

Queenstown mapping – Hearing Stream 13

Introduction

1. I am the author of the submission, Section 32 and evidence for Submitter 361 “the submitter”. I have prepared evidence for the “Strategic Directions: chapter in relation to this submission as well as primary evidence filed on 9 June 2017.
2. I prepared a submission and supporting analysis on behalf of the submitter for the following reasons:
 - the Council had previously been opposed to the submitter lodging a private plan change for the land as its processing would interfere with the resourcing of the Proposed District Plan Review;
 - the land is currently zoned Rural, I consider this an inappropriate zone considering its current use and future potential. The Council included the Rural Zone in stage 1 of the review, as this zone is considered inappropriate and no evidence was presented by the Council either in support of the current zoning or in support of any changes a submission was required;
 - as indicated by Ms Macdonald in her legal submission the submitter may not have the scope or opportunity to request the change (from rural zoning) when the Council considers Industrial and Business Zoning (in subsequent stages of the District Plan review).
3. I am comfortable that this is an appropriate time to consider the zoning as industrial. The Council (through the recommendations of the commissioners) need to be in turn satisfied that it is the most effective and efficient zoning for the land.

Policy support for Industrial Zoning – Proposed Regional Policy Statement and the Proposed Queenstown Lakes District Plan

4. The Decision’s version of the Proposed Regional Policy Statement has been released and is under appeal. Of relevance is the inclusion of the following polices:

Policy 4.5.1 Managing for urban growth and development

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

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

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

Policy 5.3.4 Industrial land

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

- a) *Providing specific areas to accommodate the effects of industrial activities;*
- b) *Providing a range of land suitable for different industrial activities, including land extensive*

- activities;
- c) *Restricting the establishment of activities in industrial areas that may result in:*
- i. *Reverse sensitivity effects; or*
 - ii. *Inefficient use of industrial land or infrastructure.*

This policy was appealed to amend to the policy to expressly allow for the continuation of existing industrial activities (Oceana Gold NZ Ltd), there are no appeals against the provision of land for industrial activities.

5. Objective 3.2.1.3A of the QLDC Proposed District Plan seeks to “~~Recognise, develop~~ Enhance and sustain the key local service and employment function role that the ~~larger urban~~ centres outside Queenstown, ~~and Wanaka central business areas~~ and Frankton fulfil.”¹
6. This is supported by Policy 3.2.1.3A.3 of the QLDC Proposed District Plan – Avoid non-industrial activities not related to or supporting industrial activities occurring within areas zoned for Industrial activities.²
7. Accordingly there is policy support at both a District and Regional level for need to provide for future industrial zoning. This has then been supported by the National Policy Statement on Urban Development Capacity.

Rezoning Criteria

8. Section B of my evidence sets out the Assessment Principles that should be considered in the analysis of rezoning submissions³ and provides an analysis of how these are met by the proposed Coneburn Zone. A Section 32 analysis was submitted in support of the submission; at no time have the Council staff undertaken a further assessment as to the appropriateness (or otherwise) of the Coneburn Industrial Zone provisions. Some comments have been made to particular provisions and I return to these later in this summary.

Mr Buxton’s Summary of Evidence

9. I have read the summary of evidence of Mr Buxton and was present when he was questioned on it. He addresses the reasons that he considers that the rejection of the submission as the most appropriate outcome (though he does consider there is merit in the rezoning) My comments are as follows:

(a) **Re Drafting**

I have undertaken a draft of the Coneburn Industrial Zone provisions, to fit with the structure of the PDP; it is an annexure to this summary. Given the timing of this and the commissioner’s comments regarding the possibility of conferencing between experts I believe this would form a good starting point to any such discussions. Mr Buxton could then report any conclusions or alterations as part of his Officers Reply.

(b) **Offices and Food and Beverage Providers**

¹ QLDC Proposed District Plan 2015 – Officers reply – Strategic Directions - Revised Chapter – Reply 07/04/2016 (Page 3-2)

² QLDC Proposed District Plan 2015 – Officers reply – Strategic Directions - Revised Chapter – Reply 07/04/2016 (Page 3-2)

³ As identified by Ms Banks for QLDC in her Strategic Evidence for Rezoning

I have considered the unease around for standalone provision of offices and have removed these from the provisions. Accordingly only offices ancillary to an industrial use will be permitted (for example the office where accounts are prepared and parts ordered within a mechanics workshop).

I had already placed a limit on food and beverage retail to a GFA of 50m². This would limit any such retailing to sandwich bars, takeaways and would allow tables for only a few diners. This provides convenience for workers and visitors to the industrial area for the purchase of food and beverage but removes the possibility of large restaurants or the like being established. I do not agree with providing for a maximum number (limit) for this activity as any number I present would be arbitrary, may not relate to the time and rate that the zone is developed and would present potential difficulties when consenting. I believe that the market provision of these activities is best placed to resolve this, as the risk of a large percentage of the zone being taken up with take-a-way establishments is low. I have, however, taken the opportunity to exclude the sale of liquor from the rule allowing food and beverage sales (it would therefore default to Non-complying).

(c) **Natural Hazards**

A full Natural hazards report has not been undertaken to date. The submitters have undertaken consultation with the Otago Regional Council about the issue, and it is noted that no submission was made by them or preliminary concerns raised. This, together with initial reporting from R Thomson provides a sufficient level of comfort to advance the zoning for inclusion within the Proposed District Plan.

The Council in other parts of the Proposed Plan has seen it as appropriate to consider the issue of mitigation and risk of natural hazards as part of the subsequent subdivision process rather than at the time of rezoning.

For example, in the case of 361 Brecon rezoning from Rural General to Large Lot residential, Council submits that prior to any further development. "potential hazards would be required to be assessed and hazards, mitigated or avoided as required". The Section 32 goes on to say "these hazards are located within other urban areas and any future development should be entitled to the same opportunity to undertake design and mitigation investigations".⁴

RM070294⁵ contained a Natural Hazards report as part of the resource consent application to undertake residential use within the Quarry. Concerns were raised by a submission by Otago Regional Council about hazard risk, these were addressed in a report by Tonkin & Taylor (May 2008)⁶ and were proposed to present a nil to negligible risk to the development.

⁴ Page 16, Section 32 Evaluation Report – large Lot Residential Zone, QLDC

⁵ Scope Resources Limited, consent for the "Oasis", discussed on Page 8 of the Section 32 for the Coneburn Submission dated October 2015.

⁶ Tonkin & Taylor Ltd, For Scope Resources Limited, Dated May 2008

At the time of subdivision Natural Hazards can be considered in the context of earthworks and landuse patterns. Section 106 will also apply to any subdivision- even in the case of a controlled activity⁷.

(d) **Height**

Ms Snodgrass and Mr Hanson (attached to my evidence) provide further explanation of explained how height will be managed within the site.

In summary the provisions as proposed provide for a range of heights in relation to topography to prevent significant views of the site. Earthworks associated with subdivision consented under Rule 15.2.21⁸ of the Operative District Plan are exempt from the Rules in Section 22 (Earthworks). Therefore at the time of subdivision, the developer (and the Council in its processing and acceptance under Section 223 of the Act) can determine that any building built to the permitted heights can be not seen as anticipated by the relevant height rule.

(e) **Traffic**

Mr Barlett has assessed the provisions and his evidence contains recommendations to ensure that the potential impacts of traffic congestion caused by the development can be adequately controlled. This includes introducing a two tier process for assessment of building and allowing assessment of additional coverage as an RD activity based on both traffic generation and the operational needs of a specific activity.

The matters of discretion for building coverage to be considered over and above the permitted thresholds are as follows:

- *The extent to which increased building coverage will decrease the availability of on-site parking or loading.*
- *Whether the needs of the industrial or service activity require parking or loading within a building.*
- *Whether the needs of the industrial or service activity require that the manufacture or maintenance of vehicles or large items take place within a building.*
- *The extent to which the safety and efficiency of the surrounding roading network would be adversely affected by the proposal.*
- *Any cumulative effect of the proposal in conjunction with other activities in the vicinity on the safety and efficiency of the surrounding roading.*

(f) **Infrastructure/Landscaping/Mitigation of Hazards**

The present rules require that the all activities and development shall be in accordance with the Structure Plan (Non complying if not achieved). Landscaping to

⁷ Section 106 RMA – *Consent authority may refuse subdivision consent in certain circumstances*

⁸ *15.2.21.1 Controlled Activity Earthworks Rule (Operative District Plan)*
Rule 27.3.2 Earthworks Associated with Subdivision (Proposed District Plan)

support the intent of the Structure Plan is a Limited Discretionary activity to ensure that certain criteria are met. Services are provided for and assessed at the time of subdivision. Mr Steele explains that if required, development can be self sufficient in terms of infrastructure, the establishment and on-going maintenance of this can be then in a form of a body cooperate type arrangement. This is similar for the nearby Jacks Point Zone. If the developer (either now) or in time seeks to connect to Council services and Council is amenable to that option, then development contributions will be payable to Council for connection. Rates then pay for ongoing maintenance of the Council systems.

Changes to the Provisions as Proposed

9. In light of the evidence presented by the Council experts and to enable smooth implementation of the Zone, the following amendments to the notified provisions (and that contained within my principle evidence) are proposed:

- Removal of the provision of standalone offices (ie not ancillary to a permitted industrial use)
- Lowering of the maximum allowable Building Coverage for the Zone
- Amendments to the Structure Plan – setbacks
- Traffic – trigger point rules
- Given the proposed District Plan had a definition for Trade Retail I have used this, the only category not included within this definition is Wholesaling. I have introduced this as a separate type of retail activity.

10. I have added to the Chapter 27 rules lot sizes for the Coneburn Industrial Zone, this was inadvertently left from the new rule. I have recommended the same provisions that I supported during Plan Change 10 – Frankton Flats B which was the subject of extensive discussions in the Environment Court.

Zone		Minimum Lot Area
Coneburn Industrial	Activity Area 1a Activity Area 2a	3000m ² No Minimum lot size Note in relation to AA 1b: That any subdivision must be designed in accordance with Rule 27.8.10.3 to ensure that lots are of a sufficient size to internalise any effects on the roading network.

10. The appendix to this evidence provides a mock-up of the Coneburn Industrial Area provisions as a self sufficient stand-alone zone in a manner that is similar to the format of the Proposed District Plan. I do note that at the commencement of my involvement with

this project, Council officers had persuaded us against this course of action (site specific zone) and urged us to consider using an existing zone to amend through submissions.

11. If the Coneburn Industrial Zone was to be accepted by the Council through this process (in whatever ultimate form it may take) then the Council is able to amend the provisions through a variation/plan change as and when it considers the Industrial and Business Zones as part of later stages of the District Plan Review if necessary, or leave as a standalone zone as part of Stage 1.
12. I am willing to take part in any conferencing considered appropriate by the Commissioners.

Alyson Hutton

13 September 2017



Shotover Design Limited trading as

Clark Fortune McDonald & Associates

Licensed Cadastral Surveyors - Land Development - Planning Consultants

11th September 2017

DISTRICT PLAN REVIEW: CONEBURN INDUSTRIAL HEIGHT LIMIT

The proposed height limit for the Coneburn Industrial Plan Review has been calculated by running a programme within our survey software which shows the visibility from a known point over surveyed/modelled terrain.

As part of this process we have surveyed the centreline of State Highway 6 from approximately 2.5 km south of the site and 1.3 km north of the site at an interval of 50 metres. These observations formed the control/known points for our visibility analysis.

Prior aerial terrain survey data combined with a approximate proposed industrial design ground level produced the terrain model to run the sight visibility programme.

Sight visibility analysis was produced every 50 metres from the surveyed points along the highway. Upon running this analysis, terrain with ground level and SH 6 positional information was identified. This therefore gives a representation of what would be visible while travelling in a vehicle along the highway.

This positional information was then used to produce a varying terrain model which depicted a height level which would not be visible from SH 6. Through this process it was identified that some minimum and maximum heights were required, thus 6.5 metres and 12 metres respectively where established.

The plan titled: Coneburn Structure Plan – Height Limits and numbered 11014_8_01 to 03 demonstrates this varying height limit through the use of different colours representing categories of variance in the maximum building height limits.

Chris Hansen
Licensed Cadastral Surveyor
Manager – Clark Fortune McDonald & Associates.



309 Lower Shotover Road - P.O Box 553 - Queenstown - 9348

T: (03) 441 6044 F: (03) 442 1066 E: admin@cfma.co.nz

