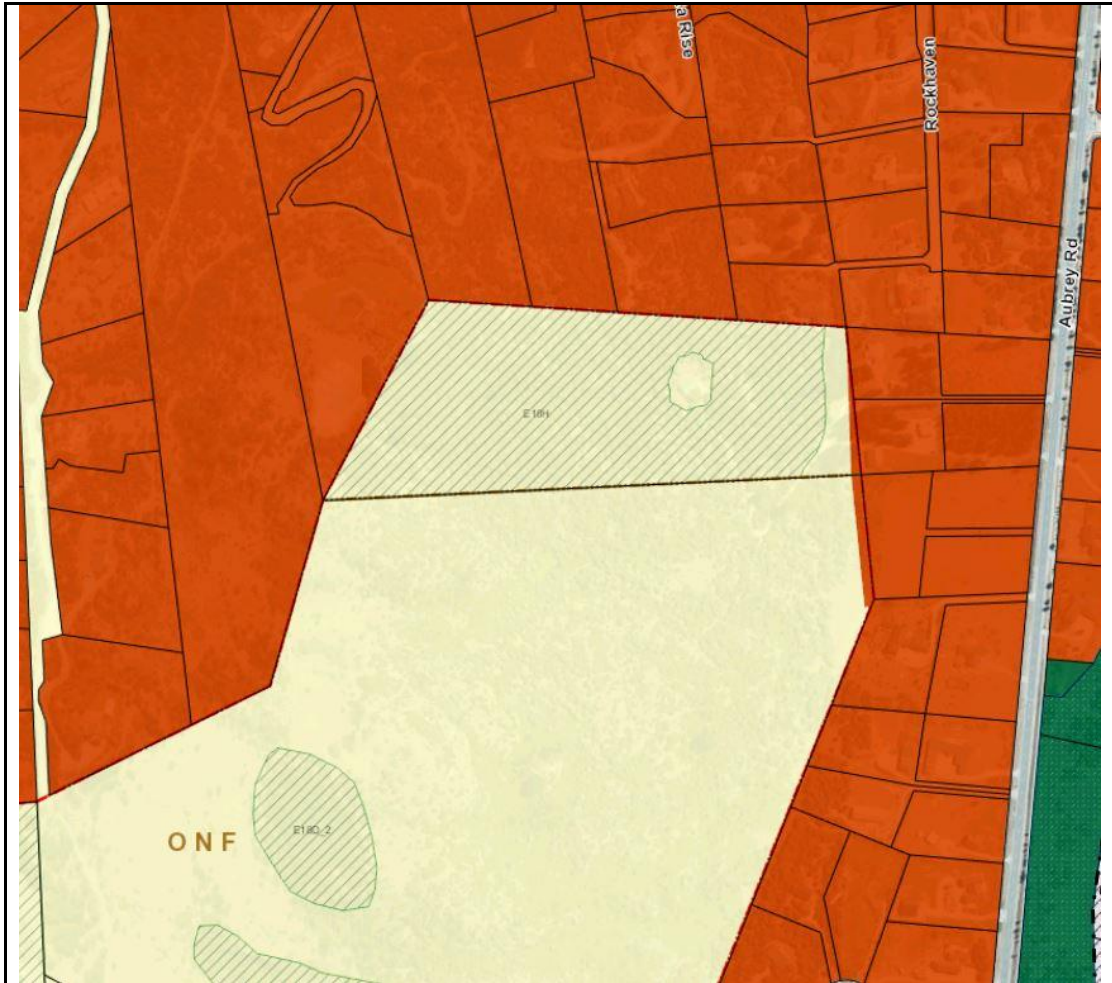
Property and submission information	
Further Submitters	1254 (Allenby Farms Ltd): Support in Part
PDP Zone and Mapping annotations	Rural Zone Rural Landscape Classification SNA E 18 A Wanaka Urban UGB
Zone requested and mapping annotations	Large Lot Residential
Supporting technical Information or reports	Landscape Assessment
Legal Description	Lot 5 DP 406222
Area	9000m ² has been requested to be rezoned Large Lot Residential.
QLDC Property ID	24611
QLDC Hazard Register	LIC 1 – Nil to Low liquefaction risk

Summary of Council assessments and recommendations	
Landscape	Opposed
Indigenous vegetation	Opposed
Infrastructure	Not opposed
Traffic	Not opposed

Aerial Photograph of the site



Aerial photograph of the land (outlined in yellow) and specific area subject to the submission outlined in red. Refer to Sheet 6 of the Landscape Assessment lodged with the submission for the specific area.



Excerpt from QLDC web map with PDP zones overlaid. SNA E 18 H covers the majority of the site except for the location of the existing dwelling, and the stand of conifer trees at the eastern boundary of the site.

- 16.1** The submitter seeks that approximately 1ha of the lower, eastern portion of their property is rezoned from Rural Zone to Large Lot Residential. The submitter also seeks the PDP Wanaka UGB is relocated to follow the requested new Large Lot Residential Zone boundary.
- 16.2** Ms Mellsop opposes the rezoning request on the basis that there is only a small part of the area requested to be rezoned that could absorb development without potential significant adverse effects on landscape. Ms Mellsop considers that the schist escarpment and Kanuka covered debris slope has high values and that development at the toe of the slope including indigenous vegetation removal would degrade the landscape quality and character of Mt Iron.

- 16.3** Mr Glasner has identified that there are unlikely to be any servicing issues, except to note that future houses would be required to be below 346m elevation to ensure adequate water pressure. Overall, Mr Glasner does not oppose the proposal.
- 16.4** Ms Banks considers that the impacts on the roading network would be minimal.
- 16.5** Mr Davis opposes the rezoning on the basis the 'landscape protection overlay' and inclusion of the area within the UGB would not be appropriate from an ecological perspective.
- 16.6** I consider that the most appropriate zoning is that of Rural. The assessment matters in Part 21.7 **[CB15]** will ensure that any development is sympathetic to the landscape values.

17. IAN PERCY AND FIONA AITKEN FAMILY TRUST (725)

Overall Recommendation	
Recommendation	Reject
Summary	A site specific spot zone akin to the Gibbston Character Zone is not appropriate

Property and submission information	
Further Submitters	1013 (Orchard Road Holdings Ltd): Oppose
PDP Zone and Mapping annotations	Rural Zone Rural Landscape Classification
Zone requested and mapping annotations	A character zone such as the Gibbston Character Zone Amend location of the UGB.
Supporting technical Information or reports	None
Legal Description	Lot 8 DP 300773
Area	5.14 ha
QLDC Property ID	15245
QLDC Hazard Register	LIC 1 – Nil to Low liquefaction risk Seismic Hazard – Fault line (concealed)

Summary of Council assessments and recommendations	
Indigenous vegetation	Not opposed
Infrastructure	Not opposed
Traffic	Not opposed

Aerial Photograph of the site



Aerial photograph of the land subject to the submission, outlined in blue. The site contains a vineyard and frost fan. The western boundary of the site adjoins land that is subject to Plan Change 46 to the Operative District Plan, and has been rezoned to Low Density Residential.

17.1 The submission seeks that the UGB is relocated to follow that of what was an earlier iteration of the Wanaka Structure Plan 2007 where the 'Wanaka Inner Growth Boundary' cut through a small portion of the subject site. The notified UGB has been purposefully 'snapped' to the western boundary of the subject site. I consider the notified location to be appropriate and that it provides certainty that this site, zoned Rural is not intended to be located within the Wanaka UGB.

17.2 The submission seeks that in the Low Density Residential area adjacent to the property, setbacks and landscaping are included to protect against reverse sensitivity effects. The

submitter also requests that any extension of the Industrial B Zone is declined. I note that the a portion of the land adjoining the submitter's land is zoned Rural (in the PDP), and another portion but also along the northwest boundary is subject to Plan Change 46 to the ODP. On the basis that the relief above applies to the land subject to Plan Change 46, I note that the land has been withdrawn from the PDP and these submissions are therefore not 'on' Stage 1 of the PDP land and should be disregarded.

- 17.3** I state this because I am aware the submitter also made a submission to Plan Change 46,⁴⁰ Ballantyne Road Industrial B Zone extension, and at the time of making the submission on the PDP, Plan Change 46 was before that Hearings Panel and a decision had not been made. The land subject to Plan Change 46 is located adjacent to the north west boundary of the submitter's site.
- 17.4** The submitter also seeks the site is rezoned to a type of rural character zone similar to the Gibbston Character Zone. I do not consider this is appropriate for an individual site. I consider that the Rural Zone is the most appropriate zoning for this land in these circumstances. Farming, which includes vineyards is a permitted activity.
- 17.5** Mr Glasner notes that there would not be any change from the Rural Zone in terms of infrastructure requirements, and does not oppose the rezoning.
- 17.6** Ms Banks considers that the impacts on the roading network would be minimal.
- 17.7** Mr Davis states that based on aerial images, the site is dominated by exotic pasture grasses and vineyards and does not oppose the rezoning from an ecological perspective.

40 Statement of evidence – Ian Percy for Submitter 46 – Ian Percy and Fiona Aitken, Ian Percy and Fiona Aitken Family Trust, Aitkens Folly Vineyard Limited. Dated 19 August 2015. <http://www.gldc.govt.nz/planning/district-plan/district-plan-changes/plan-change-46-ballantyne-road/evidence-presented-at-hearing/>

17.8 I consider that additional commercial activities that are ancillary to viticulture are provided for in the Rural Zone. Cafes and restaurants located within a winery complex are discretionary (Rule 21.4.15), while retail activities not associated with a winery would be non-complying (Rule 21.4.1). In addition, industrial activities are non-complying, with the exception of industrial activities associated with wineries and underground cellars within a vineyard which are a discretionary activity (Rule 21.4.35).

17.9 The key exemption of the Gibbston Character Zone compared to the Rural Zone is that industrial activities ancillary to wineries and underground cellars are permitted up to 300m² (Rule 23.4.13), while winery and farm buildings are a controlled activity.

17.10 As set out in the rezoning assessment principles contained in my strategic evidence, the spot zoning of this small site should be avoided. I recommend the submission is rejected.

18. CHRISTINE PAWSON (432), TREVOR AND MARY-ANNE SIEVERS (440)

Overall Recommendation	
Recommendation	Reject
Summary	The Rural Lifestyle Zone and location of the building platforms on these sites, set an obligation to locate future buildings within the approved building platforms out of a flood risk on this site. The Rural Residential Zone would not manage the flood risk as effectively.

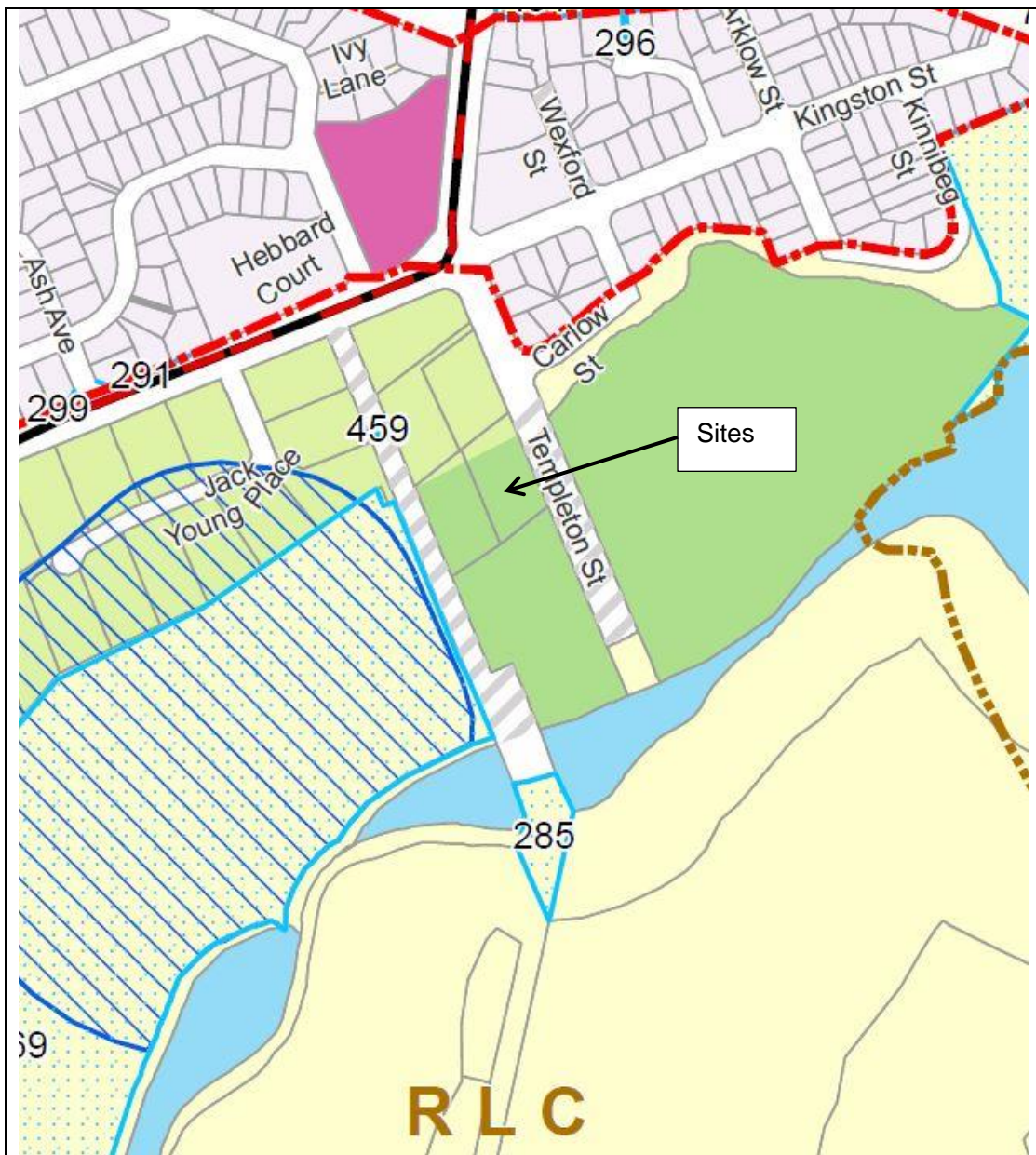
Property and submission information	
Further Submitters	None
PDP Zone and Mapping annotations	Rural Lifestyle Zone Rural Residential Zone
Zone requested and mapping annotations	Rural Residential Zone
Supporting technical Information or reports	None
Legal Description	Lot 5 DP 388196 Lot 6 DP 388196
Area	4388m ² (Pawson Property) 4566m ² (Sievers Property)
QLDC Property ID	23487 23488
QLDC Hazard Register	LIC 2 (P) Possibly Moderate liquefaction risk Flooding – Rainfall Potentially Contaminated Site - LFL

Summary of Council assessments and recommendations	
Indigenous vegetation	Not opposed
Infrastructure	Not opposed
Traffic	Not opposed

Aerial Photograph of the site



Aerial photograph of the land subject to the submission outlined in blue.



Excerpt of PDP Planning Map 24b. The subject land is visible by the split Rural Residential and Rural Lifestyle Zoning.

18.1 The submitters seek that the sites are rezoned from Rural Lifestyle Zone to Rural Residential Zone. While the sites are more akin to a Rural Residential Zone, I note that the existing building platforms, that will be registered on the sites' certificates of title, are located outside of a flood hazard area as shown on the Council's hazard register

18.2 If the site was rezoned to Rural Residential buildings could be built as a permitted activity subject to bulk and location controls. The Rural Lifestyle Zone rules (22.4.3 and 22.4.1)

operate such that buildings are only permitted if they are located in a building platform approved by resource consent. The Council's webmap viewer shows the location of the building platforms outside of the flood hazard. Refer to **Figures 11 and 12** below.



Figure 11: QLDC webmap image of the sites illustrating the location of the two building platforms.



Figure 12: QLDC webmap image showing the flooding hazard on the site. The 'LDF' annotation represents a potential former landfill.

- 18.3** Mr Glasner states that while there are capacity issues for wastewater in this area, the increase would be minimal and he does not oppose the rezoning from an infrastructure perspective.
- 18.4** Ms Banks considers that the impacts on the roading network would be minimal.
- 18.5** Mr Davis considers that the sites are likely to be dominated by exotic pasture grasses and other vegetation and does not oppose the rezoning from an ecological perspective.
- 18.1** I agree with the submitter that split zoning on a site of this small size is not ideal. However, on the basis that no information has been provided by the submitter to address the flooding hazard that could be present on the site, I recommend the submission is rejected.

18.2 Unless informed otherwise with regard to the flood hazard present on the site, I would recommend that if the split zone issue was to be reconciled the entire site should be rezoned Rural Lifestyle.



Craig Barr
Senior Planner
17 March 2017