



QUEENSTOWN LAKES DISTRICT COUNCIL
PLAN CHANGE 16: THREE PARKS SPECIAL ZONE

**Report, Reasons, and Recommendations of G Macleod and L Overton, acting as
Independent Commissioners appointed by the Queenstown Lakes District Council
pursuant to Section 34A of the Resource Management Act 1991**

FOR HEARING COMMENCING: 16 September 2009
REPORT DATED: 4 December 2009
SUBMITTED BY: Commissioners Gillian Macleod and Leigh Overton

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INTRODUCTION

The hearing held over five days in September 2009 was co-chaired by commissioners Leigh Overton and Gillian Macleod. We adjourned the hearing on 25th September and closed the hearing on 26th November 2009

We found three main issues emerged from the hearing. The first being the potential threat the creation of a new retail zone would have on the long term viability of the existing town centre, and the second being the perceived lack of green space opportunities as shown on the proposed structure plan. Most parties however acknowledged that Large Format Retail would locate in Wanaka over time and that this location was not inappropriate.

During the course of the hearing we visited the Wanaka town centre. We found that we concurred with the findings of the section 32 report that the insertion of LFR into the town centre on the large scale as suggested by the plan change would be difficult at best and result in a loss of character overall in the town centre.

There was a suggestion that the town centre could wither and die but we take heart from the similar tension which exists in Queenstown between the town centre and Remarkables Park; where we have seen a resurgence in investment in the town centre at the same time as Remarkables Park has grown. In addition the council has through the LTCCP process committed financially to the continued upgrade of the public realm of both town centres as per the recommendations of the adopted strategies. Accordingly we did not feel that Wanaka town centre and Three Parks would compete so much as complement each other as retail centres and retail leakage out of Wanaka would be reduced as a consequence.

However we are mindful and respectful of those concerns of the submitters. We have made some modifications to the size of the initial release of retail space and the overall future size of the Commercial Core but are confident that the proposed outline development plan process, the staging process, and the insertion of the town centre health check will be a sufficient brake on over development.

The second issue of green space was more complex.

While there are many words throughout the provisions relating to the notion of green space there was little guidance in the plan change of what we were seeking to achieve as an objective when presented with an outline development plan. To ameliorate these concerns we inserted a new open space objective and associated policies to give more assured guidance about the outcomes desired through the outline development plan process, and amended the policies and assessment matters relating to open spaces within the Commercial Core.

In addition we felt that insufficient guidance was given through the Structure Plan to the developer as to the desired handling of the overland stormwater flow paths, the power line, and the interface with Riverbank Road. Some concern was expressed about the size and quality of the proposed reserves. To this end we have specifically shown these two infrastructure features, as well as a landscape buffer adjacent to Riverbank Road and an additional park in the north-western part of the site, on an Indicative Open Space Plan which will form part of the Structure Plan. Lastly, we revisited the Tourism and Community Facilities Subzone and reduced the site coverage to that area in order to reinforce the objective of “a park like setting” in that sub zone.

The third issue, which resulted in us making considerable changes, was in relation to the rules relating to the Low Density Residential (LDR) subzone. These were both in respect of the bulk and location rules and in respect of how non-residential activities would be controlled. In our view, access to sunlight and enjoyment of views are extremely important in the LDR subzone and design and layout should not be unduly constrained without good reason. As such, we have recommended that it is unnecessary to retain many of the rules relating to road setbacks, glazing, and the like in the LDR subzone. In relation to the activities that should be allowed in the LDR subzone, we felt strongly that people should have the certainty that the low density residential neighbourhood will be kept as just that; a residential neighbourhood. Given that there are plenty of alternative areas nearby for commercial and other such activities to locate we see no need to enable anything other than residential, education, and daycare facilities to establish in this subzone and have recommended that the rules be amended accordingly.

We would like to thank planners Vicki Jones and Daniel Wells and urban designer Nick Karlovsky for their helpful advice and assistance in this process.

EXECUTIVE SUMMARY/ BACKGROUND

The purpose of the Plan Change (as stated in the Section 32 Report) is:

“To rezone the area of land referred to as the Three Parks Zone in a manner which enables development of a high quality urban area with a range of land uses in accordance with the Wanaka Structure Plan, meeting many of Wanaka’s needs as a growing community. In addition, changes to Part 1 (Introduction) Part 10 (Town Centre), Part 14 (Transport), Part 15 (Subdivision) and Part D (Definitions) of the Partially Operative District Plan are proposed to enable the rezoning.”

This Plan Change proposes to rezone approximately 100 ha of land, which lies to the southwest of Mount Iron in order to enable the staged development of land to cater for the above uses over time. The land was previously predominantly zoned Rural General with some Rural Residential zoning.

The rezoning of this land stemmed from the Wanaka 2020 community workshops in 2002, which identified the area and its proposed uses. Following this, the Council produced a Growth Options Study which paved the way for the Growth Management Strategy, which established the Council’s policy on where growth should occur. In line with the Growth Options Study and the Wanaka 2020 Plan, the draft Wanaka Structure Plan was produced. The first version was adopted in 2004 as a working draft only, in order to enable full consideration of the transport effects of the development proposed and more consideration of the amounts of land needed to cater for the next 20 years of growth prior to adopting it in its final form. The transport implications were considered as part of the Wanaka Transport and Parking Strategy while a report produced for the Council entitled Wanaka Land Demands outlined the rationale for the quantities of land provided for in the Wanaka Structure Plan 2007. The Wanaka Structure Plan 2007 was then adopted in its final form by the Council with the resolution that it be implemented through a series of plan changes. Plan Change 16: Three Parks Zone rezones a significant proportion of the growth foreseen by the Wanaka Structure Plan.

Relationship to other documents and Plan Changes

Plan Change 16 – Three Parks Special Zone

As outlined above, this Plan Change has a long history stemming back to the Wanaka 2020 community workshop and resultant community Plan held in 2002. In addition to those technical documents specifically produced in the preparation of the Plan Change (as listed in the Section 32 report), the following Council policy documents provide the strategic direction for the Plan Change:

- Long Term Council Community Plan
- Wanaka 2020 (2002)
- Growth Options Study
- Growth Management Strategy
- Wanaka Structure Plan (2004)
- Reports on Land Demands
- Wanaka Structure Plan (2007)
- Wanaka Transport and Parking Strategy (2008)
- Three Parks Discussion Document

Since the preparation of the Section 32 report in 2008 and even since the hearing of submissions on this Plan Change a number of additional documents have been released/adopted. As these recently released documents are relevant to the recommendations being made in this report, a brief summary of each of these is provided below.

The Wanaka Town Centre Strategy Version 1 - (final draft, dated July 2009)

This states the following as its vision for the Town Centre:

"A relaxed yet vibrant Town Centre where locals and visitors naturally choose to congregate and which is well connected to the landscape."

Authors of the Three Parks Plan Change were in regular communication with Council staff involved in the preparation of the Town Centre Strategy to ensure that the two were aligned. Of note, the Strategy concludes that it is not necessary to intensify the Town Centre at this point but that further work in relation to development capacity should be undertaken in 2010; accepting that intensification be achieved through undergrounding carparking, increasing heights, or expansion.

Plan Change 32 – Ballantyne Ponds Mixed Use Special Zone

This is now operative and has had the effect of providing 10 ha of land for industrial activities and 10 ha for mixed business.

The Proposed Plan Change 36 – Wanaka Industrial Zoning Extension

This is in the early non-statutory consultation phase and proposes to extend the industrial zone on Ballantyne Road (over an area already developed for this purpose and an adjoining Greenfields area).

Plan Change 27A regarding updating noise measurement and assessment standards

We are aware that Plan Change 27a proposes to update the standards on noise measurement in the District Plan and that the current Plan Change 16 – Three Parks refers to noise measurement standards that may be outdated by Plan Change 27a. When the matter is settled by a Council decision on Plan Change 27a it may be sensible at that point to make an amendment to the Three Parks Zone using Clause 16 of the First Schedule of

the Act (if it is deemed that such a change would fall within the realm of Clause 16). No submissions were made on this matter in the Plan Change 16 process and at this stage it is has been decided these provisions should not be changed.

Submissions received and the issues raised

A total of 42 original submissions and 11 further submissions were received.

Appendix 1 contains a full list of submissions and points of submission, the relevant issue, the relief sought, and our recommendation on each. These are listed in alphabetical and numerical order (with the exception of the proforma submissions which are clustered together).

The various points of submission have been divided into issues for the purpose of discussing them and making recommendations. Where a submission point traverses a number of issues, the submission is acknowledged under each and, very often, specifically discussed under each.

The hearing process

We have been appointed by the Queenstown Lakes District Council as commissioners to hear the submissions and make a recommendation on Plan Change 16 to the Queenstown Lakes Partially Operative District Plan. It is our role to recommend whether the Plan Change be accepted in its entirety, accepted with amendments or rejected in its entirety and it is the Council's role to make the final decision as to whether the Plan Change should be accepted and, if so, in what form.

In addition to considering the written submissions received, we heard from the following submitters and further submitters at the hearing:

1. Sustainable Wanaka
2. Helwick Holdings Ltd¹
3. Ardmore Ltd
4. Willowridge Developments Limited
5. Ballantyne Investments Ltd
6. Wanaka Residents Association
7. Alistair Madill Architects
8. Denis Costello
9. Chris Norman
10. Roger Gardiner
11. Shotover Park Limited
12. Mount Cardrona Station
13. Architects Plus Ltd
14. Orchard Road Holdings Limited

We also received written statements from NZ Transport Agency and Firth Industries, in lieu of making presentations at the hearing.

We also had the benefit of the S 42A report prepared by the Council's planners (who were also in attendance at the hearing) and heard from the following experts who were called on behalf of the Council:

¹ We note that it was not clear to us whether the material was presented to us on behalf of Helwick Holdings #1, #2, or both.

1. Kobus Mentz (an urban designer called on behalf of Council)
2. Philip Donnelly (an economist called on behalf of Council)

We have also considered the Section 32 documentation and all other documents referred to and/ or relied upon in those reports.

At the conclusion of the hearing, we heard from the Council's planners that their opinion had changed in respect of a number of relatively minor matters and this has been taken into account in reaching conclusions in this report.

This report discusses the specific and general points raised by submitters and makes recommendations as to whether these submissions should be accepted or rejected (in part or in whole); and finally, recommends that a number of amendments be made to the Plan Change in response to the points raised in submissions.

The structure of this report

In this report, we first clarify our over-arching recommendation to the Council (i.e. whether to accept the Plan Change in its entirety, in part, or completely reject it).

The submissions are then assessed in groups based on issues raised where the content of the submissions is the same or similar. In summarising submissions, the name of the submitter is shown in bold, with their submission number shown in normal font within brackets. In summarising further submissions, the name of the further submitter is shown in *bold italics*, with their submission number shown in *italics* within brackets.

The attached report entitled “Appendix 1: Recommendations on specific submissions and further submissions” provides a cross reference of which issues have been considered in relation to each recommendation as to whether to accept or reject each point. Where there is any inconsistency between the recommendations contained in Appendix 1 and those made in the body of the report, then those in Appendix 1 shall take precedence.

SUMMARY OF RECOMMENDATIONS AND REASONS

It is recommended that the Queenstown Lakes District Council **accept in part** proposed Plan Change 16, subject to the amendments discussed in the following section of this report.

At a high level, our reasons for recommending that the Council adopt the Plan Change (in an amended form) are that the Plan Change will achieve sustainable management over time by providing for growth in a consolidated manner which, will over time, provide a centralised retail and business area which will provide economic and social benefits to the community whilst preserving what is so special about the Wanaka and its existing Town Centre.

Attached to this report as Appendix 2 are the proposed set of amended District Plan provisions (with all changes from the notified Plan Change shown as struck out and double underlined, as relevant) and an amended Structure Plan for the Three Parks Zone. Where there is any inconsistency between the provisions contained in Appendix 2 and any inference made in the body of the report, then the provisions in Appendix 2 shall take precedence.

DISCUSSION OF THE ISSUES RAISED BY SUBMITTERS, RECOMMENDATIONS, AND REASONS

Issue 1 - General Support

Original and further submissions received

Bruce Ansley (16/6/1), **Norman Hewett**, (16/18/1), **Peter Robert Young** (16/42/1), **Hugh J.W. Fraser** (16/12/1), opposed by **Mount Cardrona Station** (16/12/1/1) and **Daphne Stewart** (16/35/1), all generally support the Plan Change.

It is noted that others also expressed their support in principle in their submissions (such as Ballantyne Investments Limited (16/8) and Wanaka Residents Association (16/40)) but these are not formally included here as their relief sought is recorded as being in opposition to the Plan Change.

We note that where submissions expressed their support for the Plan Change but raised specific issues and reasons in their submission they have been addressed under the relevant issue(s) and are, therefore, not included above.

Of these submitters only Mount Cardrona Station (a further submitter who opposed the Plan Change) presented evidence at the hearing. As their evidence was relatively detailed it is best discussed under the specific issues it addresses rather than in a general way, in this section.

Relief sought and recommendations

All these submitters have requested that the Plan Change be adopted.

You are referred to Appendix 1 for recommendations on the specific relief sought. In summary it is recommended that these submissions be accepted in part, acknowledging that it is recommended that some amendments be made to the Plan Change, as notified.

Reasons for the recommendations

It is considered that the notified Plan Change can be improved through various amendments to the provisions.

Issue 2 - Whether there is a demand for the additional zoned land and staging issues

Issue:

Whilst some submissions support the zoning on the basis that it is necessary in order to satisfy the current or foreseeable insufficient supply of land, others contend that there is already adequate capacity in the existing zones and that the zone is not required. Those who argue that it is not necessary seek either a reduction in scale or rejection of the Plan Change in its entirety and many request that further capacity and needs assessments be undertaken. The following discussion of the submissions is broken down into issues raised generally and those raised specifically in relation to the need and/ or staging of the specific landuses.

Whilst we are conscious that we are no longer required to be satisfied that a Plan Change is indeed 'necessary' we still consider the issue of whether there is a demand for the

additional land to be made available to be valid,. We heard various concerns relating to this, including that it is not that it should occur but that it is 10 years too early and that the Town Centre needs to become more established before it is released; that the premature release of the Three Parks Zone would result in two Town Centres, neither of which would thrive, that if Three Parks were to fail would this pose financial risks to ratepayers and what visual effects would the community need to endure (citing the Frankton Flats excavation as an example). Some of these concerns were also of concern to us and we discuss them in turn below.

Supply and demand issues of a general, zone-wide nature

Submissions received

The following original and further submissions question whether there is any 'need' to re-zone the land in the manner proposed:

Infinity Investment Group Holdings Ltd (16/21/1 and 16/21/7) supported by **Shotover Park Limited** (16/21/1/1, 16/21/7/1) and opposed by **Willowridge Developments Limited** (16/21/1/2, 16/21/7/2) suggests that the Plan Change over-estimates demand for all landuses and that it is unacceptable that the staging plan is only indicative.

Mount Cardrona Station (16/27/1, 16/27/2), partly supported by **Shotover Park Limited** (16/27/1/1, 16/27/2/1) and opposed by **Willowridge Developments Limited** (16/27/1/2, 16/27/2/2), submits that the Plan Change is not necessary (except for the large scale business activities) due to the availability of development land that already exists in the wider Wanaka area and that the demand and growth projections need to be re-calculated.

Robert Facer and Linda Montgomery (16/32/1), supported by **Shotover Park Limited** (16/32/1/1) and opposed by **Wanaka Hardware and Building Supplies Ltd** (16/32/1/2) and **Willowridge Developments Limited** (16/32/1/3), consider there is not the population to warrant the development.

The following original and further submitters consider the Plan Change is necessary in order to cater for future demand:

BA Kelly (16/22/1) and **MC Kelly** (16/23/1) support the Plan Change as it encompasses all the future needs of Wanaka in a location that they support.

Orchard Road Holdings (16/31/1), opposed by **Shotover Park Limited** (16/31/1/1), submits that the Plan Change is necessary to meet land requirements.

Willowridge Developments Limited (16/41/1), opposed by **Shotover Park Limited** (16/41/1/1), contends in its submission, that the Plan Change is necessary to meet foreseeable future urban growth demands and that the staging mechanisms will manage its establishment alongside the evolution of the Town Centre.

Orchard Road Holdings, Willowridge Developments Limited, Mount Cardrona Station, and Shotover Park Limited presented submissions and evidence at the hearing. The further comments they raised through evidence and in their legal submission are considered under the following sections which specifically address the need for more residential and visitor accommodation land and the need for more commercial land, respectively.

Discussion

It is noted that, unlike in the case “Infinity Group and Dennis Norman Thorn vs. Queenstown-Lakes District Council” (C010/2005), Section 32 of the RMA no longer requires Councils to show that the Plan Change is ‘necessary’ but, rather that it is ‘appropriate’, which is a lower threshold. This point was also raised in the legal submissions of Willowridge Developments Limited, which concurred with the advice provided to us in the Planners’ Report; which is that we needn’t be satisfied that the Plan Change is ‘necessary’ but, rather, that it is the ‘most appropriate’ means of providing for Wanaka’s future needs.

In regard to whether the amount of land being re-zoned is appropriate (or more correctly whether the objectives that relate to this are the most appropriate means to achieve the purpose of the Act), we heard from various submitters and these are discussed in detail in the following two sections of this report. However, in summary, on the basis of what we heard, we have recommended that the size of the Commercial Core be reduced and part of it replaced with a new “deferred urban subzone”. This matter is more fully discussed below.

As a consequence of reducing the size of the Commercial Core (from approximately 20.2 ha to approximately 8.5) and introducing a new Deferred Urban Subzone (of 7.2 ha), some of the other zoned areas have expanded over some of this area. Some other areas are slightly smaller than in the notified plan change. In some instances this is because more detail of indicative local roads is shown (which effects the calculations of areas in the subzones on the structure plan). In summary, the LDR has increased by approximately 6.7 ha and the Tourism and Community Facilities Subzone by 0.8 ha, whilst the MDR (including the mixed use precinct) has reduced by 4.3 ha, and Business subzone (including the mainstreet) by 1.3 ha (mainly due to the size of the area providing for a service station on SH 84 having been reduced, as discussed under Issue 4). We are aware of the fact that the number of medium density residential units that will be delivered may be reduced but we note that the deferred zone could be used for this use in the future. These changes in areas are shown in the amended Structure Plan attached to this report

In regard to the issue of whether the staging plan should be indicative or fixed, we received evidence from Mr Hook, on behalf of Mount Cardrona Station and Shotover Park Limited. He considers that the plan and associated rules create considerable uncertainty by having stages overlapping and excluding some areas from the staging process; and that the staging rules themselves are difficult to locate.

In response to the concerns raised and taking into account the additional comments of Mt Cardrona Station Ltd, we consider it appropriate that the staging plan remain indicative only as it is considered that it is the general location of the stages (to ensure that development occurs logically and efficiently) rather than the exact boundaries of each stage, that is important. We therefore consider that an appropriate level of control will be possible through the requirement to comply with the indicative staging plan. However, we do agree that the notified rule (which rendered an application non-complying if it did not accord with the staging plan) is unreasonably vague and that it could lead to interpretation problems regarding the activity status of applications. As such, we recommend that it be replaced with an assessment matter for Outline Development Plans. We also share Mr Hook’s concerns that some areas have not being assigned a stage at all in the staging plan and have recommended that this be rectified and, most importantly, that Stage (i) be assigned to the Tourism and Community Facilities Subzone. Our intention is to enable this to be developed early on the development process as it is considered advantageous to have the landscape plan, pedestrian links, entrance to the zone and street treatment etc approved early on in the development and to enable the petrol station to be developed early on. The main area where we have opted to more carefully define the staging is in terms of the MDR

(mixed use) subzone as it is considered important and realistic, based on the advice provided by Kobus Mentz at the hearing, that this area would be late to develop.

Relief sought and recommendations

You are referred to Appendix 1 for recommendations on the specific relief sought.

In summary, we recommended that the size of Three Parks Zone remain unchanged but that the Commercial Core subzone be reduced, a Deferred Urban subzone be added with the overall result being that the Commercial Core becomes smaller and whilst the size of the other subzones remains relatively unchanged (albeit that boundaries have changed). The amount of development within each is likely to be less due to influence of the additional open space plan. In addition, we recommend a number of amendments are to be made to the assessment criteria for subsequent retail stages in order to strengthen the control over when and how much more development potential is released. This is discussed in more detail in section 2c) below.

Reasons for the recommendations

With the recommended reduction in the extent (and, in turn, the development capacity) of the Commercial Core subzone, we consider that the type and extent of development that is now enabled by Plan Change 16, is appropriate as either:

- a) There is an existing need for the zoned land; OR
- b) There is likely to be a need in the foreseeable future, OR
- c) There will not be any adverse effect from providing an ample supply of zoned land ahead of demand, provided the staging and location of release is controlled.

You are also referred to the following sections which specifically address the need for more retail, commercial, and residential land.

a) Whether the proposed residential land (and provision for Visitor Accommodation) is needed and issues of staging

The following original and further submissions consider there is no need to re-zone the proposed amount of residential land:

Ballantyne Investments Limited (16/8/1) supported by **Ballantyne Investments Limited** (16/8/1/1) and **Mount Cardrona Station** (16/8/1/2) and opposed by **Willowridge Developments Limited** (16/8/1/3), request that the residential component should be withdrawn and focus on retail, commercial and mixed use.

Mount Cardrona Station (16/27/3, 16/27/4), partly supported by **Shotover Park Limited** (16/27/3/1, 16/27/4/1) and opposed by **Willowridge Developments Limited** (16/27/3/2, 16/27/4/2) submits that the residential land provided should be deleted or significantly reduced and that its release be staged in accordance with an updated demand analysis.

New Zealand Transport Agency (16/30/5) requests that if activities are staged, then the intersections onto Riverbank Rd should be part of a latter stage.

Mount Cardrona Station (16/27/6), partly supported by **Shotover Park Limited** (16/27/6/1) and opposed by **Willowridge Developments Limited** (16/27/6/2), contends that the proposed zoning will result in an over-supply of Visitor Accommodation.

The following original and further submissions consider the Plan Change is necessary in order to cater for future residential land demand:

Allenby Farms Limited (16/5/1), supported by **Willowridge Developments Limited** (16/5/1/2) and opposed by **Mount Cardrona Station** (16/5/1/1), considers that there has been sufficient residential land over past decade but held in limited ownerships and released erratically resulting in demand exceeding supply and increased prices.

The following original and further submissions make comment about the staging of the residential areas:

Willowridge Developments Limited (16/41/7, 16/41/8), opposed by **Shotover Park Limited** (16/41/7/1,16/41/8/1), submit that the order of residential development on the Indicative Staging Map 2 is amended so that '2' becomes Stage 3 and '3' becomes Stage 2; and that the 'Southern Wanaka Structure Plans' contained on pages G10 and G11 of the Plan Change be renamed 'Three Parks Structure Plan'.

Ballantyne Investments Limited (16/8/2), supported by **Ballantyne Investments Limited** (16/8/2/1) and opposed by **Willowridge Developments Limited** (16/8/2/2), submit that residential development should be the subject of a subsequent Plan Change citing, as one reason, that there should be a more logical staging of development rather than allowing development to leap frog out from the Town Centre. Whilst Willowridge oppose the relief they seek regarding removing the residential component from the Three Parks Plan Change, they are similarly suggesting that the residential closer to the Town Centre should be developed earlier.

We note that the submission by **Willowridge Developments Limited** (requesting a change to the order of residential staging) is discussed under Issue 5 as it requests a change to the Structure Plan. As a result, an associated submission by **NZ Transport Agency** is also addressed under that issue.

Discussion

We heard from Ballantyne Investments Limited, Mount Cardrona Station, Shotover Park Limited, and Willowridge Developments Limited and, by way of a written statement, from the New Zealand Transport Agency, in respect of the amount and timing of residential land being proposed for rezoning.

For clarity, we note that the Notified Plan Change zoned some 32.3 ha for low density residential development and 17.2 ha for medium density development (including the mixed use precinct). The recommended changes to the Structure Plan enable 39 ha of low density residential development (an increase of 6.7 ha) and 12.9 ha of medium density development (a reduction of 4.3 ha). In rough terms we have estimated that these changes will result in around 100 less medium density dwellings and 70 more low density dwellings. For completeness we note here that we have recommended that no low density housing be allowed in the Tourism and Community Facilities Subzone but that the ability to develop medium density residential development in the Commercial Core and the Tourism and Community facilities Subzone has been retained.

On balance, we concur with the conclusions reached in the Planners Report, that, whilst a considerable amount of residential land is provided within the Three Parks Zone, it is sensible to identify the future use of all this land at the outset in order to provide certainty of outcome and to avoid discretionary resource consents being applied for on what would otherwise be Rural General zoned land. We are satisfied that compliance with the staging

plan and the requirements (as part of the Outline Development Plan) to intensify previous stages prior to moving onto new ones will effectively ensure that residential development is not 'opened up' on too many fronts (which would otherwise result in inefficiencies and disjointed development).

Mount Cardrona Station submits that the amount of residential land provided by the Plan Change is inappropriate given the existing capacity for residential development in the Wanaka area. Whilst it is not considered necessary to reiterate the position outlined on pages 52 to 55 of the Section 32 report, that analysis is considered relevant and the following specific comments in response to their submission are considered worthwhile:

- An underlying assumption in the amounts of land indicated for future urbanisation by the Wanaka Structure Plan was that the growth of Wanaka should be catered for in Wanaka. That is to say, the outcome of a series of smaller towns that act as 'commuter suburbs' to Wanaka is not considered desirable or sustainable. The Growth Management Strategy promoted the growth of smaller towns to a scale at which they could sustain more of their own infrastructure and services. There is an expectation that those towns will grow as places that will attract residents and visitors on their own merits, rather than places that will absorb some of the growth that otherwise would have occurred in Wanaka. The Council has supported (to date) the rezoning of Mount Cardrona Special Zone on the basis that it will form a community and attract its own growth. A situation where a considerable amount of the wider Wanaka ward's future growth is taken up by the Mount Cardrona Station development is not envisaged nor supported.
- Mount Cardrona Station suggests that account has not been taken of capacity in Visitor Accommodation Zones. It is unclear what 'Visitor Accommodation' zones are referred to but is noted that the Dwelling Capacity Model does have regard for residential development in the Rural Visitor Zones and the subzones of Visitor Accommodation in the Residential Zones.
- Lastly, plan changes such as Plan Change 16 are designed to enable growth well into the future. It takes some time for rezoning to occur, resource consents to be processed and development to in fact take place. The Wanaka Structure Plan provided a model for the accommodation of growth over a 20 year period from 2007. It is appropriate to rezone some of this land now to enable the implementation of the Wanaka Structure Plan. It would be unwise to assume that the recent slowdown in economic activity and development should affect the long term planning that has been undertaken which relies on longer term trends of growth which should be separated from shorter term economic cycles. There are other parts of the Wanaka Structure Plan that can be withheld from rezoning over coming years if longer term changes mean that the current growth projections are unlikely to be realised.
- It is considered that the existing controls on Visitor Accommodation, together with market forces which are unlikely to particularly favour Visitor Accommodation in this location, will mean it is unlikely that the zone will produce an over-supply of Visitor Accommodation. As such, it is not considered that further controls on Visitor Accommodation are necessary.

It is noted that Mount Cardrona Station's concern regarding visitor accommodation is also addressed under Issue 6 and the suggestion that the residential component be subject to a separate Plan Change is addressed in more detail under Issue 4.

In respect of Ballantyne Investments Limited's (BIL) submissions (requesting that the residential component should be withdrawn and focus on retail, commercial and mixed use), we heard planning evidence from Scott Edgar. We take heed of his warning (one which is echoed in the Planners report) that the Rural General zoning (of the Ballantyne land) may provide inadequate protection against ad hoc development and, whilst we do not concur with his view that the residential part of the Plan Change be withdrawn (for the reasons already outlined), we do support the BIL land being considered as a subsequent Plan Change. As a result of what we heard at the hearing we have recommended 2 changes to the Plan Change; namely:

- That the clause enabling limited notification where the Outline Development Plan adjoins land outside Three Parks be expanded to also include land use issues and potential conflicts at the interface of the Zone boundary; and
- That the collector road shown through the Ballantyne Rd land should be shown as dotted and purely indicative as it sits outside the zone and therefore can not be compelled at this stage.

With regard to the **staging of residential land** we heard from Alison Noble (on behalf of Willowridge Developments Limited), Scott Edgar (on behalf of Ballantyne Investments Ltd), the Council's planners (via the planners report) and Mr Kobus Mentz (on behalf of the Council), who offered various options for the order of residential development. Whilst there were compelling arguments from all submitters, we have tended to favour the opinion of Mr Mentz who has perhaps the most realistic view of what will actually be produced and saleable to the market in the early years of development of the Zone. In his view, the westernmost residential land (particularly the medium density component) would prove difficult to develop and market in the early stages of development, given the scale of continual development that would be occurring in the adjacent Commercial Core. He was also firm in his view that whilst having Stage 1 adjacent to Riverbank Rd may seem contrary to achieving logical expansion, it was a realistic way of residential development occurring in the zone within the short term (as it would provide a quality environment with "clean access" away from construction, which could be easily marketed), and was an efficient use of the sewage infrastructure that already exists in the vicinity. He did however feel that it would be unnecessary to preclude the earlier development of the area notified as 'Stage 3'. We are persuaded by this rationale and, hence, recommend that the area notified as "Stage 3" should be denoted as "Stage 1 or 3" on the indicative staging plan but that the MDR (mixed use) subzone within that area shall remain as Stage 3, as an added measure to ensure that it is not developed until the Commercial Core has matured considerably. We also note that the developer's choice as to when to develop that area will depend on a number of things, including whether the Ballantyne Investment land to the north gets rezoned and starts being developed.

As an aside, we also note that allowing Stage 3 to be developed earlier may have the indirect effect of deferring development adjacent to Riverbank Rd, depending on the market. As such, whilst the request by NZ Transport Agency's request that the residential land adjacent to Riverbank Rd be included in a later stage is rejected, it may, in reality, actually eventuate in this way as the developer now has the option of developing adjacent to the Commercial Core as Stage 1 if he so wishes.

Relief sought and recommendations

You are referred to Appendix 1 for recommendations on the specific relief sought.

In summary, it is recommended that the amount of residential land shown on the Structure Plan be amended as per the Structure Plan shown in Appendix 2 (the amended provisions),

(the effect of which is outlined in the above discussion) but that no change is made to the provision for Visitor Accommodation.

Reasons for the recommendations

The reasons are discussed in detail above, but in summary:

- The staging requirements, together with the market, will control where and when residential land will be developed
- Existing controls are aimed to ensure that the Medium Density Residential subzone remains predominantly residential, rather than morphing into a Visitor Accommodation area. Furthermore, Visitor Accommodation is unlikely to be a significantly desirable use within the zone, regardless of rules.

b) Whether the proposed retail and commercial development is needed and issues of staging

The following submitters contend that the proposed retail and commercial land is either not required at all or should be significantly reduced in scale and that, instead, it can be accommodated within the existing zoned areas:

Dennis Costello (16/10/1), supported by **Shotover Park Limited** (16/10/1/1) contends that the Plan Change does nothing that can not be located within the existing zoned land (this submission seems to be focusing on commercial and retail rather than residential).

Helwick Holdings # 2 (16/17/1), supported by **Mount Cardrona Station** (16/17/1/1) **Shotover Park Limited** (16/17/1/2), and **Sustainable Wanaka** (16/17/1/3), suggests the plan is 10 years early.

Mount Cardrona station (16/27/1, 16/27/5), partly supported by **Shotover Park Limited** (16/27/1/1, 16/27/5/1) and opposed by **Willowridge Developments Limited** (16/27/1/2, 16/27/5/2) submits that the Plan Change proposes more retail and business land than is needed (and than is supported by the Section 32 documents) and that it should only provide for industrial and large scale retail and business continuous to the existing industrial zone.

Chris Norman (16/29/1), supported by **Roger Gardiner** (16/29/1/1), **Mount Cardrona Station** (16/29/1/2), **Shotover Park Limited** (16/29/1/3), **Sustainable Wanaka** (16/29/1/4) and opposed by **Wanaka Hardware and Building Supplies Ltd** (16/29/1/5) and **Willowridge Developments Limited** (16/29/1/6), contends that there is an over-supply of retail space and that more analysis of the existing zoned capacity is required and that Anderson Heights does have the capacity and ability to fulfil the retail needs proposed to be provided for by Three Parks.

Shotover Park Limited (16/33/1, 16/33/7) supported by **Mount Cardrona Station** (16/33/1/1, 16/33/7/1) and opposed by **Willowridge Developments Limited** (16/33/1/2, 16/33/7/2), whilst agreeing that there may be a shortfall of available land in Wanaka for Large Format Retail (LFR), considers that the Plan Change over-estimates the demand for mixed use/ commercial/ business land and requests that the scale of commercial enabled in stage 1 be reduced and that more certainty be provided as to the scale allowed in subsequent stages.

Sustainable Wanaka (16/36/1 and 16/36/2) supported by **Shotover Park Limited** (16/36/1/1, 16/36/2/1) and opposed by **Wanaka Hardware and Building Supplies Ltd** (16/36/1/2) and **Willowridge Developments Limited** (16/36/1/3, 16/36/2/2), submits that a

further capacity study is needed of all existing retail and commercial areas in Wanaka and believe that needs can be met within these areas.

The following submitters contend that the proposed retail/ commercial re-zoning is necessary:

Nichols Garden Group (16/28/1) supported by **Wanaka Hardware and Building Supplies Ltd** (16/28/1/2) and opposed by **Shotover Park Limited** (16/28/1/1), submits that sufficient land should be re-zoned to address the shortfall in land for large format retail.

Wanaka Hardware and Building Supplies Ltd (16/39/1), supported by **Willowridge Developments Limited** (16/39/1/2) and opposed by **Shotover Park Limited** (16/39/1/1), submits that there is insufficient suitably zoned land for Large Format Retail (LFR) and that there is little room for expansion and potential for reverse sensitivity in the Anderson Heights business zone.

Willowridge Developments Limited (16/41/3), opposed by **Shotover Park Limited** (16/41/3/1), submits that the Plan Change is necessary to meet the foreseeable retail needs of Wanaka and that 12,000m² is an appropriate amount for the first stage.

Willowridge Developments Limited (16/41/16), opposed by **Shotover Park Limited** (16/41/16/1), submits that it is onerous to require 80% of the first 2 Outline Development Plans to be occupied before allowing any non residential use in the MDR (deferred mixed used) Zone and requests, instead, that requiring 80% of the first retail phase of 12,000m² to be completed will adequately ensure against the premature encroachment of commercial uses into the MDR zone.

Discussion

We see this and the following section on the impact on the Town Centre as closely related and, together, are the most crucial and controversial issues relating to the Plan Change We have, therefore, gone into considerable detail to record the evidence and views presented at the hearing in order to give a clear picture of the opinions upon which we have based our recommendations.

The Commercial Core is designed to achieve two major functions. It will be a complementary commercial area to the Town Centre that will accommodate uses that are either not feasible or appropriate to locate in the Town Centre and also, over time, will provide local convenience shopping and amenities for the local catchment (such as much of the residential development enabled by this plan change). Importantly, medium density residential land is located within walking distance of the Commercial Core.

In respect of this matter, we heard from Dennis Costello, Shotover Park Limited, Helwick Holdings Limited, Mount Cardrona Station, Willowridge Developments Limited, Chris Norman, Roger Gardiner, and Sustainable Wanaka. The Council and Willowridge Developments Limited both called economists to provide expert evidence on the matter.

In considering this issue, we were greatly assisted by the report entitled “Review of Proposed Retail Floor Space at Three Parks Wanaka”, which was prepared by Phillip Donnelly and Associates and was appended to the Planner’s Section 42A report, as well as the evidence he provided at the hearing. We found both his report and his evidence to provide a pragmatic approach to the supply and demand of retail space and proved extremely useful.

Due to the complexity we have broken our discussion down as follows:

- Existing capacity within the Town Centre
- The current health of the Town Centre and the Town Centre health check
- The scale of the first release of retail space
- The inclusion of speciality retail in the Commercial Core
- Geographic extent of the Commercial Core
- The deferral of non-residential uses in the MDR subzone

Existing capacity within the Town Centre

A number of submitters were critical of the report included with the S 32 documentation which suggested that the Town Centre was perhaps around 80% full.

We note for the record that this material has now been superseded by the study appended to the Planner's S.42A report entitled "Capacity Analysis for LFR in Wanaka" which was prepared in response to these concerns. The more recent Capacity Study concluded that there is considerably more than 20% of total possible retail space still remaining in and around the Town Centre. However, it goes on to say that there are limited opportunities for LFR and that, realistically, it would be unlikely that such retailers would establish in the Town Centre in the current environment, largely due to the high land prices. This advice was supported by comments by Mr Donnelly, who did not consider that LFR would be suitable in the CBD in the longer term and that this was already evident in the fact that most had chosen to locate in Anderson Heights and Ballantyne Rd in recent years.

We also note for the record that no submitters seem to suggest that all the LFR for which demand is expected to arise over the coming decades could reasonably be accommodated within the Town Centre. Rather, some submitters suggested that a considerable amount of the projected demand could be provided for in the existing Town Centre, Anderson Heights, and Ballantyne Rd areas and that Three Parks should either only allow LFR or not allow any retail until the Town Centre was nearer to capacity.

We have considered the capacity of the Town Centre in detail, including the various redevelopment options which Ms Salmond suggests would be appropriate and, whilst we conclude that there is ample space for the immediate speciality retail demand and a number of opportunities for medium – large format buildings (probably up to around 1,000m²) this capacity is unlikely to be realised. Even with the availability of some larger parcels of land, developers/ tenants are tending to choose to locate in the other areas of Anderson Heights and Ballantyne Rd (which we consider are less appropriate for such uses than a new Commercial Core in the Three Parks Zone). Such trends, along with the capacity information satisfies us that the Town Centre does not offer a viable option for providing for larger format retail or, indeed, a number of other retail types and business uses.

We understand that retail trends continue to change (as submitters such as Mr Gardiner discussed) but we remain of the view that demand for large format retail will continue to be strong into the future. We also note that uses such as a new supermarket and a large hardware store are likely to be of a scale that could not fit into the town centre. We therefore consider that while there may be sites that could accommodate some development of LFR, even if they were realised for such uses (as has not been the trend to date) we do not believe the Town Centre offers a long term solution. In our view the most appropriate long term solution to plan for is to have a dedicated Commercial Core that makes use of these types of stores to create a pleasant environment, albeit a development whose growth is carefully managed so as to guard against adverse effects on the existing town centre. This is what is intended to result from this plan change.

Based on what we heard, whilst there is certainly capacity for considerably more speciality retail to be accommodated in the Town Centre and for a small number of larger stores of, say, mostly less than 1,000m² (as suggested in Ms Noble's evidence) we are satisfied that there is insufficient capacity within the Town Centre for large format retail and that the Town Centre could only ever meet short term retail demand.

To our mind, the disadvantages of trying to cater for projected demand within the Town Centre (through height increases or expanding the town) would only be marginally effective at meeting demand and would be detrimental to the character of the Wanaka Town Centre. We concur with the detailed account of the various adverse effects and difficulties outlined in the Planners S.42A Report and the conclusion that whilst it would serve as an 'anchor'; drawing locals into the centre and thus, have some positive social benefits, the adverse effects on character and on Wanaka's existing 'point of difference' are undoubtedly significant and are considered to over-ride the positives that would come from it. Moreover, we also suspect that options such as increasing height would be unlikely to be successful given the preferences of retailers to operate at ground level.

This brings us to the preference of a number of submitters that Three Parks be simply a LFR centre and not include any smaller retail stores described as 'specialty retail' stores in this Plan Change. On this matter we heard from Mr Hook, on behalf of Mount Cardrona Station and Shotover Park Limited, Sustainable Wanaka, and Mr Karlovsky and Mr Mentz (on behalf of the Council). The comments made on behalf of Mount Cardrona Station, Shotover Park Limited, and Sustainable Wanaka were consistent in that they did not object necessarily to stand-alone LFR at Three Parks but that an integrated mixed use centre that included specialty retail caused them concern. The Council received urban design advice (in the form of Mr Karlovsky's report attached to the Planner's Section 42A report) in order to address submitters' suggestions that the Plan Change should allow only for a small number of LFR premises and not for smaller retail or residential uses. The significant disadvantages of establishing an exclusively LFR centre are well outlined in that report, and included the fact that creating a more mixed use environment at Three Parks would provide for a higher amenity solution and more local services for the immediate catchment than would result if only LFR were allowed. That said, the urban design report does raise some concerns with regard to specialty retail and, in turn, suggests that as part of assessing subsequent stages of commercial development (beyond the recommended initial release of retail), matters such as the quality of the first release of retail development, the quantity of specialty retail provided in the first release, and whether and to what extent development other than retail uses has been undertaken within the zone, should all be carefully considered before approving further retail stages. The urban design report also suggests improvements to the assessment matters relating to the design of the LFR to ensure that a quality mainstreet is established over time.

On this matter we favour the opinions of Mr Karlovsky and Mr Mentz; that Three Parks should be encouraged, and indeed required, to evolve into a mixed use and integrated local centre over time which provides a pleasant community and commercial hub. Whilst there is limited demonstrated need for specialty retail at Three Parks, we concur with the Council planners' view (as expressed in the S 42A Report) that the Three Parks Commercial Core will benefit aesthetically and socially by enabling a limited number of such stores to establish there. We also note and accept the view of Philip Donnelly that given the very high land values and relatively low rental yields in the town centre at present, increased competition by way of another retail area may be positive in Wanaka and even encourage some redevelopment of the town centre. This is discussed further in Section 3.

The current health of the Town Centre and the Town Centre health check

This discussion is included in Section 3 entitled “The impact of Three Parks on the Town Centre...” In that section we conclude that the Town Centre is healthy and that allowing a limited amount of retail activity at Three Parks will not adversely affect its health but may, in fact, improve it through increasing competition, increasing vacancies slightly, and lowering land prices.

The scale of the first release of retail development

There was considerable concern about whether there is a need for another retail area at all and, if so, what scale should it be and when would it be needed.

In considering this matter we are mindful of the fact that it is unlikely that the Council would be able to prevent further LFR from establishing in Wanaka but, rather, it will simply locate in less than optimal locations such as business and industrial areas (as has tended to occur to date), if an enabling zone is not provided. This will result in a dispersed retail pattern which does not have (and never will have) the critical mass or urban structure to enable comparative ‘one stop’ shopping in a pleasant environment. As such, it is considered more appropriate to continue to enable and actively support retail in the Town Centre (through the initiatives specified in the Town Centre Strategy) whilst also specifically providing for it at Three Parks such that retail can realistically co-locate in these two areas, which, together, will cater for the majority of retail needs.

We are also mindful that by not providing for development of LFR, the effect may be adverse in terms of the social and economic wellbeing of the community. We considered the evidence and views expressed in the Section 32 report and by Mr Donnelly, which indicated that there is likely to be a very high level of ‘leakage’ of retail spend out of Wanaka by Wanaka residents. This is money lost from the local economy and can provide inconvenience and increase energy use through encouraging long term car trips for the purpose of shopping. We believe there is a strong case for encouraging these types of stores to locate in Wanaka. We noted the comment of Mr Donnelly that it is possible to undertake analyses that looks to quantify the retail expenditure patterns of Wanaka residents. We believe that Three Parks would be expected to have a positive effect in this regard and that this should be demonstrable in future applications for consent for retail uses. We therefore have added this matter to the matters of discretion for future retail in the Commercial Core. We have also requested officers compile a baseline document providing a picture of the current Town Centre health, based on the full set of indicators listed in the District Plan. We anticipate this information will be reported to Council no later than March 2010 and will be made publicly available at that time. The issue of retail leakage is further discussed in our consideration of the impact on the Town Centre.

The reasons why we consider Anderson Heights to be an inappropriate location for uses such as retail is discussed further under Issue 3 below. In summary, it is considered that Anderson Heights would more appropriately be focused on business, wholesale and light industrial activities. It is suggested that at the same time as enabling commercial development in Three Parks, Council needs to look at ensuring that retail does not continue to locate in significant amounts in Anderson Heights and other business areas. This is important in order to encourage the clustering of retail uses that are not expected to occur in the business areas of Ballantyne Road and Anderson Heights (due to land value or land size needs). We believe there is a need to investigate a plan change to restrict the location of retail in these areas. The business area rules of Three Parks (if supported in a Council decision) may be appropriate to consider applying in these areas. Further analysis on the future of these areas will be an important to consider in the near future.

In reaching our conclusion that Three Parks should provide for a considerable amount of the future retail needs of Wanaka, it is significant to us that the Council's economic advice from Mr Donnelly supported the principle of this Plan Change, which is to enable some retail growth but to limit the scale that can be built in any particular period.

Now, we turn to the matter of scale and how much retail should be enabled in the first release.

Evidence presented by Mr Long, in which he updated his earlier analysis to take into account the current and projected economic climate (as a result of the recession). This was of use to us as a number of submitters raised concerns in regards to the projections, as they had initially been undertaken prior to the economic crisis. Interestingly, Mr Long's conclusions did not change significantly as a result of the review and he continued to recommend that 12,000m² of retail space be allowed in stage 1.

We also heard from Mr Roger Gardiner, Ardmore Limited, and Helwick Holdings Limited; all of whom stated that whilst they are not against the Three Parks Zone per se, they consider it is too early. My Ryan and Mr Keeper (on behalf of Ardmore Limited and Helwick Holdings Limited) claim that the Town Centre is not currently in a healthy state and hence is at risk from the new zone, whilst Mr Gardiner cited that none of the large format retailers that he approached had any intention of locating in Wanaka.

To assist us, Mr Dippie usefully provided estimates in regard to the size of the various stores which he anticipates will comprise the first stage. Whereas he anticipates the first stage including a 5,000m² mitre 10, a 3,000m² supermarket, and a 2,000m² variety store (which would total 10,000m²), we have some reservations as to whether these stores would require such space in the initial stage, simply based on a comparison with the size of these same stores at Remarkables Park, which are 2,500m², 3,500m², and 3,500m², respectively. In further discussions with Mr Dippie during the hearing, he suggested there would be 5 major large format retailers developed in the first stage. In comments made by Mr Dippie, he was unsure whether the area threshold (for the 1st stage of retail) included outdoor retail space and explained that this can consume considerable space (as is supported by Mr Long's evidence, which notes that the retail yard at the existing Mitre 10 is some 2,000m² in area). The fact that the definition of GFA in the District Plan makes it clear that such outdoor retail would not be included in the calculation makes us think that Mr Dippie's estimate for Mitre 10 may have included outdoor space which in part explains the large estimate.

Based on what we have heard, the reduced scale of the first release of retail space in the manner we recommend will not compromise the viability of the zone (i.e. its ability to attract large retailers wishing to co-locate in one area) yet would give greater comfort to the community in terms of its effects (positive or negative) on the Town Centre.

Even though Mr Donnelly supported the figure of 12,000 m², we are conscious that this was more due to the fact he felt that this was more or less an appropriate figure. We note that Mr Donnelly was less persuaded by the techniques of retail modelling and was of the view that while it can be of value in informing decision making, the large number of assumptions means they should only be used as a guide. We accept this view.

In considering the appropriateness of the figure of 12,000 m², (or some alternative), we also took heed of Mr Donnelly's comments that:

a) retail will not be built on 'spec' but rather will only be built when there is real demand for it, and

b) whilst 12,000 m² of retail space seems a lot when compared with the existing Town Centre (which, according to Mr Long, includes around 15,700m² of retail space) LFR space can not be compared with speciality retail space due to the fact that its very nature requires it to store large amounts of stock on the shop floor thus requiring more space. He therefore suggested that floor area comparisons between the town centre and Three Parks are of limited value.

So, whilst we received no expert evidence that supported an alternative to the figure of 12,000m² (proposed in the notified Plan Change), the information presented to us in the “Capacity Analysis for Large Format Retail in Wanaka” attached to the Planners S42A Report, together with the information presented in submissions and evidence, has convinced us to recommend that the scale of the first release of retail space be reduced to 10,000 m² and no more than 10 tenancies. We believe this will balance the various concerns of effects on the town centre before consent is required to consider the effect of Three Parks with the concern that enough needs to be provided to allow for the viable establishment of the Commercial Core.

Geographic extent of the Commercial Core

Some submitters questioned the size of the Commercial Core subzone.

In this regard, we heard planning evidence from Mr Hook on behalf of Mount Cardrona Station and Shotover Park Limited, who questioned why the Commercial Core shown in the Structure Plan did not reflect the 20 ha of land that David Mead’s report seemed to recommend. Mr Hook’s main concern seemed to be the scale, range and rate of development enabled by Three Parks and the effects this will have on the Town Centre (as opposed to a fundamental problem with the new zone, in principle). We did feel at times that many people were equating the total area shown and the effect this would have on the Town Centre without perhaps being fully aware that the amount of retail that could actually occur in that area is relatively limited without undertaking quite onerous consenting processes, including demonstrating that previous development was not adversely affecting the town. We nonetheless believe that there are legitimate issues around the size of the Commercial Core.

In response to concerns regarding the size of the subzone, we carefully considered the approximate area of land that would be consumed by 12,000m² and 30,000 m² of retail space, respectively. We also considered how this compared with the currently developed commercial area at Remarkables Park.

The fact that the 12,000m² GFA and even the 29,000m² GFA (being that amount projected to be demanded by 2026 by Retail Consulting Group (RCG) take up a relatively small proportion of the Commercial Core is of concern to us. Whilst we are fully aware that the restricted discretionary (very likely notified) resource consent that will be required to uplift each new stage of retail is onerous and provides the Council with considerable control, we still consider that more certainty would be provided by showing some of the Commercial Core as a ‘Deferred Urban Subzone’.

The revised size of the Commercial Core still provides for more land than is predicted to be needed over a 20 year period in the report Wanaka Land Demands. Having considered all evidence we suspect it is unlikely that these estimates will be exceeded. There are also opportunities to intensify development (which is likely to be desirable over time) and other opportunities are likely to occur in the town centre. Also, retail expansion is expected to occur in the MDR (mixed use) subzone over time and it may be that when the Plan Change (including the Structure Plan) is reviewed, as is required every 10 years, the deferred zone

is changed to Commercial Core (or perhaps another use). We asked officers to demonstrate graphically for us the amount of land that is needed according to projections and in comparison to the existing Remarkables Park area (which we find a relevant comparison). This diagram is attached as Appendix 3. This brought to light the size of the Commercial Core (as notified) and raised concern for us as to whether this would result in good urban design outcomes. It is our view that expanses of open space between residential areas and the Commercial Core may be inevitable in the short to medium term but we believe that over the long term a transition between developed urban uses will be important. In order to enable this to occur we recommend that the Commercial Core be reduced in size in accordance with the revised structure plan. We note that the matter of how much development should occur in the Commercial Core is separately controlled by provisions in the plan change and discussed separately in this decision.

We are also concerned that there may be insufficient explanation regarding the reason for the chosen thresholds for the first release of retail and, hence, recommend that an additional policy be added explaining the need to enable LFR to co-locate in a way that makes them viable and consolidates the retail activity such that they provide an ‘anchor’ around which other uses can and will establish. This is important to avoid non-complying consents being granted for retail development without a retail needs assessment being undertaken. It is considered important to highlight that Wanaka is too small to support multiple retail centres and is likely to only ever be large enough to support a twin centre model.

The deferral of non-residential uses in the MDR subzone

With regard to the deferral of non-residential uses in the MDR subzone, we heard planning evidence from Ms Noble (on behalf of Willowridge Developments Limited) and Mr Hook (on behalf of Shotover Park Limited and Mount Cardrona Station).

Ms Noble highlighted that the MDR (mixed use) subzone rules do not enable the same scale or range of retail use as in the Commercial Core and hence it is unnecessary to restrict non residential uses in the manner proposed. She also suggests that the deferral mechanisms would restrict all non-residential uses; some of which are not provided for in the Commercial Core. We have considered this comment and can not think of any non-residential uses that are not enabled in the Commercial Core and, hence, have not concerned ourselves further with this.

We concur with the planner’s S.42A Report that it is of utmost importance that a) commercial and retail activity does not ‘leak’ into the MDR (mixed use) subzone before the Commercial Core has had a chance to establish itself and b) that such activity is not allowed to locate there as a way of circumventing the retail assessment and health check, which would be required if those same activities were being located in the Commercial Core. However, in response to submissions and evidence presented on behalf of Willowridge Developments Limited, Shotover Park Limited, and Mount Cardrona Station, and in part, as a consequence of our recommendation to require Outline Development Plans to be of a significant scale, we recommend that the requirement to develop 80% of the first 2 Outline Development Plans be deleted. The matters discussed above are also considered under Issue 6d in the context of Mount Cardrona Station’s submission that retail less than 400m² should be non-complying.

Our discussion in 6d of this report is also relevant in that, there, we conclude that the discretionary regime which controls non-residential uses in the residential subzones may not be sufficiently strong to prevent retail from occurring there. As a result of that discussion, we come to the view that retail of any scale needs to be non-complying in those

subzones (excluding the mixed use precinct) in order to give extra confidence that the amount of retail will be controlled in the Three Parks Zone and prevent adverse effects on the existing town centre.

Relief sought and recommendations

You are referred to Appendix 1 for recommendations on the specific relief sought.

For the reasons outlined above we therefore recommend that:

- The thresholds which define the first release of retail development (i.e. the amount and type of retail that can be undertaken as a permitted activity) be reduced, such that no more than 10,000m² and no more than 10 tenancies can be developed as a permitted activity, after which it is non-complying unless approved as part of an Outline Development Plan (which itself, will be a restricted discretionary activity).
- The extent of the Commercial Core be reduced (from approximately 20.2 ha to approximately 8.5 ha) and a Deferred Urban Subzone be added (of approximately 7.2 ha), within which development and subdivision will be prevented until such a time as another Plan Change successfully argues there is a need for it to be released. An additional Matter of Discretion be included for any Outline Development Plan to provide a land management plan outlining what the interim use of land will be on adjoining Commercial Core land and how this will be managed.
- The assessment of subsequent stages be further strengthened through additional matters of discretion and assessment matters and that additional indicators and advice notes (relating to yields, vacancies, and evidence of increased retail expenditure in Wanaka, be added to the Town Centre Health Check.
- The trigger for allowing non-residential uses in the MDR (deferred mixed use) subzone which requires 80% of the first 2 Outline Development Plans to be built and occupied be removed.
- Retail of any scale be non-complying (as opposed to discretionary) in the residential subzones (excluding the mixed use precinct).

Reasons for the recommendations

The reasons are discussed in detail above but in summary:

- It is unlikely that the Council would be able to prevent further LFR from establishing in Wanaka
- The lack of large, affordable sites currently within the Town Centre will very likely result in LFR continuing to locate in other business areas and even in areas not zoned for commercial use, resulting in a dispersed retail pattern, which is considered to have significant adverse effects to the community.
- As the existing available areas are unlikely to provide a suitable location for many of the retailers, if Three Parks does not provide such uses, there will continue to be a high level of 'retail leakage' out of Wanaka, which is an inconvenient and inefficient option
- This retail leakage out of Wanaka results in lost opportunities for Wanaka in terms of establishing a more diverse, stable, and less seasonal local economy and employment.
- It is of utmost importance that the MDR (deferred mixed use) subzone does not get prematurely developed

Issue 3 - The Impact of Three Parks on the Wanaka Town Centre and Character, and on Other Commercial Areas

This discussion is further broken down into concerns raised about:

- a) The effect on the Wanaka Town Centre (including Wanaka's character and point of difference); and
- b) The effects on other commercial areas.

a) The Wanaka Town Centre and Wanaka's point of difference

Issue:

Many submitters are concerned that the Three Parks Plan Change enables the development of a Commercial Core which will offer a pleasant mixed use environment and that, as such, it will compete with and detract from the existing Wanaka Town Centre. We consider the issue of what effect Three Parks will have on the Town Centre was of particular interest to us.

Original Submissions

The following submitters raise concerns that the Three Parks Zone will adversely affect the Town Centre and/ or damage the Wanaka character and its point of difference:

Ardmore Ltd (16/1/1, 16/1/2, 16/1/3, 16/1/4, 16/1/5), **Noosa Holdings Ltd** (16/2/1, 16/2/2, 16/2/3, 16/2/4, 16/2/5), **Pembroke Body Corporate** (16/3/1, 16/3/2, 16/3/3, 16/3/4, 16/3/5) and **Trinity Group** (16/37/1, 16/37/2, 16/37/3, 16/37/4, 16/37/5) raise concerns in their submission that the Plan Change should include a very precise business zone which only enables LFR and custodial residential uses so as to not detract from the existing Town Centre (and its ongoing redevelopment) and in order to avoid fragmented retail/ commercial development. These submissions are supported by **Roger Gardiner** (16/1/1/1, 16/1/2/1, 16/1/3/1, 16/1/4/1, 16/1/5/1, 16/2/1/1, 16/2/2/1, 16/2/3/1, 16/2/4/1, 16/2/5/1, 16/3/1/1, 16/3/2/1, 16/3/3/1, 16/3/4/1, 16/3/5/1), **Mount Cardrona Station** (16/1/1/2, 16/1/2/2, 16/1/3/2, 16/1/4/2, 16/1/5/2, 16/2/1/2, 16/2/2/2, 16/2/3/2, 16/2/4/2, 16/2/5/2, 16/3/1/2, 16/3/2/2, 16/3/3/2, 16/3/4/2, 16/3/5/2, 16/37/1/1, 16/37/3/1, 16/37/4/1), and **Shotover Park Limited** (16/1/3/3, 16/2/3/3, 16/3/3/3, 16/37/3/2), partly supported by **Mount Cardrona Station** (16/37/2/1) and **Shotover Park Limited** (16/1/1/3, 16/1/4/3, 16/1/5/3, 16/2/1/3, 16/2/4/3, 16/2/5/3, 16/3/1/3, 16/3/4/3, 16/3/5/3, 16/37/1/2, 16/37/2/2, 16/37/4/2), and opposed by **Shotover Park Limited** (16/1/2/3, 16/2/2/3, 16/3/2/3) and **Willowridge Developments Limited** (16/1/1/4, 16/1/2/4, 16/1/3/4, 16/1/4/4, 16/1/5/4, 16/2/1/4, 16/2/2/4, 16/2/3/4, 16/2/4/4, 16/2/5/4, 16/3/1/4, 16/3/2/4, 16/3/3/4, 16/3/4/4, 16/3/5/4, 16/37/1/3, 16/37/2/3, 16/37/3/3, 16/37/4/3).

Alistair Madill Architects Ltd (16/4/1, 16/4/2), supported by **Alistair Madill Architects** (16/4/2/1), **Roger Gardiner** (16/4/1/1, 16/4/2/2) **Mount Cardrona Station** (16/4/1/2, 16/4/2/3), **Shotover Park Limited** (16/4/1/3) and **Sustainable Wanaka** (16/4/1/4) and opposed by **Willowridge Developments Limited** (16/4/1/5, 16/4/2/4), contends that the Plan Change has morphed from a residential subdivision with a second supermarket into a predominantly commercial subdivision, which will have a significant effect on the existing Town Centre.

Denis Costello (16/10/1), supported by **Shotover Park Limited** (16/10/1/1), contends that the massive proportional increase in commercially zoned land will have immediate adverse effects on Anderson Heights, the lake front, Ballantyne Rd, and the smaller township areas – meaning an end to improvements in the Town Centre and the provision of convenience

shopping in outer areas. He also comments that insufficient community benefits are being offered by this proposal.

Shaun Gilbertson (16/13/1), supported by **Pete Bullen** (16/13/1/1) and partly supported by **Shotover Park Limited** (16/13/1/2), is concerned that unless serious consideration is given to staging then Three Parks will detract from the redevelopment of the existing Town Centre.

Helwick Holdings No.1 Ltd (16/16/1), supported by **Shotover Park Limited** (16/16/1/1) and **Sustainable Wanaka** (16/16/1/2), is opposed on the basis that it will spread retail and services, resulting in a reduction in rental growth and hence, less investment and redevelopment in the Town Centre.

Helwick Holdings # 2 (16/17/1), supported by **Mount Cardrona Station** (16/17/1/1) **Shotover Park Limited** (16/17/1/2), and **Sustainable Wanaka** (16/17/1/3), suggests that the Plan Change is 10 years too early and that, as a result both Three Parks and the existing Town Centre may become lemons

Deborah Humphrey (16/19/1), supported by **Shotover Park Limited** (16/19/1/1) and opposed by **Willowridge Developments Limited** (16/19/1/2), opposes the retail component, contending that the size of the proposed retail area (in a single ownership) will provide a disincentive for investment/ redevelopment in the existing Town Centre and impact on its viability.

Gavin Humphrey (16/20/1,16/20/2), supported by **Mount Cardrona Station** (16/20/1/1, 16/20/2/1) and **Shotover Park Limited** (16/20/1/2, 16/20/2/2) and opposed by **Willowridge Developments Limited** (16/20/1/3), opposes the inclusion of smaller retail due to its effect on the Town Centre, and requests that further retail analysis be undertaken.

Infinity Investment Group Holdings Ltd (16/21/1), supported by **Shotover Park Limited** (16/21/1/1) and opposed by **Willowridge Developments Limited** (16/21/1/2), contends that the charm of Wanaka will be compromised by a 3rd centre which replicates many of the functions and that the Town Centre should be intensified rather than expanding on the fringe.

Greg Marshall (16/25/1), supported by **Mount Cardrona Station** (16/25/1/1), **Shotover Park Limited** (16/25/1/2) and **Sustainable Wanaka** (16/25/1/3), contends that developing a larger separate retail area would make many businesses in the Town Centre unsustainable, introduce more franchise retail and dilute Wanaka's character and vibrancy.

Mount Cardrona Station (16/27/1, 16/27/6, and 16/27/7 and 16/27/9), partly supported by **Shotover Park Limited** (16/27/1/1, 16/27/5/1, 16/27/6/1, 16/27/7/1, 16/27/9/1) and opposed by **Willowridge Developments Limited** (16/27/1/2, 16/27/5/2, 16/27/6/2), suggests that providing an over-supply of business land, enabling a mixed use community, providing for tourism and community facilities, and a range of residential uses will reduce the vibrancy of the Town Centre and result in fragmentation.

Linda Montgomery and Robert Facer (16/32/1 and 16/32/2), supported by **Shotover Park Limited** (16/32/1/1,16/32/2/1) and opposed by **Wanaka Hardware and Building Supplies Ltd** (16/32/1/2, 16/32/2/2) and **Willowridge Developments Limited** (16/32/1/3, 16/32/2/3), contend that diverting retail into another area will not support existing retail development in the Town Centre and Anderson Heights and Ballantyne Rd commercial areas.

Shotover Park Limited (16/33/6), supported by **Mount Cardrona Station** (16/33/6/1) and opposed by **Willowridge Developments Limited** (16/33/6/2), requests that the scale of the commercial development be reduced to ensure the continued amenity, vitality etc of the existing Town Centre (and notes that it does not consider the proposed staging will adequately manage such effects).

Sir Clifford Skeggs (16/34/1 and 16/34/2), supported by **Shotover Park Limited** (16/34/1/2, 16/34/2/2) and opposed by **Orchard Road Holdings Limited** (16/34/1/1, 16/34/2/1) and **Willowridge Developments Limited** (16/34/1/3, 16/34/2/3), contends that the extensive Commercial Core proposed, which is double the size of the existing Town Centre, will have a significant effect on the community.

Sustainable Wanaka (16/36/6), supported by **Shotover Park Limited** (16/36/6/1), submit that the emphasis should be on creating a high quality urban fabric within the three existing centres.

The following submitters consider that the Plan Change will not have an adverse effect on the character or viability of the existing Town Centre:

Architects Plus Ltd (16/7/1), supported by **Willowridge Developments Limited** (16/7/1/2) and opposed by **Shotover Park Limited** (16/7/1/1) contends that the Plan Change will allow the town to grow yet allow the lake front to retain its inherent character.

R W Carrick (16/9/1) contends the Plan Change will help to maintain the special character of Wanaka, the village feel, lake views, and accessibility to the lake.

Willowridge Developments Limited (16/41/1) opposed by **Shotover Park Limited** (16/41/1/1) requests that the Plan Change be adopted and, amongst its reasons, states that the retail floorspace projections are unlikely to result in adverse effects on the viability and vitality of the existing Town Centre.

Discussion

In respect of this matter, we heard from Ardmore Ltd, Roger Gardiner, Mount Cardrona Station, Shotover Park Limited, Alistair Madill Architects Ltd, Sustainable Wanaka, Denis Costello, Helwick Holdings Limited, Architects Plus Ltd, and Willowridge Developments Limited. We had the benefit of expert evidence from Mr Long and Mr Colegrave (who presented economic evidence on behalf of Willowridge Developments Limited), Mr Donnelly (who presented economic evidence on behalf of the Council) and Ms Salmond (an architect, who presented evidence on behalf of Ardmore Limited and Helwick Holdings Limited).

Alison Noble, a planner with experience working with planning regimes that seek to assess the impacts of out of town centre retail developments in the UK provided evidence on behalf of Willowridge Developments Limited and explained that, in her experience, if a Town Centre is already struggling then retail development outside the centre is likely to have an adverse effect whereas if the Town Centre is performing well, then appropriate development out of the Town Centre should not have an adverse effect. It therefore seemed important to us to first establish whether, in our opinion, the Town Centre is performing well before determining whether and to what extent 'out of centre development' can occur without an adverse effect on the Town Centre. Ms Noble's evidence also clarifies the importance of undertaking a Town Centre health check prior to each new stage in order to ensure that the Town Centre can withstand more competition and hasn't suffered significantly from previous stages.

The current 'health' of the Town Centre

The evidence of Mr Donnelly and Mr Long regarding the current Wanaka Town Centre property market was extremely useful; both explaining the existing disconnect between the land prices and current rental rates in the Town Centre and the effect this had on the market. We note that these experts did not believe the rental values to be unusually low in comparison to comparable centres. We note the differing views expressed by Mr Ryan and Mr Keeper however we preferred the economists' evidence that rental values were reasonable in Wanaka. Mr Long explained that the rents landlords would require to achieve reasonable yields given land prices would be unreasonably high yet even the rents being demanded (and paid) were difficult to justify given that the turnovers (which were only slightly above national averages). Given the low yields in Wanaka, this leads us to conclude that land prices are in many instances unreasonably inflated.

Mr Long also cited this as the probable reason why many new developments were not proceeding in the Town Centre.

He, like Mr Donnelly, saw some vacancies in the Town Centre as healthy, usefully citing that it may be appropriate to have 12% of buildings vacant for a period of at least 18 months but any more than this would begin to indicate problems in the market.

We heard from Mr Ryan and Mr Keeper about the poor condition of many Town Centre buildings and their contention that this was an indicator of an unhealthy Town Centre. To the contrary we heard from Mr Donnelly that the poor condition of buildings is often an indication of an 'over-cooked' market whereby the landlords feel so confident in the ability of their properties to accrue capital gains that they see little value in improving their properties to improve the rents they receive. On this matter, we favoured the opinion of Mr Donnelly. He also advised that some level of vacancies would be a positive thing; at least from an economists' view low land prices is positive for the wider community (although not for the landowners themselves); and that it is necessary to ensure that there are a number of owners offering space and that monopolies do not evolve. There need to be opportunities via vacant properties for businesses to establish in the town centre.

On the basis of what we have heard, it is our conclusion that the Town Centre is reasonably robust and healthy with the only areas that are of some concern being a) the very low vacancy rates which are likely to be inflating land prices and constraining the supply of buildings to prospective tenants and purchasers, and b) the high land prices relative to achievable rentals which, if this trend were to continue, will result in problems in the future. Whilst the lack of redevelopment is also of some concern to us we heard from Mr Donnelly and Mr Long that this too could be expected to improve with the release of Three Parks. Interestingly, based on the evidence we heard, both these areas of concern would be improved by the release of a limited amount of commercial land at Three Parks.

Town Centre Health check and indicators

Both Mr Donnelly and Mr Long assisted our understanding of the Town Centre health indicators and how this would work in practice.

From what each of them told us it seems important to us that:

- 'Yields' be specifically added to the Health Check indicators. We are appreciative of the comparisons with other provincial towns that Mr Long provided and his advice in

regard to what sort of yields would represent minor problems and significant problems in the health of the Town Centre.

- The percentage of turnover spent on rental be added as another indicator of the health of the Town Centre. Again, we were appreciative of Mr Long's view that 10% would represent a healthy market whereas if rents were exceeding 16% of turnover this would indicate significant problems).
- A retail leakage survey (i.e. what are Wanaka residents spending out of the district) should also be added to the Health Check indicators.

Ms Salmond presented an interesting argument that the health check would only tell us that the Town Centre was suffering when it was too late and therefore ongoing monitoring of the health check indicators would be necessary. Whilst we considered this, we do not consider this would be particularly useful as a) it will take some time to see any effects from Three Parks development, if adverse effects do arise, even with a review clause on the resource consent, the council would be hard pressed to reverse the consent and halt development mid consent. Therefore whilst we agree it would be interesting to undertake regular monitoring of key indicators we do not consider it to be practical and hence, have not recommended any change to the way the health check requirements in the Plan will work.

The outcome of the Wanaka Town Centre Health check is of utmost importance in determining the timing of further retail at Three Parks. As such, it is timely to note that pedestrian counts are currently being undertaken by the Council and a retail leakage survey has been commissioned. The results of these studies will be incorporated into a Town Centre health check baseline report which will be publicly available early 2010. This document will provide useful and, in our view, essential baseline data from which to compare future Town Centre health checks submitted with resource consent applications.

Impact of Three Parks on the Town Centre

The submissions and evidence presented by and on behalf of Helwick Holdings Limited and Ardmore Ltd provided interesting material regarding yields, land values, vacancies, and the level of investment that was (or, in many cases, was not) happening in the Town Centre and compared this to various other areas, including Queenstown. Ms Salmond also commented that many development proposals were not being built. They also provided information in relation to how LFR developments had affected other existing Town Centres around the country, citing amongst others the example of Invercargill. They expressed a concern that the Wanaka Town Centre is not currently in a 'healthy' state and that to introduce large format retail in a location removed from the Town Centre at this time presented a real risk to the Wanaka Town Centre's viability. In Ms Salmond's evidence she stressed that Three Parks was a project that would occur at some stage but that it was too soon and that enabling it now risked there being two "half alive" commercial centres and that at this point in time, the Council should focus on investing in the Town Centre and changing those rules to enable greater intensification.

The Council sought further economic advice in order to address submitters' concerns that the Three Parks Zone will reduce rental rates in the Town Centre and result in less investment and redevelopment of the existing Town Centre. Both experts entirely disagreed with this, believing that Three Parks would improve the health of the Town Centre (and, the community wellbeing generally) though potentially lowering land prices in the Town Centre (thus making rental more affordable), through encouraging redevelopment (through more realistic land prices and competition from Three Parks), and through capturing a considerable amount of the retail leakage that was currently occurring (i.e. residents shopping outside of Wanaka).

We also heard from both Mr Donnelly and Mr Long that they did not believe that the supermarket in the Town Centre would close which, in our view, is extremely positive.

Whether enabling additional retail separate from the Town Centre will harm or help to preserve the character and vitality of the Town Centre is at the core of the opposing views of these submitters. We subscribe to the view that provided development is staged, Three Parks will, in fact, help to preserve the character of the Town Centre rather than to threaten it. It will provide a more appropriate location for the Large Format Retail (LFR) and, as the Town Centre nears capacity, will provide increasingly for smaller retail which simply can not fit within the Town Centre. We also highlight that there is already a pattern of some retail uses locating in the Anderson Heights business area and that, as such, Three Parks will more likely direct uses that otherwise would locate in less suitable places such as Anderson Heights than attract uses that would more suitably locate in the Town Centre.

The recommendations relating to this issue are listed below, beneath section b).

On behalf of Helwick Holdings Limited, Ms Salmond raised concern that the Plan Change was inconsistent with the Town Centre policies in the District Plan (which discussed in more detail in this Report under Issue 8) and also provided an interesting interpretation of the policy that has been added to the Town Centre section of the District Plan, through this Plan Change. That policy (as amended by the recommendation in the Planners Report) reads as follows and is intended to enable the ongoing development of Three Parks provided it does not adversely affect the Wanaka Town Centre:

Policy 1.6 To provide for commercial and mixed use developments in areas that do not form or surround the Wanaka Town Centre provided they do not undermine the role, function, vitality and vibrancy of the Town Centre, whilst recognising that there may be some extensions to the Town Centre zone that may also be appropriate over time.

However, Ms Salmond interpreted the policy as enabling a number of small hubs to establish around Wanaka. This (quite valid) interpretation is not what was intended and nor is it considered to be a desirable outcome for Wanaka and, hence, we recommend that the policy be tightened such that it can no longer be misinterpreted in this way.

b) Other commercial areas (including Anderson Heights, Ballantyne Rd, and those in and around the townships)

Linda Montgomery and Robert Facer (16/32/1 and 16/32/2), supported by **Shotover Park Limited** (16/32/1/1,16/32/2/1) and opposed by **Wanaka Hardware and Building Supplies Ltd** (16/32/1/2, 16/32/2/2) and **Willowridge Developments Limited** (16/32/1/3, 16/32/2/3), contend that diverting retail into another area will not support existing retail development in the Town Centre and Anderson Heights and Ballantyne Rd commercial areas.

Denis Costello (16/10/1), supported by **Shotover Park Limited** (16/10/1/1), contends that the massive proportional increase in commercially zoned land will have immediate adverse effects on Anderson Heights, the lake front, and Ballantyne Rd and the smaller township areas – meaning an end to improvements in the Town Centre and the provision of convenience shopping in outer areas.

Mount Cardrona Station (16/27/6), partly supported by **Shotover Park Limited** (16/27/6/1) and opposed by **Willowridge Developments Limited** (16/27/6/2), raises

concern that allowing specialty retail at Three Parks will compete with small growing communities.

Discussion

In respect of this matter, we heard from Denis Costello, Shotover Park Limited, Mount Cardrona Station, and Willowridge Developments Limited.

It is evident that a considerable amount of retail and offices have located in Anderson Heights and Ballantyne Road. When considering the objectives and policies of the Business and Industrial Zones, it is clear that much of this development is not consistent with the intended purpose of these areas.

In summary, the purpose of the Anderson Heights area is to provide for light industrial, processing, storage and retailing of bulky or larger goods plus the opportunity for vehicle orientated service and retail uses. Notably, retailing of goods manufactured on site and ancillary products (up to 20% of the GFA) and of goods stored outside is permitted, retailing over 500m² Net Floor Area (NFA) is discretionary, and under 500m² NFA is non complying. As such, unless produced on site, specialty retail should not be occurring in this area.

The purpose of the Ballantyne Rd area is for industrial activities, including the retailing of goods manufactured on site and ancillary products (up to 20% of the GFA). What was intended and what has eventuated are two very different things. One can only assume that businesses were attracted to those areas due to their low rental rates (relative to those of the Town Centre) and the lack of ‘teeth’ in the rules.

It is fair comment that the establishment of Three Parks may well result in some retail moving from these two areas to Three Parks (as the layout and plan provisions will be more suitable) which may detract from those areas, but it is questionable whether it was really ever appropriate for them to locate where they did in the first place. Further assessment of the Anderson Heights area has shown that there is limited capacity for intensification and that the subdivision pattern is such that it is unrealistic to expect that LFR could be accommodated there in a manner that enables a desirable urban outcome. There are also a lack of suitable large sites, with one of the larger sites occupied by Mitre 10 already constrained (as discussed in the further submission of Wanaka Hardware and Building Supplies Ltd, submissions 16/32/1/3, 16/32/2/3).

Anderson Heights lacks sufficient parking and has access problems (such as the intersection between Plantation Road and Anderson Road). The Council also wants to avoid significant increases in traffic on Plantation Road given its role in servicing school sites. It is considered that the model of retail inter-dispersed with industrial sites leads to poor amenity and poor transport outcomes with shops not being in easy and pleasant walking distance from one another. It is considered that the establishment of a dedicated commercial area (with zoning provisions which ensure high quality design outcomes) within the Three Parks Zone is preferable to relying on the existing zones.

In summary it is not considered realistic or appropriate that these areas accommodate projected retail demand. However, it is considered important that the Council clarify the future purpose of the Anderson Heights Business Zone and the Ballantyne Road Industrial Zone and amend the provisions in order to reflect those intended functions.

It is not expected that Three Parks will compete significantly with or have any significant adverse effects on the provision or viability of convenience shopping in outer-lying townships. Those residents are likely to already do their bulk shopping in Wanaka (or

other centres) and limit their local shopping to those items that they need more regularly and for which it is not worth travelling for (e.g. milk and bread). There is no intention in the Luggate, Hawea, or Cardrona Community Plans, the Mount Cardrona Station Plan Change, or the District-wide Growth Management Strategy to grow these towns to a point beyond which infrastructure (water and sewage) can be provided in a cost-effective way. No township is projected to grow to a size which would sustain a supermarket, for example. It is not commercially realistic to expect that these towns will develop significant retail centres given their size and proximity to Wanaka.

Relief sought and recommendations

You are referred to Appendix 1 for recommendations on the specific relief sought.

In summary, we recommend that:

- As per the recommendations outlined in Section 2, the initial stage of retail is reduced in scale
- The matters of discretion relating to those Outline Development Plans which propose retail which exceeds the initial 10,000m², etc) be expanded beyond just requiring a Town Centre Health Check and Retail Needs Assessment but to also include an assessment of whether there is evidence that the Three Parks Zone is developing into an integrated mixed use community
- The addition of a number of further Town Centre health indicators
- A framework for the Town Centre Health Check be attached to the Council decision which outlined the indicators, the source for the available information and a timeline for the completion of any outstanding baseline reports/ studies
- The future of the business and industrial zones in Wanaka be clarified and Council consider a Plan Change be prepared to prevent inappropriate retail development in these zones.

Reasons for the recommendations

- To zone for LFR only would result in poor urban environment.
- Increasing capacity within the Town Centre to cater for all projected demand would result in significant adverse effects on the Town Centre, which it is considered are more severe than the option of creating a 2nd Commercial Core.
- The Wanaka Town Centre and other existing or zoned commercial areas do not provide a long term solution/ location for all of the demand for LFR.
- There are significant benefits from co-locating LFR and other retail in the manner proposed, which could not be realised if the current model of dispersed retail amongst the 3 main areas (being the Town Centre, Anderson Heights, and Ballantyne Road) is continued.
- The staging mechanism in the Plan Change can avoid adverse effects on the Town Centre and enable public participation (in stages beyond the initial 12,000m² of retail) while providing certainty to the developer and community as to where retail will develop in the future.

Issue 4 - The Logical Expansion/Development of Land and the Integrated Development of Adjoining Land

Issue:

The following discussion relates to whether the proposed development of the Three Parks site will achieve logical and well-integrated development.

Submissions received

The following submissions request that more consideration be given to the landuses on adjacent land in order to achieve more integrated and logical development.

Ballantyne Investments Limited (16/8/1 and 16/8/2), (who own the land to the immediate north of Three Parks), supported by **Ballantyne Investments Limited** (16/8/1/1, 16/8/2/1) and **Mount Cardrona Station** (16/8/1/2) and opposed by **Willowridge Developments Limited** (16/8/1/3, 16/8/2/2), submit that the Plan Change should focus on the non-residential landuses and that the residential landuse should be the subject of a separate Plan Change which also considers that land between Three Parks and the Town Centre in order to achieve more logical staging and more integrated development.

Sir Clifford Skeggs (16/34/2), supported by **Shotover Park Limited** (16/34/2/2) and opposed by **Orchard Road Holdings Limited** (16/34/2/1) and **Willowridge Developments Limited** (16/34/2/3), submits that a new Plan Change should be prepared for the whole southern Wanaka area or at least for an area determined by topography.

Angus and Dale Gordon (16/14/3) request that the 'ponds' be settled before any Plan Change.

Linda Montgomery and Robert Facer (16/32/1 and 16/32/2), supported by **Shotover Park Limited** (16/32/1/1, 16/32/2/1) and opposed by **Wanaka Hardware and Building Supplies Ltd** (16/32/1/2, 16/32/2/2) and **Willowridge Developments Limited** (16/32/1/3, 16/32/2/3), submit that Three Parks would result in disjointed commercial development and greater vehicle use.

Marilyn Gordon and Roger Moseby (16/24/1), supported by **Marilyn Gordon and Roger Moseby** (16/24/1/1) question whether the High Density Residential zoning over their land is appropriate and, in their further submission, request that their land be included in the Plan Change and be rezoned commercial. Whilst they mistakenly think their land is within the Three Parks Plan Change, the submission by Clifford Skeggs (16/34/2) is likely to provide the jurisdiction to include this land, if deemed appropriate to do so.

The following submissions submit that the proposal is well integrated:

Nichols Garden Group (16/28/1) supported by **Wanaka Hardware and Building Supplies Ltd** 16/28/1/2 and opposed by **Shotover Park Limited** (16/28/1/1), submits that the site is the most suitable location for the activities proposed given its linkages with the urban area and roading and servicing network.

Orchard Road Holdings Limited (16/31/1) opposed by **Shotover Park Limited** (16/31/1/1), intends to develop its site in accordance with the Wanaka Structure Plan and encourages the implementation of the Three Parks Plan Change so that a sustainable and efficient roading and servicing network can be established through both sites.

Note: You are also referred to the discussion under Issue 5 (regarding roading) and issue 6e (regarding notification), relating to some of the above submissions.

Discussion

The key issue here is whether the Plan Change should:

Plan Change 16 – Three Parks Special Zone

- a) Relate only to that land shown in the Plan Change documentation (which is held in a single ownership);
- b) Be extended to include the adjoining land, the entire Southern Wanaka area, or to an area more clearly defined by topography, or
- c) Exclude the residential land and then consider this in conjunction with the adjoining land and re-notify that as a subsequent Plan Change.

On this matter we heard from Ballantyne Investments Limited, Mount Cardrona Station, Willowridge Developments Limited, and Orchard Road Holdings Limited.

Rather than requesting an expansion to the area covered by the Plan Change, Ballantyne Investments Limited actually requested a reduction in the extent; so as to not include any of the proposed residential land (and that all residential land including that on adjacent properties be considered in a subsequent Plan Change). On behalf of Ballantyne Investments Limited, we heard planning evidence from Mr Edgar. Whilst we can entirely understand the concerns of the submitter and agree that it seems logical that the future use of the land between the Town Centre and Three Parks be resolved in the context of Three Parks, we agree with the Planners S 42A Report that this can be considered after the decision is made on the zoning of the Three Parks. Whilst we do recognise there may be issues with the amount of residential land that may be released if a second Plan Change proceeds, the logic of containing it all within the same catchment and all in the vicinity of an evolving Commercial Core and the infrastructural investment has definite advantages in terms of efficiency and the ability to provide a local centre off the back of the larger retail.

Whilst it is lawful to extend the area being re-zoned via submission, we concur with the views of the councils' planner that it can restrict the involvement of those who may have become involved earlier in the process had they known the full geographic extent of the Plan Change. This, coupled with the fact that we heard nothing at the hearing to convince us that it was necessary to expand the area in order to achieve a better urban outcome, leads us to conclude that it is not appropriate. In coming to this conclusion you are also referred to Issue 6f in this report, in which we recommend that changes are made to the non-notification clauses so as to enable neighbouring property owners and those affected by roading connections beyond the site to be involved in the process. Whilst the notified provisions of the Plan Change require connectivity with adjoining sites to be considered as part of the Outline Development Plan, we also consider that the timing of constructing those connections, and in particular the mainstreet, is important and, as such, that further assessment matters be added to ensure timeliness. We also recommend that a further assessment matter be added which also requires the Council/ applicant to consider how the interface between landuses within Three Parks and any adjoining land beyond the zone is managed. The example we raised in discussions at the hearing was a need to ensure that the development of the business zone would need to be done in a way which mitigates effects on the land to the north.

However, it is acknowledged that it is logical to consider re-zoning the land north of the Three Parks zone (being Lot 2 DP 304423), owned by Ballantyne Investments, and potentially also Moseby and Gordon's property located at 124 State Highway 84, in the foreseeable future so that it can be developed in a seamless way in conjunction with the Commercial Core and adjacent residential subzone. To this end, the Council has indicated this project in its LTCCP and 2009/2010 Annual Plan.

In relation to the submission by Angus and Dale Gordon (16/14/3), it is noted that Plan Change 32, relating to the Ballantyne Ponds land, is now operative and, hence, the intent of their submission has been met (as far as it is understood). The Council will need to review

the designation status and ownership issues in due course, but this is not considered to be a valid reason to delay the Three Parks Plan Change.

In response to submissions raising concerns that Three Parks would result in disjointed commercial development and greater vehicle use, we consider that as Three Parks will enable the co-location of large and, in time, smaller retail stores and other commercial uses this will, in fact, encourage less movement between centres and generate less trips. It is noted that the current trend for LFR to locate in the business and industrial areas or in other towns is not conducive to good transport outcomes. The Wanaka Structure Plan and, in turn, the Three Parks Plan Change have been developed around a strong consideration of transport implications with the development pattern intended to facilitate public transport in the future.

Relief sought and recommendations

You are referred to Appendix 1 for recommendations on the specific relief sought.

In summary, we recommend that:

- The geographic scope of the Plan Change remain unchanged
- That a separate Plan Change be further investigated for the land to the north of the Three Parks Zone, in recognition of its close proximity to both Three Parks and the Town Centre.
- A note be added to the rule regarding compliance with the Structure Plan and an assessment matter be added in regards to Outline Development Plans in order to ensure that good connectivity is achieved in a timely manner.
- Potentially – that a further assessment matter be added requiring the interface of landuses within the zone and adjacent land be considered so as to avoid conflicts, etc.

You are referred to Appendix 2 for the recommended changes to the Plan provisions.

Reasons for the recommendations

The reasons are fully canvassed in the above discussion but, in summary, the recommended changes are intended to:

- The revised provisions require connectivity between the site and adjoining land and, as such, will ensure greater certainty of outcome. You are also referred to the proposed amendments in Appendix 2 which are aimed at improving connectivity (which are discussed further under Issue 6g).
- The Wanaka Structure Plan provides an overall landuse pattern adopted by Council for subsequent Plan Changes within the Southern Wanaka area, which, together, will give effect to the Wanaka Structure Plan over time;
- The background Wanaka Transport and Parking Strategy (and associated modelling) assumes that the wider Southern Wanaka area will be developed in accordance with the Wanaka Structure Plan over time and concludes that there is unlikely to be any unforeseen or insurmountable transport or roading-related issues resulting from incremental development in accordance with the Structure Plan.
- There are inefficiencies (in terms of infrastructure provision, travel distances, etc) associated with 'opening up'/enabling development on too many fronts as is likely if the zone were to cover the whole southern Wanaka area.
- Extending the scope at this stage raises concerns of procedure, as outlined above.

- Plan Change 32 (relating to the Ballantyne Ponds land) is now operative and the issue regarding the future ownership of the Ponds land is not considered relevant to the merits of the Three Parks Plan Change.

Issue 5 - The Appropriateness of the Structure Plan – the Layout, Green Space, and Roading

Submissions received

The following are in **general support** of the Structure Plan:

Nichols Garden Group (16/28/1), supported by **Wanaka Hardware and Building Supplies Ltd (16/28/1/2)** and opposed by **Shotover Park Limited (16/28/1/1)**, submits that the Structure Plan will enable comprehensive, attractive, and efficient development.

Orchard Road Holdings Limited (16/31/1), opposed by **Shotover Park Limited (16/31/1/1)**, submits that the resultant masterplan takes into consideration the principles of sustainable management.

Wanaka Hardware and Building Supplies Ltd (16/39/1), supported by **Willowridge Developments Limited (16/39/1/2)** and opposed by **Shotover Park Limited (16/39/1/1)**, submits that the Three Parks masterplan will enable a comprehensive masterplanned approach to development.

The following submissions raise issues relating to the **open/ green space** shown on the Structure Plan:

Alistair Madill Architects Ltd (16/4/1, 16/4/2), supported by **Alistair Madill Architects (16/4/2/1)**, **Roger Gardiner (16/4/1/1, 16/4/2/2)**, **Mount Cardrona Station (16/4/1/2, 16/4/2/3)**, **Shotover Park Limited (16/4/1/3)** and **Sustainable Wanaka (16/4/1/4)** and opposed by **Willowridge Developments Limited (16/4/1/5, 16/4/2/4)**, submits that there is little zoned open space and that the green network is non-existent.

Mr Chris Norman (16/29/1, 16/29/2, 16/29/3), supported by **Roger Gardiner (16/29/1/1, 16/29/2/1, 16/29/3/1)**, **Mount Cardrona Station (16/29/1/2)**, **Shotover Park Limited (16/29/2/2, 16/29/3/2, 16/29/1/3)**, **Sustainable Wanaka (16/29/1/4)** and opposed by **Wanaka Hardware and Building Supplies Ltd (16/29/1/5)** and **Willowridge Developments Limited (16/29/1/6, 16/29/2/3)**, suggests that more green space is required to be shown on the Structure Plan and expresses concern that the greenspace buffer does not extend the full length of the boundary with SH84 and that visitor accommodation and high density residential are able to directly abut SH84. He also notes that there is inconsistency between the various maps in the Plan Changes, one of which suggests that the business mainstreet abuts the SH84.

Sustainable Wanaka (16/36/1 and 16/36/2) supported by **Shotover Park Limited (16/36/1/1, 16/36/2/1)** and opposed by **Wanaka Hardware and Building Supplies Ltd (16/36/1/2)** and **Willowridge Developments Limited (16/36/1/3, 16/36/2/2)**, submits there is insufficient, well-designed and well-located green space.

The following request amendments to the **roading** shown on the Structure Plan:

Firth Industries (16/11/1, 16/11/2) supported by **Shotover Park Limited (16/11/1/2, 16/11/2/2)** and opposed by **Orchard Road Holdings Limited (16/11/1/1, 16/11/2/1)** and

Willowridge Developments Limited (16/11/1/3, 16/11/2/3), request a change to the location of the intersection with Ballantyne Road.

NZ Transport Agency (16/30/3), opposed by **Firth Industries** (16/30/3/1) and **Willowridge Developments Limited** (16/30/3/2), requests that the Council consider the necessity (and staging) of the intersections onto Riverbank Rd and is concerned about the effect of the intersections on the level of service of the road. Whilst the Agency does not necessarily suggest that the two intersections should definitely be removed from the Structure Plan, it raised the issue in order to ensure that in reaching our decision, we are satisfied that they are both necessary and that they will not adversely affect the functionality of Riverbank.

Wanaka Residents Association (16/40/1) supports the concept of the Plan Change but requests that the plan is revised so that the Commercial Core is focussed on and served by local and collector streets and the local access function of the arterials is minimised to enable them to operate safely and effectively.

Willowridge Developments Limited (16/41/2), opposed by **Shotover Park Limited** (16/41/2/1), submits that greater flexibility be allowed in the location of the arterial and collector roads;

The following submitters suggest that **amendments to the subzones and other general amendments** shown in the Structure Plan may be appropriate:

Angus and Dale Gordon (16/14/1/ and 16/14/2), supported by **Shotover Park Limited** (16/14/2/1), contend that the mish-mash of uses needs to be refined and more dialogue is needed and, in turn, request that the application be declined.

Marilyn Gordon and Roger Moseby (16/24/1), supported by **Marilyn Gordon and Roger Moseby** (16/24/1/1) question whether the High Density Residential zoning over their land is appropriate and, in their further submission, request that their land be included in the Plan Change and be rezoned commercial. You are also referred to the discussion of this submission under Issue 4.

Mount Cardrona Station (16/27/7), partly supported by **Shotover Park Limited** (16/27/7/1) request the deletion of the Tourism and Community Facilities subzone.

Similarly, **Sustainable Wanaka** (16/36/1 and 16/36/2) supported by **Shotover Park Limited** (16/36/1/1, 16/36/2/1) and opposed by **Wanaka Hardware and Building Supplies Ltd** (16/36/1/2) and **Willowridge Developments Limited** (16/36/1/3, 16/36/2/2), submits that the Three Parks Plan Change conflicts with the Wanaka Town Centre Strategy which is to incorporate community facilities and places of assembly in or near the Town Centre and question the need for additional facilities over and above what is planned for in or near the Town Centre.

In addition, whilst the relevant submissions are not re-stated here, the Structure Plan (maps 1-3) will also change as a consequence of the recommendations we made in Section 2 in regard to:

- Reducing the size of the Commercial Core, and the addition of a deferred Commercial Core subzone, the Structure Plan has been amended accordingly and is attached to this report and
- Amending the staging diagram

Discussion

In regard to **general support** (or opposition, by way of further submissions) to the Structure Plan, we heard from Ballantyne Investments Limited, Mount Cardrona Station, Willowridge Developments Limited, and Orchard Road Holdings Limited.

No specific discussion is considered necessary in response to those submissions in general support of the Structure Plan and that which requests a simple change to the title of the Structure Plan (which is accepted). The remaining issues are discussed in turn.

We agree with Willowridge Developments Limited that the 'Southern Wanaka Structure Plans' contained on pages G10 and G11 of the Plan Change need to be **renamed 'Three Parks Structure Plan'**, acknowledging that this was simply an oversight in the drafting, whereby not all changes were made to the text with the names of the zone changed back to Three Parks.

A number of submitters raise issues relating to the lack of **open/ green space** shown on the Structure Plan. In regard to this matter, we heard from Alistair Madill (an architect based in Wanaka), Roger Gardiner, Mount Cardrona Station, Shotover Park Limited, Sustainable Wanaka, Mr Norman, and Willowridge Developments Limited.

A number of the submissions raised concerns about the lack of green space, and/ or the lack of certainty as to where and how much would be provided. Whilst our recommendation that Outline Development Plan applications must be of a minimum size (as discussed in detail in Section 6c) will go a considerable way toward ensuring that the open spaces shown in the Outline Development Plans are comprehensively planned, we still recommend that a number of further changes are made to provide more certainty to the community.

We shared concerns with many submitters that there appeared to be a lack of open space generally in this zone. However, we were constrained by the advice we received that it would be difficult to defend using the district plan to identify reserves. The amount identified is consistent with the Council's current reserves contribution policy and we consider that this is a matter worthy of attention by Council in the future. If it is amended it is possible that more open space will result than is shown on the plan and we are informed that it is common for developers to agree to provide more open space than they are required. In other recent plan changes we are aware that agreements have been reached with landowners prior to notification that ensured more generous supply of open space. We find it regretful that this has not occurred in this instance. We do acknowledge that open spaces can be acquired for public uses through mitigation of landscape effects and through stormwater management. To this end, it is our view that the only open space that should be counted as a recreational reserve contribution is the 'hillock' to the south of the zone. We nonetheless acknowledge that this is an issue that will need to be addressed outside of these zoning provisions.

We realise that the Council's Reserves Policy will determine how much open space the community of the time want and can afford (in terms of taking the land instead of cash and ongoing maintenance costs). For this reason, it is difficult if not impossible to commit a certain amount of green space for future communities.

We received suggestions from Orchard Road Holdings Limited that an option would be to include a rule which required the developer to submit a masterplan showing open space and roads as a controlled activity prior to an Outline Development Plan and that subsequent Outline Development Plans would then be subject to an assessment matter relating to its

consistency with this earlier masterplan. Whilst, in principle, this would meet our desire to see the entire open space network mapped out, it raised concerns for us, including:

- It adds another level of complexity to the regime
- What level of detail would the developer be prepared to commit to, given that some of it may not be developed for 20+ years
- It would be costly to prepare in that presumably all street blocks would need to be checked that they can be feasibly developed at the required densities and in accordance with the design principles
- Committing to the location of various types of open space will, in turn, dictate the residential densities (i.e. location of multi unit nodes) and probably other uses and built form (e.g. the choice of where to locate spaces within the Commercial Core will usually be made in conjunction with choices about the adjoining landuses/ built form) and the developer is very likely to wish to alter these over the life of the project
- Where open space is used as a buffer between subzones, the open space network shown on the masterplan will essentially 'fix' the subzone boundaries in those places and, again, this will require considerable detailed analysis as part of the masterplan to check these boundaries are appropriate.
- Controlled activity status would be problematic as the Council would have limited control yet even if it had reluctantly approved the masterplan there would be an expectation that Outline Development Plans should be consistent with it when this may, in fact, not be appropriate at all.
- Particularly given the long development period, it is difficult to see how the open space shown on the masterplan would be aligned with the Council's Open Space policy over time
- The land area could become fragmented into multiple ownerships making changes to the masterplan difficult to achieve.

As such, we consider that this is not an appropriate approach and would not give the certainty that we are looking for in respect of open space and, hence, it is not recommended.

Whilst we understand the difficulties associated with showing too much detail on the Structure Plan, particularly given the need to be consistent with the Council's Reserve Policy and the length of time it will take for this zone to be fully developed, we concur with the submitters' concerns that there is not enough certainty as to where and what open space will be provided within the zone. As such, we recommend that a separate Indicative Open Space Plan be included in the District Plan which sets out a hierarchy of open spaces. The Open Space Plan is indicative only as we acknowledge that the specific location, size, and function of such spaces and networks will be fundamentally influenced by the specific landuse, densities, and local roading network in the immediate vicinity, which will all be determined at the time of the Outline Development Plan. For example, it is considered unrealistic to plan the exact location of a high density node on the Structure Plan yet when its location is determined it will be important that it is in close proximity to a green space of a suitable size and design. Rather, it is considered more appropriate to retain discretion over open spaces and networks at the Outline Development Plan stage (12.26.4.5(i)(c)) and, in more detail, at the time of building (when matters such as landscaping, the treatment of the public/ private interface, and streetscape design are further considered). This discretion is supported by assessment matters which specifically require roading layouts to be pedestrian and cycle friendly (refer 12.26.4.5(ii)(a)-(d)) and provide clear guidance as to the design, location, size, connectivity, and function of open spaces (refer 12.26.4.5(ii)(l) – (q)).

We consider it reasonable to show 6 additional open spaces on an indicative Open Space Plan, in addition to those which are already shown on the Structure Plan (map 1):

- The first is the stormwater flow paths which could serve the primary purpose of stormwater disposal but could also perform a secondary function of providing walkways and relief from the urban environment. This needs to be shown as indicative as the exact extent of the area likely to be vested as local purpose reserve at this stage is unknown
- The second is a 10m wide landscaped setback the length of Riverbank Rd, which would provide a buffer between residential properties and the road noise; would be visually attractive; and help identify and provide strength to the long term urban growth boundary. This matter was specifically raised as a concern in the submission presented by Mr Alistair Madill and would also partially address the concerns raised by Mr Hook on behalf of Mount Cardrona Station and Shotover Park Limited relating to a need to mitigate the inconsistencies and potential conflicts between the scale and intensity of buildings on opposite sides of the road.
- The third is a building setback from the transmission line shown on the Structure Plan. This need not necessarily be provided as open space (i.e. it may be that some of this land is used as road) and need not be provided at all in the event that the transmission lines are put underground. We nonetheless feel it is appropriate to identify this as an open space opportunity.
- The fourth is an additional recreation reserve in the residential area to the west of the Commercial Core, the exact location of which will be determined at the Outline Development Plan stage.
- The fifth is a public square in the Commercial Core, which is considered to be one of a number of spaces which will develop within the subzone over time.
- The sixth is an acknowledgement that the Tourism and Community facilities Subzone will provide relief, as a result of the low building coverage and requirements to provide public access and provide building setbacks.

In addition, we recommend that a specific objective and policies be added clarifying the desired outcome regarding greenspace and the fundamental policies for achieving this and that an objective and policies be added providing clearer guidance as to the various spaces that are expected in the Commercial Core. We also recommend that additional rules be added in order to provide greater certainty that those open space shown on the Structure Plan (Map 1) will not be inappropriately developed.

Mr Norman expressed concerns that the greenspace buffer does not extend the full length of the boundary with SH84 and that visitor accommodation and high density residential are able to directly abut SH84. He also notes that there is inconsistency between the various maps in the Plan Changes, one of which suggests that the business mainstreet abuts the SH84. We agree with Mr. Norman that the provisions do not provide enough control over what can occur on those areas shown as “open space, particularly in regard to that area with an underlying Tourism and Community Facilities subzone. Regarding the area of business zoning that abuts SH84, although it is not expressly stated in the Plan provisions, this area is specifically to accommodate a service station. The reason for providing for a service station in a high profile location, which is highly visible from the State Highway is to enable either of those that currently exist in the Town Centre to move, should they wish to. This is consistent with the objectives of the Draft Wanaka Town Centre Strategy to increase the active street frontage along Ardmore Street and to generally make it more pedestrian-friendly. It is noted that the reason for not including specific provisions was that it was considered to be more efficient, more defensible, and provide more certainty to limit use through a legal agreement with the developer. Whilst we are satisfied that providing this zoning is appropriate we do not consider it needs to be so large and, hence, have recommended that it be reduced to a size which will still accommodate a reasonable size service station and that a restrictive building coverage rule be added and a small amount of permeable space be required. We also note for the record that we are satisfied that the

matters of discretion relating to the building of the service station will appropriately control landscaping and note that there is a specific assessment matter which emphasises the importance of an attractive design, including the landscaping, lighting, and signage.

A number of submitters request amendments to the **roading** shown on the Structure Plan. In regard to roading, we heard from Firth Industries, Shotover Park Limited, Orchard Road Holdings Limited, Willowridge Developments Limited, and Wanaka Residents Association, and a written statement was tabled by NZ Transport Agency,

In response to the request to shift the **intersection of the arterial road and Ballantyne Road**, the Council commissioned a further traffic assessment relating specifically to this intersection. This is included as Appendix 5 of this Planner's report. As a result of this further analysis, it is concluded that the intersection point can remain in its current position (+/- 20m) on the basis that safety issues can be adequately mitigated through careful intersection design. That said, it will be highly beneficial for all landowners within the vicinity of the intersection to work together in order to reach the best possible outcome and, as such, it is recommended that limited notification be enabled in respect of this particular issue.

With regard to whether two **intersections onto Riverbank Road** are necessary and the effects these may have on the service levels of Riverbank Rd, we are satisfied, having considered the Section 32 report and the statements tabled by the NZTA and by Firth Industries at the hearing, that allowing the two intersections shown on the Structure Plan will not adversely effect service levels of Riverbank Rd. We were particularly grateful for NZTA's statement, which concluded that constraining access onto Riverbank Rd in the manner proposed will preserve the functionality of Riverbank Rd and that with appropriate intersection design it will enable it to operate as an arterial with a high speed environment. We consider Riverbank Roads' continued and, indeed, enhanced role as a high speed arterial to be particularly important considering our recommendation in this decision that the "Mainstreet" running through the Zone will not operate as a true arterial but, rather, at least for a part of it, as a pedestrian-oriented mainstreet. We note that our decision was also influenced by the Planner's Report, which stated that Urbanism+, the urban designers involved in preparing the Structure Plan, in fact favoured 3 connections (as this would reduce cul de sacs and the number of sites backing on to Riverbank Rd, for example) and that two intersections was considered to be an appropriate outcome taking into account all desired outcomes. An associated matter not specifically addressed by any submitter or Section 32 report but which we consider important is that there should be an expectation within the Assessment matters that driveways directly onto Riverbank Rd are not considered appropriate for many of the same reasons that we have outlined in relation to the need for building setback early in this section.

The matter of deferring the staging of this area and, hence, the roading to a later stage is considered in the discussion below regarding residential staging.

In response to the suggestion by the Wanaka Residents Association that the **Commercial Core should be focussed on and served by local and collector streets rather than the arterials** and taking into consideration the planners report (including the attached Urban Design report), and the evidence we heard from Mr Dickson and Mr Mentz, we consider that it is important that the buildings and public spaces front onto a relatively busy mainstreet in order to contribute to its vitality and vibrancy and to enable the area to evolve into a pleasant Commercial Core over time. Having considered the various views, it is considered that even though there will be some congestion within the Commercial Core (and, as a consequence, some diversion of traffic along collector routes), it will function effectively as a vibrant and pleasant mainstreet. That said, it is recommended that a

number of additions are made to the assessment matters in order to clarify the anticipated character further stress the importance of minimising vehicle access onto the mainstreet. In addition, we recommend that the Structure Plan and provisions are amended to no longer refer to the mainstreet as an “arterial”, as we were convinced by the evidence of Mr Mentz that the road is not intended to fulfil the function of a true arterial² and that use of the term is misleading. Rather we consider it should be described as a ‘collector road’.

In response to the submission of Willowridge Developments Limited that **the location of the arterial and collector roads** be allowed to move up to 50m, it is considered that for specific reasons it may be necessary and/ or highly beneficial to allow such roads to be moved by this amount. It is therefore recommended that the provisions are amended to reflect this.

In regard to requests for changes to the subzones and other general amendments to the Structure Plan, we heard from Shotover Park Limited, Willowridge Developments Limited, Mount Cardrona Station, Sustainable Wanaka, and Ballantyne Investments Limited.

Regarding the submission of Angus and Dale Gordon, it is not considered that the Plan Change provides for a **mish-mash of uses** but rather that the integration of the various uses has been considered in detail in order to provide high quality urban environments. There has been extensive consultation leading to the Wanaka Structure Plan and the Three Parks Plan Change (as recorded in the Section 32 Report) and it is therefore considered there has been sufficient **dialogue**. Regardless, the process continues and the submitters have the opportunity to express their views directly to the commissioners at the Plan Change hearing.

In response to the submission of Gordon and Moseby that the land at **124 SH 84** be included in the Zone and re-zoned commercial, you are referred to the discussion under Issue 4

In their submissions, both Mount Cardrona Station and Sustainable Wanaka question the appropriateness of the **Tourism and Community Facilities subzone** for the specific reason that it enables community facilities and conference facilities at Three Parks, which would contribute to its undermining of the Wanaka Town Centre. We heard nothing specifically on this matter in the submission or evidence presented on behalf of Mount Cardrona Station or in the submission presented for Sustainable Wanaka. Whilst the submitter’s concerns are understood, we are not convinced that it is a significant risk given that the Wanaka Town Centre Strategy provides clear direction that the Town Centre will continue to fulfil the function as the area’s civic heart, which presumably means that, in adopting the document, the Council has committed to retaining and enhancing its civic facilities there. That said, the Town Centre Strategy does not suggest that public recreation facilities need necessarily be located within the Town Centre and, to the contrary, the Council is currently considering options for such facilities; none of which are within the Town Centre and one of which is partly within the Tourism and Community Facilities subzone. The provisions of this subzone will enable this use if it is determined to be the preferred option in the future.

While commercial activities such as hotels and conference facilities may locate in this subzone the rules for the zone as amended in this report (in particular. the very low building coverage, the prevention of low density residential development, and the large minimum lot size) will significantly restrict other uses from locating here and will be effective at retaining the land at a reasonable value, such that community and education facilities should

² Refer to the definition on the District Plan

realistically be able to locate here if they wish. We consider this to be of utmost importance. With regard to conference facilities, we did have some concern as to whether such uses would be better located on the edge of the Town Centre. However, we concur with the assessment of the Council planners that there is only one obvious site within the High Density Residential zone which is large enough and has the appropriate zoning to accommodate a hotel and conference facilities and, as such, it is considered appropriate to enable such a facility to be developed within this subzone, in order to provide for this possibility in the future.

It is also worth noting that a key purpose of the Tourism and Community Facilities subzone is to enable a pleasant, relatively open, landscaped, 'soft' transition from the State Highway into the Commercial Core. In this respect, we consider that the uses allowed in the zone, together with the provisions regarding setbacks, coverage, landscaping and design will achieve this outcome.

As discussed previously in Section 2 the most significant change to the Structure Plan is the reduction in the size of the Commercial Core subzone, the introduction of a Deferred Urban subzone, and the consequent amendments to roading and the reallocation of landuses that have been made in order to accommodate these changes.

You are also referred to our recommendations in regard to staging, which have the effect of amending the Staging Plan attached to the Structure Plan.

Relief sought and recommendations

You are referred to Appendix 1 for recommendations on the specific relief sought.

In summary, it is recommended that:

- An Indicative Open Space plan be added to the series of Plans in the District Plan (showing a hierarchy of open spaces, which includes those which are 'fixed', those which are flexible/ non-fixed (in terms of their exact location), and those which are open space opportunities associated with infrastructure (i.e. overland stormwater flow paths and the transmission line). In addition to those previously shown on the notified Structure Plan, a 'fixed' open space buffer has been identified adjacent to Riverbank Rd, a 'non-fixed' recreation reserve has been identified to the west of the Commercial Core, and the Tourism and Community Facilities Subzone has been acknowledged, as potentially providing for public open space (if used for community recreation facilities) but, at the very least, will have a low building coverage, high level of landscaping, and provide semi public access).
- The reference in the assessment matters relating to the Commercial Core including one appropriately scaled square be amended to make it clear that more than one is expected.
- An additional assessment matter be added relating to whether and to what extent the Outline Development Plan incorporates the various open spaces identified as non-fixed on the Indicative Open Space.
- Two additional objectives (and associated policies) be included relating to the zone wide provision of open space and, more specifically, relating to the various spaces that are expected in the Commercial Core.
- Additional rules restricting development on open spaces.
- All references to "Southern Wanaka" be replaced with "Three Parks"
- Limited notification be enabled regarding the design of intersection of the main arterial and Ballantyne Road in order to ensure an optimal outcome is achieved. This is more fully discussed in Section 6f.

Plan Change 16 – Three Parks Special Zone

- Two accesses are retained onto Riverbank Rd
- Reference to the arterial roads be amended to refer to them as ‘collector’ roads.
- The Mainstreet is retained through the Commercial Core but with additional assessment matters.
- The rules and legend of the Structure Plan are amended to allow movement of the collector roads up to 50m, that the intersections of the arterial roads (within the zone) are shown as fixed on the Structure Plan, that additional assessment matters are added providing guidance as to when such movement is likely to be appropriate and to state that movements more than 20m will not normally be expected, and adding a policy to strengthen the fact that movement by more than 50m is considered to significantly affect the integrity of the Structure Plan.
- The Moseby and Gordon land is not included within this Plan Change.
- The Tourism and Community Facilities subzone be retained.
- The size of the Commercial Core be amended and consequent changes made in accordance with our recommendations in Section 2.
- The area of business subzone adjacent to SH84 be reduced in size
- Strengthen the provisions relating to the areas shown as open space in the Structure Plan
- The residential staging be amended in accordance with our recommendations in Section 2.
- The Structure Plan be reproduced in a clearer format and enlarged for inclusion in the District Plan, and specifically, that the zone and subzone boundaries be made clearer.

You are referred to Appendix 2 for the recommended changes to the Plan provisions.

Reasons for the recommendations

The reasons are fully canvassed in the above discussion but, in summary, the recommended changes are intended to:

- Encourage a greater amount of open space to be provided throughout the zone, whilst enabling its exact location, purpose, and design to be determined through the Outline Development Plan approval process.
- Provide an open space masterplan for the entire site, which can be worked toward through the various Outline Development Plan applications.
- To enable a superior outcome in terms of safety and efficiency along Ballantyne Rd.
- To ensure a good urban design outcome, whilst still retaining good efficiency along Riverbank Rd.
- To ensure a good mainstreet condition through the heart of the Commercial Core.
- To enable a practical and efficient development of the main roads within the zone whilst still retaining the integrity of the Structure Plan and as much certainty of outcome as possible.
- The amended residential staging provides the developer with greater flexibility regarding which area to develop first whilst encouraging development to make efficient use of existing infrastructure or infrastructure which is required for the Commercial Core, regardless.
- Rezoning of the Gordon and Moseby land is more suitably considered for inclusion in any subsequent Plan Change to rezone the land to the north of the Three Parks Zone.
- To better preserve the visual amenity of the entrance into Wanaka by reducing the scale of potential business development that can occur adjacent to the State Highway and strengthen the provisions relating to the open space areas.

Issue 6 - The Appropriateness of Specific Provisions, Objectives, and Policies

This discussion is further broken down as follows:

- a) The LDR subzone rules in their entirety
- b) Bulk and location
- c) Urban design
- d) Activity status
- e) Sustainable design and construction
- f) Notification
- g) Transportation issues, including roading, cost sharing and Travel Demand Management (TDM)
- h) Affordable Housing

a) The Low Density Residential (LDR) subzone rules in their entirety

Issue:

The issue is whether establishing an entirely new set of provisions for the LDR subzone of the Three Parks subzone is more appropriate than simply applying the existing LDR provisions that exist for the rest of the district.

Submissions received:

The **Wanaka Residents Association** (16/40/2) is opposed to the LDR subzone rules in their entirety as it believes that the existing LDR rules operate satisfactorily and there is little benefit in introducing another set of rules.

Discussion

We heard expert evidence on this matter from Mr Graham Dickson on behalf of the Wanaka Residents Association. Mr Dickson has both engineering and planning experience and we valued his detailed analysis of the various rules being proposed. Many of the Association's concerns are discussed in more detail in sections 6b, 6c, and 6d below.

We are conscious of over-complicating the District Plan with yet more new provisions and subscribe to the view that "if it's not broken don't fix it". Therefore, we were careful to fully consider just what problems exist with the current district-wide LDR residential provisions. Whilst we concluded that some of the problems that were highlighted to us by the council planners relating to houses needing to address the streets better are not evident to any significant degree in Wanaka's LDR zone, we consider that the following are real shortfalls in the current rules:

- Garages within front yards (and, hence, dominating the streetscape and limiting opportunities for passive surveillance).
- A minimum lot size which inevitably results in a high level of homogeneity
- A large number of cul de sacs in all but the oldest residential areas of Wanaka
- A large number of rear lots created through the initial subdivision and through infill
- High fences being erected on street boundaries, presumably in order to provide privacy and safety to outdoor living areas but compromising the outcomes in the street

- Visitor Accommodation (including large scale visitor accommodation) being allowed to establish in the LDR zone; noting that only one has ever been declined (and that was in Queenstown even that one was eventually granted at a smaller (although still significant) scale). There are considered to be a number of advantages in providing more certainty in the location of visitor accommodation.
- Comprehensive Residential Developments and residential flats in multi-unit developments resulting in far greater density than envisaged in the LDR zone and in areas not necessarily well suited to such density.

Our recommendations on how to deal with these various issues are fully discussed under section 6b.

A rule which the Wanaka Residents Association didn't address specifically in their submission but is captured by their all-encompassing submission point (outlined above) relates to internal setbacks. As a consequence of the relatively liberal height rule and recession planes (on 3 boundaries) which we have recommended in the below section and in recognition of the complexity of the internal setback standard in the notified Plan Change, we recommend that the internal setback rule be changed to require 1 setback of 4.5 metres and all others of 2 metres. For simplicity, our recommendation and reasons for this are included in section 6b) along with the other bulk and location matters.

In conclusion, due to the fact that the subzone sits within an entirely new Three Parks Zone and that the objectives, policies, and some rules within the current LDR zone are, in our view, inappropriate, we consider that a new LDR subzone should be drafted, albeit that it may include many of the same provisions as the rest of the District Plan. We also see merit in extending such provisions to other parts of the district in the future provided monitoring shows that they are working successfully at Three Parks.

b) The appropriateness of provisions relating to bulk, location, and external appearance

Issue:

The Plan Change proposes bulk and location rules that are quite different from those in other parts of the Plan, with the sole intention being to create a better urban outcome.

In addition to the below discussion, you are referred to the Urban Design Report prepared by the Council's urban designer, and attached to the Planners S 42A Report.

Submissions received:

A number of Submissions were received relating to the appropriateness of specific bulk and location rules:

Wanaka Residents Association (16/40/3), opposed by **Willowridge Developments Limited** (16/40/3/1), submit that Performance Standard 2 (relating to front setbacks, living areas facing streets, and maximum fence heights in the LDR zone) is unduly restricting the ability to achieve maximum solar gain.

Wanaka Residents Association (16/40/4 and 16/40/6) oppose Performance Standards relating to building height and height in relation to boundary in both the MDR and LDR subzones, considering these standards to be less restrictive than the current rules, which will reduce amenity and result in uncertainty for neighbours.

Wanaka Residents Association (16/40/7, 16/40/8, and 16/40/9), supported by **Pete Bullen** (16/40/9/1) in relation to height in the Commercial Core, oppose the Performance Standards relating to building height in the Business subzone, the Tourism and Community Facility subzone, and the Commercial Core subzone considering that the proposed heights are unjustified and will unduly dominant the landscape and be out of scale with other development in Wanaka.

Denis Costello (16/10/1), supported by **Shotover Park Limited** (16/10/1/1) and **Chris Norman** (16/29/1), supported by **Roger Gardiner** (16/29/1/1), **Mount Cardrona Station** (16/29/1/2), **Shotover Park Limited** (16/29/1/3), **Sustainable Wanaka** (16/29/1/4) and opposed by **Wanaka Hardware and Building Supplies Ltd** (16/29/1/5) and **Willowridge Developments Limited** (16/29/1/6), are opposed to the Commercial Core and both comment that the 15m height, coupled with the 100% coverage in Commercial Core is more liberal than in the Town Centre and will further erode the Town Centre's ability to compete.

Allenby Farms Limited (16/5/1) supported by **Willowridge Developments Limited** (16/5/1/2) and opposed by **Mount Cardrona Station** (16/5/1/1), supports aspects relating to outdoor living sections and provisions requiring houses to be designed to optimise energy efficiency, and creation of pedestrian links.

RW Carrick (16/9/2) supports the Plan Change but requests that the Council ensure that colours such as bright orange and blue are avoided on the 'big sheds' that will no doubt be needed.

Willowridge Developments Limited (16/41/15), opposed by **Shotover Park Limited** (16/41/15/1), request that the 3m setback for non-residential buildings be removed and replaced with an assessment matter.

Discussion

In regard to specific bulk and location provisions, we heard from the Wanaka Residents Association, Willowridge Developments Limited, Chris Norman, Denis Costello, Mount Cardrona Station, Shotover Park Limited, and Sustainable Wanaka. Of those, the Wanaka Residents Association, Willowridge Developments Limited, Mount Cardrona Station, and Shotover Park Limited called expert evidence.

In respect of the Wanaka Residents Association's submission, we were convinced by the evidence of Mr Dickson that the performance standard (12.26.4.3(2)) relating to front setbacks, living areas facing streets, and maximum fence heights in the LDR zone would unduly restrict the ability to orientate one's house to achieve maximum solar gain. Whilst we accept that good subdivision layout should minimise the number of sites that will be constrained by the rules, there will undoubtedly still be a relatively large number that are. Whilst we fully understand the merits of creating a strong relationship between the houses and the street (through requiring them to be close to the street, to have generous windows facing the street and to avoid high fencing) we felt that in the Wanaka context, such onerous rules in a low density area were unreasonably restrictive, particularly when applied to sites on the south side of streets. Whilst we were interested in the compromise recommended in the planners report (which enabled houses on the south to setback a portion of the house to be further back and to have a higher fence along that portion of frontage) we consider that, on balance, these rules are unnecessarily complicated.

Therefore we recommend that the **street scene rules, as they apply to the LDR subzone**, be amended in the following manner:

- The minimum glazing area rule should be deleted, as a) it will unreasonably restrict flexibility and, in particular, the ability to design for sun, views, and privacy, b) it is considered that if living areas are too ‘open’ to the street then they will simply not be used or blinds will be drawn, thus defeating the purpose, and c) we are not convinced that passive surveillance is of such importance in the LDR to justify the aforementioned problems we envisage with the rule.
- The maximum road setback should be deleted as a) it will result in buildings being ‘lined’ up’ uniformly along the street edge resulting in a character which is quite ‘foreign’ to Wanaka, b) it will restrict flexibility in design, and c) we are not convinced that passive surveillance is of such importance in the LDR to justify the aforementioned problems we envisage with the rule.
- Garages should be required to be setback the same distance as the dwelling (i.e. contrary to the LDR zone they will not be allowed to extend into the front yard) in order to avoid garage doors or side walls dominating the streetscene.
- The restrictions on fencing should be relaxed in order to enable up to ½ of any fence erected along the road boundary and within the minimum road setback to be up to 1.8m in height whilst the remainder shall be no more than 1.2m in height. It was considered that landscaping/ hedges would not be subject to the rule as the concerns relating to (particularly solid) fences such as poor passive surveillance are less significant, (as they are often able to be seen through, especially at certain times of the year), and whereas fences can result in very poor amenity, hedges can provide a pleasant, informal character to residential areas. In summary, our recommendation to amend the fencing rule in the manner proposed is due to the fact that a) it will enable greater flexibility in design, b) it will enable those who need to locate their outdoor living to the side and front of the building (in order to meet the rules relating to sunlight hours) to create it as a private space through fencing, c) if fencing is not allowed such areas may not be well-used and, hence, will not contribute to passive surveillance anyway, and d) that restricting the higher fencing to just a portion of the front boundary would avoid the outcome of continuous fencing along a street. Whilst we considered the option of requiring such outdoor living to not extend into the road setback and for any high fencing to also be set back, we reached the view that, for some sites, this would simply render much of their sunny area useless and therefore was inefficient. We also considered allowing only permeable (non solid) fencing to extend up to 1.8m but considered this was too open to interpretation and would result in administration inefficiencies. We note that whilst such fencing is likely to occur only on the south side of streets and only in those instances where the outdoor living area is located between the house and the street, it adds a layer of complexity to make different rules for different sides of the street and is unnecessary.
- That the diagram provided under Standard 12.26.4.3(2) be deleted and replaced with one which reflects the amended rules.

On the basis of the Wanaka Residents Association’s submission opposing the low density rules in their entirety and, as a consequence of the removal of the maximum setback it is necessary to also amend the outdoor living rule (Standard 12.26.4.3(7)(d)) in order to enable outdoor living areas to be located between the front of the dwelling and the street, noting that with the removal of the maximum setback rule, this area could be significant.

Based on the evidence of Mr Dickson and what we saw on our site visits, we are satisfied that there are not significant problems in the low density zone from houses being well set back on lots, not adequately addressing the street, and not providing sufficient passive surveillance are not widespread in the existing Wanaka LDR zone and, as such, we

consider that the notified provisions relating to street scene and setbacks from roads are inappropriate.

Regarding Wanaka Residents Association's submission relating to **building height and height in relation to boundary in the LDR subzones**, we heard evidence from Mr Dickson. We found the comparisons between the rules for the LDR zone and those being proposed for the LDR subzone of the Three Parks Zone interesting, as was the information relating to sun angles in Wanaka. As a result, we considered the following optional rules in with a view to improving the amount of sunlight into dwellings:

1. Introduce 25° recession planes on all boundaries, as per the LDR zone
2. Introduce recession planes which vary depending on the compass orientation of the site boundary that it is measured from.
3. The notified rule of 3m setback for first story and 5m for 2nd story
4. Introduce a rule which followed the principle of 3m and 5m setbacks but amended it to a) cater for winter sun and b) for difference in north, south, and west/east boundaries

Our analysis of the pros and cons of each option has led us to recommend that the provisions be amended in order to enable greater sunlight access into neighbouring properties through introducing a recession plane rule, the angle of which will be set relative to the orientation of the various boundaries, with the recession plane being from 55° on the northernmost boundary, 40° on the eastern and westernmost boundaries, and 25° on the southernmost boundary. This is considered to be the most efficient and effective of the various options and is considered to be effects-based. This recession plane is to be applied to both flat and sloping sites (as, in our view, dwellings on sloping sites can still effect neighbours' access to sunlight). In recognition that the recession planes are quite restrictive and that there may be instances on sloping sites where it constrains development quite significantly we recommend that an exemption be included whereby where a site is 'sloping' and the predominant slope is tending in the same direction as the recession plane then that particular recession plane, if it happens to be on the southern boundary, is relaxed from 25° to 40°. In the interests of avoiding unnecessary consents and given the gently undulating nature of the Three Parks Zone, this is considered appropriate. As a consequence of introducing these recession planes but retaining the notified height to boundary provisions for the MDR subzone, we are concerned that where MDR sites immediately adjoin LDR sites, the MDR dwellings may have a significant adverse effect on the amenity of the LDR property due to the fact dwellings in the MDR subzone need not meet a recession plane rule, have only a small internal setback, and are allowed to be 3 storeys high. As such, we recommend that wherever an MDR site immediately adjoins a LDR site then the relevant LDR subzone recession plane shall apply along that boundary.

With regard to actual height, we heard from Mr Dickson regarding the risk of 9.5m high dwellings being enabled by the notified rules. Whilst the recommendation in the Planners S 42A Report, which proposes a maximum height of 8.5m, would prevent such high buildings, we consider that measuring the height in storeys in the LDR subzone is relatively complicated for quite minor, if any, benefit. It is acknowledged that the rule had initially been drafted in terms of storeys in order to a) avoid the issues with defining ground level, b) avoid people excavating and developing 3 or even 4 storey houses which were, in fact, 7m above ground level (prior to excavation), and c) to encourage interesting and diverse heights and roof lines. However, in the context of the gently undulating land of Three Parks and the fact that whilst the current height definitions are somewhat fraught, it is probable that the new rules would bring its own set of problems from an administrative perspective and would be likely to have its own set of unintended consequences. As such, whilst we don't necessarily think that measuring height in terms of storeys is inappropriate we simply do not believe that the benefits in the context of the Three Parks LDR subzone will justify the costs of administering a new regime. Rather, we recommend that a maximum height of

8 metres be introduced for both sloping and flat sites (1 metre higher than in the rest of Wanaka) in recognition that this is a greenfields site and in order to provide greater certainty whilst providing flexibility in regard to roof pitch and design and to minimize the incentive for people to excavate simply in order to obtain an extra metre of height. We also recommend that the diagram in Standard 12.26.4.3(5) be deleted and replaced with one that reflects the above suite of rules.

Notably, in the other subzones we recommend that height is measured in terms of storeys as well as a generous maximum height and this is discussed in more detail below.

Regarding concerns relating to the **15m height restriction in the Commercial Core Subzone**, we heard evidence from Mr Dickson and also had the benefit of the council Planners S.42A Report and attached urban design report from Mr Karlovsky. Whilst we are comfortable that this, being a new greenfields zone, can set new standards and need not be constrained by the rules in the District Plan we also see merit in ensuring that development is sympathetic to the Wanaka character and its role and point of difference. Whilst we are well aware of the benefits of enabling a consolidated Commercial Core we are also conscious of the large size of this subzone (meaning there is no scarcity of land to consider, even with our recommended reduction in its extent) and the limited types of use that will want to occupy above ground floor space. Together, these factors lead us to recommend that, for the majority of the Commercial Core, the maximum height should be reduced to 12m and, importantly, that buildings be limited to 3 storeys. However, in order to encourage a greater intensity around the mainstreet (and to make buildings which require lift access more viable) we also recommend that a proportion of the buildings that face the mainstreet and that are within that part of the mainstreet between and adjacent to the T-intersections shown on the Structure Plan may extend to 15m provided they do not include more than 4 stories. It is considered that the amended provisions will result in a built form that is not out of scale with the Wanaka Town Centre whilst encouraging a diversity of roof forms. Adding the limitation on the number of storeys raises the concern that underground carparking may inadvertently be discouraged as such carparks would be considered to be a “storey” under the notified definition. This is seen to have unintended adverse consequences from an urban design perspective and, as such, we recommend that the definition be amended to exclude underground carparks from the definition of “storey”.

Regarding concerns relating to the **10m height restriction in the Business Subzone** (and 8m maximum within 3m of a road boundary within the subzone outside of the mainstreet precinct), we heard evidence from Mr Dickson and also had the benefit of the Planners S.42A Report and attached urban design report from Mr Karlovsky. Whilst we considered Mr Dickson’s comparisons between the heights being proposed and those that exist in similar zones elsewhere in the district, we do not feel compelled to replicate these in the Three Parks Zone. In our view, the 7m height limit that exists in the Business Zone elsewhere in the district (e.g. in Anderson Heights) has proven to often be both ineffective and inefficient in terms of enabling quality building design and providing for the intended uses within the zone. As such, we consider that the height is an appropriate maximum but that greater certainty will be gained by adding a maximum number of storeys to the rule (being 3 and 2, respectively).

Regarding concerns relating to the **12m height restriction in the Tourism and Community facilities subzone**, we heard evidence from Mr Dickson and also had the benefit of the Planners S.42A Report and attached urban design report from Mr Karlovsky. In response, we consider that the type of buildings that are intended to locate there (such as schools, recreational buildings, conference facilities and visitor accommodation) may require this sort of height and that the effect of such height will be mitigated by the very low

building coverage (which we recommend be further reduced in the below paragraph) and the requirement at the ODP stage to show how the building platforms and proposed landscaping will provide an open landscaped entrance into the Three Parks Zone.

That said, we recommend that in addition to retaining the maximum height of 12m, all buildings should be no more than 3 storeys in height (whereas, as notified, residential buildings were not subject to a maximum height).

We were particularly interested in that part of Mr. Dickson's evidence which highlighted the conflict in the Tourism and Community Facilities Subzone between the allowable building height, the required parking, and the allowable building coverage and his conclusion that (assuming surface parking) only 1 storey buildings would be possible if all other rules were complied with. In response to that matter, in our view it is not the building height that is at fault but the building coverage rule and, hence, we recommend that the building coverage be reduced to 25% in order to enable higher buildings and to truly achieve a park-like setting, whilst still enabling the sort of uses that are intended. Whilst the discussion arose in the context of Wanaka Residents Association's submission, we are relying on the submissions by Alistair Madill, Chris Norman, and Sustainable Wanaka, (all of whom sought more open space), Mount Cardrona Station, (which requests the deletion of the Tourism and Community Facilities Subzone), and the over-arching submission of Infinity Investment Group Holdings Limited, which contests that good urban design principles have been ignored), in order to make this change.

With regard to height issues raised, we also recommend that additional zone-wide policies be included to ensure that:

- The maximum height is not intended to be used simply to create overly high surrounding parapet walls in order to create a visual presence well in excess of what is required to contain their internal volumes; and
- Applicants can not argue that 4 storeys within the maximum height limit will have no greater effect than 3, for example.

With respect to the concerns raised relating to the **100% coverage rule in the Commercial Core**, whilst we understand the importance of enabling a consolidated urban form to develop and note that matters such as servicing buildings and providing open space will be considered as part of the Outline Development Plan we see merit in including a site standard of 90% building coverage. Whilst this is greater than the 80% coverage allowed in the Wanaka Town Centre the 80% figure seems unnecessary given the Outline Development Plan requirements at Three Parks. We consider this as an appropriate way of checking at the detailed design stage whether there are any reasons (e.g. for servicing, storage, refuse, or even small areas of relief in the built form) why a building should not cover the entire site. We accept that in most cases, buildings will be able to cover their entire site and the assessment matters we have recommended reflects this. We also note that, in terms of efficiency, the building will be discretionary regardless so this simply adds another matter to be considered rather than changing the activity status.

The concern raised by RW Carrick about **the use of bright, presumably often corporate, colours** on buildings is most relevant in the business and Commercial Core subzones and, to a lesser extent, in the tourism and community facilities and residential subzones. In the Commercial Core and Tourism and Community Facilities subzones buildings can either be approved as part of a Comprehensive Development Plan or subsequent to an Outline Development Plan and, either way, the design of the building, including its colour, is subject to a restricted discretionary resource consent. In the Business subzone, where such use of colour is perhaps most likely, buildings are subject to restricted discretionary resource consent along the mainstreet and require a controlled resource consent elsewhere. Whilst

matters of control/ discretion in all subzones include “external appearance” and, in most, specify “signage” as part of that, neither the matters of control/ discretion or the assessment matters expressly state that the colour of the building may be a concern. As such, it is considered appropriate to clarify that building colour may be considered as part of assessing external appearance in the Commercial Core and Business subzones but that it should not be of any particular concern in regard to residential uses or other subzones.

In response to the request from Willowridge Developments Limited to remove the **3m setback for non-residential buildings** in residential zones (and replace it with an assessment matter), we heard planning evidence from Ms Alison Noble. In this respect, we recommend that the 3m setback be retained for non-residential buildings in order to provide stronger guidance to the processing planner and to ensure that if a buildings’ use changed to residential over time there would be no issues regarding compliance. The commissioners were also conscious that retaining the standard was not adding any extra burden on the applicant as failure to meet the standard would not change the activity status of the application. This recommendation is also influenced/ informed by our recommendation under Issue 6d of this report, which is that all retail and commercial activities (other than education and day care) should be non-complying in the residential subzones. This means that those types of non-residential uses which may have located here and be appropriately located closer to the road edge (such as a corner dairy) are no longer anticipated or provided for in these subzones.

Relief sought and recommendations

You are referred to Appendix 1 for recommendations on the specific relief sought.

In summary, it is recommended that amendments be made to:

- Amend the performance standard relating to “street scene and setback from roads...” (standard 12.26.4.3(2)) as it relates to the LDR subzone, such that the minimum setback of 3m is retained and is applied to garages as well as dwellings; the maximum setback of 4.5m is removed; the minimum area of glazing requirement is removed; outdoor living is allowed adjacent to the street; and the fencing requirement is relaxed
- Reduce the height for the majority of the Commercial Core to 12m, add a maximum number of storeys (exempting underground car parks), and retain the notified maximum height for a small portion of buildings in the core of the mainstreet but limit this to 4 storeys.
- Impose a maximum building coverage rule of 90% in the Commercial Core
- Include both a maximum number of storeys and a maximum height for all building types in the Business subzone and the Tourism and Community Facilities subzone.
- Reduce the maximum building coverage in the Tourism and Community Facilities subzone to 25%
- Add a maximum height of 8 metres and delete any reference to measuring height in storeys in the LDR subzone
- Wherever a site in the MDR subzone immediately adjoins a site in the LDR subzone, then the relevant LDR subzone recession plane rule shall be applied to the MDR site along that boundary.
- Add zone-wide policies relating to height and ensuring against the abuse of the rule relating to a maximum number of storeys and the use of the allowable height for parapets and false facades.
- Clarify that building colour is a consideration when assessing external appearance in the Commercial Core and Business Subzones.

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- Retain the performance standard relating to setbacks for non-residential buildings in the residential subzones.
- Amend the internal setback rule relating to buildings in the LDR Subzone
-
- In all other instances, it is recommended that the notified provisions are retained

You are referred to Appendix 2 for the recommended changes to the Plan provisions.

Reasons for the recommendations

The reasons are fully canvassed in the above discussion but, in summary, the recommended changes are intended to:

- Improve the urban design outcomes and certainty by strengthening the provisions
- Improve the amenity values in the LDR subzone, particularly those relating to access to sunlight and views.
- Ensure that the scale (especially in the Commercial Core) is more consistent with scale of built form in Wanaka whilst still encouraging an intensity of development (as opposed to sprawl) and allowing for variation and cost efficient design and construction
- Provide greater certainty of outcome in regards to height and avoid abuse of the rules.
- Avoid overly complicated rules and inefficiencies associated with introducing rules which have no precedence in NZ, unless they are sufficiently justified by the benefits.

c) The appropriateness of the provisions relating to ‘big picture’ urban design matters

Issue:

At a macro level, various submitters question whether the Plan Change will result in a good urban design outcome and, more specifically, some raise concern about the sort of layout that the Plan Change will enable. These submissions prompted us to consider both the big picture urban design matters and a number of more specific design-related matters that arose through the hearing.

In addition to the below discussion, you are referred to the Urban Design Report prepared by Council’s urban designer, attached to the Planners S.42A Report as Appendix 4.

Submissions received

Three submissions were received relating to whether the Plan Change, as a whole, will result in good urban design:

Infinity Investment Group Holdings Ltd (16/21/2), supported by **Shotover Park Limited** (16/21/2/1) and opposed by **Willowridge Developments Limited** (16/21/2/2), submits that the proposal ignores the principles of good urban design and there is no specialised Urban Design report.

Shotover Park Limited (16/33/1, 16/33/5), supported by **Mount Cardrona Station** (16/33/1/1, 16/33/5/1) and opposed by **Willowridge Developments Limited** (16/33/1/2, 16/33/5/2), submits that the Plan Change enables a poorly designed and poorly landscaped

2nd Town Centre and that there is no urban design report and, in turn, requests that new objectives, policies, and rules that require good urban design be introduced.

Willowridge Developments Limited (16/41/4), opposed by **Mount Cardrona Station** (16/41/4/1) and **Shotover Park Limited** (16/41/4/2), seek to retain various policies and objectives that enable 12,000m² of retail space to be established in stage 1 of the Commercial Core and which acknowledge that the quality of the urban design will improve over time as smaller retail etc are established.

A number of submissions were received relating to rules aimed at ensuring an appropriate subdivision layout and street network:

Wanaka Residents Association (16/40/5), opposed by **Willowridge Developments Limited** (16/40/5/1), are opposed to restrictions on cul de sacs, considering that connectivity is important primarily for non-vehicular movement and that excessive connectivity in the roading can lead to grid layouts and associated problems.

The **Wanaka Residents Association** (16/40/14) request that a minimum lot size of 500m² be applied in the LDR subzone.

Willowridge Developments Limited (16/41/10, 16/41/11, 16/41/12, and 16/41/13), opposed by **Shotover Park Limited** (16/41/10/1, 16/41/11/1, 16/41/12/1, 16/41/13/1), are opposed to entirely restricting rear lots in the MDR subzone, requesting that up to 10% of lots to be allowed to be rear lots in the MDR subzone, in order to maximize development efficiency.

Willowridge Developments Limited (16/41/2), opposed by **Shotover Park Limited** (16/41/2/1), request that the rules be amended to enable greater movement of the arterial and collector roads (at the Outline Development Plan stage) from that which is shown on the Structure Plan. This matter is discussed and recommendations made under Issue 5.

Allenby Farms Ltd (16/5/1) supported by **Willowridge Developments Limited** (16/5/1/2) and opposed by **Mount Cardrona Station** (16/5/1/1), supports the requirement for a) houses and lots to be designed in order to optimise energy efficiency and b) for the creation of pedestrian links.

You are also referred to discussion under Issue 5, which addresses submissions relating to the appropriateness of the roading layout etc shown in the Structure Plan itself.

Discussion

In respect of these matters, we heard submissions and expert evidence on behalf of Shotover Park Limited, Mount Cardrona Station, Willowridge Developments Limited, and the Wanaka Residents Association.

In response to those submissions from Infinity Investment Group Holdings Ltd (Infinity) and Shotover Park Limited, **achieving good urban design** was clearly of fundamental concern in the preparation of the Plan Change. The resultant Plan Change incorporates a mix of both prescriptive rules and discretionary activities which, together with objectives and policies and extensive assessment matters and diagrams, attempt to provide significantly more urban design guidance than exists in any other part of the District Plan. The lengths to which the Plan Change goes in terms of design control, travel demand management, and discretion at the Outline Development Plan stage is unprecedented in this district. As both submissions are vague in regard to this point it is difficult to know what their key concerns

are. Mr Hook's evidence, on behalf of Shotover Park Limited and Mount Cardrona Station focuses on the high level aspects of urban design (namely; the pattern, rate, and type of growth, and the effects on the Town Centre and other zoned areas) but, in our view, that does not necessarily narrow the scope of their concerns at all. On this basis, we have used the scope of Infinity's submission (in particular) to reconsider aspects of the Plan Change that we feel may not result in the best possible urban design outcome (and which is not already addresses elsewhere) and have broken our discussion down as follows:

- The scale of Outline Development Plans
- The rules of the MDR subzone
- Tourism and community facilities subzone
- The permeable surface standards

Open space is a fundamental aspect of good urban design and whilst no submitters questioned the specific rules relating to open space, a number raised concerns relating to the amount of space shown and certainty that adequate space would be delivered. This matter is discussed previously in section 5 of this report and in that section, we recommend additional objectives, policies, and rules to meet the concerns of the submitters. You are referred to that Section for more detail on those matters.

The scale of Outline Development Plans

The issue arose at the hearing as to whether the provisions require an Outline Development Plan or Comprehensive Development Plan to be of a certain scale in order to enable the overall urban design outcome to be meaningfully assessed. We were advised that there was an assessment matter (12.26.4.5(s)) which indicated that an Outline Development Plan/ Comprehensive Development Plan should cover a significant area and should exceed specified thresholds. It is our view that this is too uncertain and that the triggers referred to (which were drafted for an entirely different purpose) are not appropriate. In reaching a decision as to the most appropriate way of ensuring the Outline Development Plans are of an adequate size, we considered the pros and cons of the following options:

1. To not have thresholds at all but state that the scale must be such that it enables all the matters of discretion to be assessed. The appropriate scale would therefore be determined case by case.
2. As per the notified thresholds (based on GFA)
3. As per the notified thresholds but state that the first stage of retail is to be done as a single Outline Development Plan.
4. As per the notified thresholds except for the 1000m² retail, as this is considered too small, and provide greater guidance about the scale of any Outline Development Plan in the Commercial Core (CC).
5. Increase the scale/ size of the thresholds but retain the GFA as the indicator of scale
6. Instead of GFA, require Outline Development Plans to cover a minimum area (e.g. 5 or 10 hectares).
7. Instead of GFA, require Outline Development Plans to cover the entire subzone to which it relates.
8. Instead of GFA, require an Outline Development Plan to cover all that land shown within the respective stage(s) (as shown in the Indicative Staging Plan) within which the Outline Development Plan sits.

In conclusion, we recommend that an Outline/ Comprehensive Development Plan must include all that land included within the Stage within which it is located (as shown in the Indicative Staging Plan attached to the Structure Plan). We recommend that this be a rule rather than an assessment matter and that the rule clarify that the Outline/ Comprehensive

Development Plan may extend beyond the stage and needn't align perfectly with the staging (which is indicative, in any case) if there are reasons why this is not practical but should cover the vast majority. We note that these stages (as amended by this decision) range in size from approximately 3.4 to 31.2 ha in size, with the largest being the last LDR stage, which in our view should be a relatively basic Outline Development Plan and therefore should not be too onerous on the developer. We also note that we have also recommended consequent amendments to rules and the Outline Development Plan process in regard to the first release of retail space in order to ensure that just because the Outline Development Plan shows the potential for retail in excess of that allowed in the first release this will not trigger the need for the retail needs and Town Centre health check or notification.

The MDR subzones and multi unit developments within the LDR subzone

Whilst no submitter specifically requested changes to the MDR provisions, we have considered the appropriateness of the streetscene rules in the context of the MDR subzone, on the basis of the submissions lodged by Infinity Investments Group Holdings Limited (Infinity); that the Plan Change ignores the principles of good urban design.

In the previous section we discuss our view that the rules in fact go too far and are too prescriptive in regard to urban design in the LDR subzone and, hence, we recommend removing some of them. To the contrary, we are convinced by the comments made by Mr Karlovsky and Mr Mentz at the hearing that the rules relating to street scene are appropriate and indeed, of utmost importance in the MDR subzone. That said, there are a number of areas where we consider that the following improvements should be made to the rules in order to achieve a better urban design outcome:

- The performance standard relating to “street scene and setback from roads...” (standard 12.26.4.3(2)) should be amended as it relates to the MDR subzone, such that the front setbacks are amended to enable a portion of houses on the south side of roads to be further set back with a higher fence within the road setback along that portion of frontage and to also add an explanatory diagram if necessary;
- The glazing requirement for Visitor Accommodation should be amended such that guest room type Visitor Accommodation (e.g. hotels) need only provide glazing from the reception area, consistent with the requirement for non-residential uses and all other Visitor Accommodation shall meet the 2m² glazing requirement.
- The reference to “living room” is changed to “living area” so that it is consistent with the existing definitions of the District Plan.

In addition, we concur with the Council planners that a breach of these standards will not affect only the neighbours but threatens the overall outcome and character that is intended for the residential area and, as such, that it is appropriate to add a specific policy making this clear.

Based on the comments of Mr Karlovsky and Mr Mentz, we are convinced that each block within the MDR subzone and each multi-unit development area within the LDR subzone needs to be comprehensively planned prior to resource consents for individual buildings being applied for. A comprehensive plan would need to show fixed building platforms and building typologies, driveways and access ways. We determined that it would be too onerous to require this level of detail to be shown at the Outline Development Plan stage so, instead, recommend that a comprehensive plan needs to be approved for each block prior to any resource consent for individual buildings being applied for. It would be likely that the developer would submit a comprehensive plan for a number of blocks at the same time as applying for the Outline Development Plan but this will not necessarily be required. Whilst we are conscious that this adds another level of consenting, we have been

convinced by the urban design evidence and advice that it is necessary and should mean that the final resource consent for the detailed building design should be relatively simple.

Fencing along any boundary with an open space or reserve area

This issue arose in our consideration of how the boundary along Riverbank Rd should be treated in order to a) create an attractive edge to the Three Parks Zone and a strong edge to the urban growth boundary, and b) to minimise traffic nuisance affecting the LDR subzone whilst maintaining the role of Riverbank Rd as a high speed arterial. We concluded that high noise attenuation fencing was inappropriate and, hence, have recommended a generous building setback is necessary in order to address issues of traffic noise. The issue of high fencing whilst perhaps most important along the Riverbank Rd boundary is a relevant concern along the boundaries of all open spaces and public reserves and, as such, a rule is recommended which avoids high solid fencing along all such boundaries.

You are also referred to Section 6b (relating to general fencing rules in the LDR).

Tourism and Community Facilities Subzone

Whilst the purpose of the Zone states that only residential activity of a medium density nature will be allowed in order to minimise reverse sensitivity issues between residential uses and the predominant uses of the subzone (which may include conference facilities, Visitor Accommodation, and the sale of liquor), the rules do not adequately address this matter. Given the relatively permissive nature of the Zone, we recommended that, in accordance with good urban design principles, this over-sight be rectified by making low density housing non-complying.

The adequacy of the public space

Whilst this is a key element of good urban design, the discussion is not repeated here and you are referred, instead, to the discussion in Section 5 of this Report.

Permeable space, permeability and onsite stormwater disposal

In assessing the appropriateness of various rules, we reached a view that the standards limiting the amount of hard surfacing on a site were not sufficient to encourage onsite stormwater disposal and, in our view, would not necessarily result in a high quality urban outcome in the subzones effected (i.e. the Tourism and Community Facilities, LDR, MDR, and Business subzones). In our view the rule as notified was not clear whether 'hard surfacing' would include area covered by buildings. In our view, to be effective, the percentages specified in the standards should include any land covered by buildings, and, as such, we have recommended a change to this effect.

Specifically in respect of comments that the Plan Change enables a **poorly designed and poorly landscaped second Town Centre**, it is considered that the restricted discretionary resource consent required for the Outline Development Plan and for all subsequent buildings will ensure good design and landscaping. Such matters are included in the matters of discretion and clear direction as to what is expected is provided through the assessment matters, which include an expectation that views are preserved; that buildings and landscape dominate the streetscape; that carparks themselves should be landscaped; and that the amount and type of open space proposed is appropriate.

Whilst it is noted that the Plan Change specifically states that the Council will not normally approve an Outline Development Plan unless open space is provided in appropriate forms and locations and that crime prevention be considered in landscaping plans, we are concerned as to whether this provides enough control or certainty. We are particularly concerned about the inference in the assessment matters that just one suitably scaled town square will be required and that no reference is made to the provision of a specific green space or additional spaces which may be needed as development expands beyond the first release of retail. In addition, the absence of any guidance in terms of the amount of such space (relative to GFA of developed space, for example), is of concern. These matters regarding open space are more fully discussed in this report under Issue 5. We concur with the Council's planners that a number of improvements be made to the policies and assessment matters in order to provide more guidance regarding LFR in the early stages of development (including removing the suggestion that it is appropriate to locate carparking in the setback between the road and the building).

You are also referred to other parts of this Report, which recommend the following changes to the Commercial Core, the result of which we are confident will be a higher quality, more densely developed and more vibrant urban core:

- The Commercial Core has been reduced in size
- All land between and adjoining the two T-intersections is all zoned Commercial Core
- The deferral of a large area of the notified Commercial Core
- An expectation of more than just one open space within the Commercial Core
- The breaking down of notified Stage A into 2 stages, in order to consolidate development and avoid premature sprawl along the mainstreet

The issue of whether the first release of retail (i.e. up to the specified thresholds) means development per se is entirely permitted has caused confusion amongst submitters. This matter is addressed in more detail in Section 6d.

The discussion relating to the fact there is no specialist **Urban Design report attached to the S 32 report** is discussed under Issue 8.

In relation to concerns regarding **restrictions on cul de sacs**, we had the benefit of Mr Karlovsky's paper which was attached to the Planner's S.42A Report and we also heard evidence from Mr Dickson on behalf of the Wanaka Residents Association and from Mr Mentz on behalf of the Council. We were convinced by the opinions of Messers Karlovsky and Mentz that avoiding cul de sacs, wherever possible, is appropriate in order to minimise travel distances, minimise congestion at key intersections (by spreading the traffic across a grid system), and improve pedestrian and resident safety. That said, we note that the limitation on cul de sacs is not a rule but rather an assessment matter to be considered as part of assessing an Outline Development Plan.

In relation to concerns regarding the **lack of minimum lot sizes**, we heard evidence from Mr Dickson on behalf of the Wanaka Residents Association and also had the benefit of the Planner's S.42A Report which, as well as providing recommendations, outlined how the Plan Change (as notified) deals with issues of density. As outlined in that report, as notified, there is a policy (6.11) which clarifies that some variation in densities is encouraged, there is a rule specifying that no more than 1 unit per site is allowed, residential density is a matter of discretion at the ODP stage, and the assessment matters for Outline Development Plans direct one to assess whether Council's target densities are achieved. The Assessment Matter lists the target densities as being 10 units per hectare in LDR plus 15 residential units per hectare on any identified multi-unit developments sites within the LDR subzone (+/- 5%) with a target that 15-20% of all units in the LDR subzone being within multi-unit-developments. Whilst we share some of the concerns raised by the

Wanaka Residents Association regarding some of the substandard outcomes that have resulted in Wanaka from small lot subdivision in the LDR zone, we are of the view that the poor outcomes and the discontent from neighbours that has resulted is largely a result of the fact that the density was not anticipated at the time of subdivision and therefore came as an unwelcome surprise to those in the vicinity and/ or the access or configuration of the lots were not well suited to this higher density that resulted. Due to the greenfields nature of Three Parks, coupled with the fact that there is significantly more control over subdivision design than elsewhere in the district, and, most importantly, the fact that no more than 1 unit is able to be erected on a site, we are comfortable that the density and lot sizes that will result from the notified provisions will result in a good outcome. It is also useful to note that the density targets set in the Plan Change will generally result in larger sites than would be enabled by having a 500m² minimum lot size, albeit that it would be interspersed with nodes of higher density. In order to improve the certainty that these target densities will be achieved, some minor amendments are recommended to the Policy (6.11) and the Assessment Matter.

In regard to the issue of whether to enable **rear lots in the MDR subzone**, we had the benefit of the Planners S.42A Report, Mr Karlovsky's report attached to the Planners' Report, and the expert evidence of Ms Noble on behalf of Willowridge Developments Limited. We concur with the opinion of Mr Karlovsky; that the issues associated with rear lots (such as reduced privacy, lost opportunities in terms of buildings addressing streets and the public realm, and reduced levels of safety) become more problematic with increases in density and are far more difficult to avoid or mitigate. We are also convinced by his view that the nature of greenfields medium density development, which will presumably involve whole blocks being comprehensively designed, is such that it should not be necessary to create rear lots. Whilst we heard planning evidence from Ms Noble relating to the efficiencies resulting from preventing rear lots, we are convinced that, in this instance, the reduced density is justified by the improvements in the urban outcome. We therefore recommend that rear lots remain a non-complying activity in the MDR subzone.

Relief sought and recommendations

You are referred to Appendix 1 for recommendations on the specific relief sought.

In summary, it is recommended that:

- A rule be added to require that each Outline Development Plan covers the entire stage within which it is located.
- The MDR rules relating to streetscene be amended slightly in relation to Visitor Accommodation and in relation to fencing
- A rule be added requiring comprehensive block plans to be approved prior to resource consents for the detailed building design being lodged
- The policies and assessment matters be amended in order to provide more guidance regarding LFR in the early stages of development.
- More detail is provided in regard to open space in the Commercial Core. You are referred to Section x of this report for more detail on this.
- A policy be added to clarify that simply because neighbours sign off on matters such as an inadequate amount of glazing, fence heights, or the location of the outdoor living area, the effect of breaching such provisions extends well beyond just those who live in the vicinity.
- The Policy relating to achieving a mix of densities (6.12) and the Assessment Matter relating to target residential densities is strengthened.
- Low density housing (i.e. of a density less than that specified for MDR) is made non-complying in the Tourism and Community Facilities Subzone in order to minimise

reverse sensitivity, including those associated with the sale and consumption of liquor.

- Additional objectives, policies, and rules be added to further strengthen the importance of providing quality open spaces.
- All Performance Standards relating to permeability/ onsite stormwater disposal be amended to clarify that the percentages specified in the notified version includes any land covered by buildings.

In regard to all other matters raised above, the provisions remain as notified.

It is noted that a large number of our recommendations in other parts of this report are aimed at improving the overall quality of the urban outcome.

You are referred to Appendix 2 for the recommended changes to the Plan provisions.

Reasons for the recommendations

The reasons are fully canvassed in the above discussion but these can be summarised as follows:

- It is of utmost importance that the Commercial Core delivers a quality urban outcome and, as such, the provisions should be improved where possible to achieve this.
- It is important to clarify the provisions where possible.
- It is considered that the rules, assessment matters, and policy guidance relating to cul de sacs and rear lots will result in a quality urban outcome and that the reduced densities that will result are justified.
- Achieving the target densities through varied lot sizes and typologies is important and the rules would benefit from being strengthened. That said, the notified target densities for the LDR subzone are considered to be appropriate, as they will result in the majority of the LDR subzone being similar density to other LDR areas in Wanaka.
- The benefits of being able to plan for the final density with certainty, at the outset are such that enabling only 1 residential unit per site is of paramount importance.
- The importance of achieving good passive surveillance, a strong public/private interface and high quality design increases with the density of residential development and, as such, the prescriptive rules aimed at this are considered justified and appropriate, albeit with some minor adjustments as outlined above.
- Unless the Outline Development Plans cover an extensive area there is a real risk that good urban design will not be achieved.

d) The appropriateness of the activity status of various activities

Issue:

Various submitters have specifically addressed the activity status afforded to various landuses and activities within the Three Parks Zone, some requesting that the rules be more enabling and others, that they be more restrictive.

Submissions received

Infinity Investment Group Holdings (16/21/4 and 16/21/5) **Shotover Park Limited** (16/21/4/1, 16/21/5/1) and opposed by **Willowridge Developments Limited** (16/21/4/2, 16/21/5/2) and **Shotover Park Limited** (16/33/2), supported by **Mount Cardrona Station**

(16/33/2/1) and opposed by **Willowridge Developments Limited** (16/33/2/2), both suggest that enabling 12,000m² of commercial/ retail as a permitted activity is too permissive.

Shotover Park Limited (16/33/3), opposed by **Willowridge Developments Limited** (16/33/3/1), request that the provision enabling buildings as permitted should be deleted.

Mount Cardrona Station (16/27/6), partly supported by **Shotover Park Limited** (16/27/6/1) and opposed by **Willowridge Developments Limited** (16/27/6/2), submits that visitor accommodation should be non-complying in the MDR and mixed use subzone and that retail less than 400m² should be non-complying in all zones.

Mount Cardrona Station (16/27/8), partly supported by **Shotover Park Limited** (16/27/8/1) and opposed by **Willowridge Developments Limited** (16/27/8/2), submits that residential sites should not be allowed residential flats.

Mount Cardrona Station (16/27/9), partly supported by **Shotover Park Limited** (16/27/9/1), submits that other relief (amendments presumably) be provided to address their concerns, as necessary.

Willowridge Developments Limited (16/41/14, 16/41/18, 16/41/20), opposed by **Shotover Park Limited** (16/41/14/1, 16/41/18/1, 16/41/20/1), request that the sale of liquor in the MDR (mixed use) subzone be changed from non complying to controlled and some assessment matters added; that rules in the Tourism and Community Facilities Subzone and Commercial Core be amended to enable the sale of liquor to midnight as controlled.

Willowridge Developments Limited (16/41/19, 16/41/23), opposed by **Shotover Park Limited** (16/41/19/1, 16/41/23/1), request that the status of offices in the Business subzone (12.26.6.2 Ref 23) be changed from non-complying to controlled in that area outside the mainstreet precinct (and that the mainstreet precinct assessment matters be applied throughout the subzone) and that offices in the mainstreet precinct remain controlled.

Discussion

In respect of this matter, we heard submissions and expert evidence on behalf of Shotover Park Limited, Willowridge Developments Limited, and Mount Cardrona Station.

Infinity Investment Group Holdings and Shotover Park Limited both raise concerns regarding the **permitted status of stage 1 of the retail development** (i.e. up to a certain GFA). For clarification it is noted that only the retail/ commercial activity itself is permitted and that the first release of retail space would still be subject to restricted discretionary resource consent(s) for the overall layout and the buildings themselves. The purpose of the Plan Change is to provide an element of certainty as to where a limited amount and type of retail/ commercial development is able to be located and, therefore, it is considered to be inefficient if this were not delivered by the Plan Change. In regard to this matter we heard opposing evidence and submissions from Willowridge Developments Limited and Shotover Park Limited. Willowridge Developments Limited was concerned that the input of trade competitors would delay development and inappropriately constrain the land market and commercial opportunities. To the contrary, Shotover Park Limited considered that allowing this first release of retail as permitted unreasonably restricted public input. On balance, we consider that even with the recent RMA Amendments (which were enacted on 1 October 2009) which aim to further limit the involvement of trade competitors, this is still a risk and it is considered that requiring a further resource consent process before any retail could proceed would be duplication of the assessment and public input that has occurred as part of the Plan Change and may cause unreasonable delays. The matter of public input and

notification (which seems to be at the heart of Shotover Park Limited's concern over the permitted status) is more fully discussed under section 6f. It is also noted that while we recommend that the first release of retail development remain permitted, we recommend that the scale of this first release is reduced, to the extent outlined in section 2 of this report.

You are also referred to the related submission by Infinity in regard to the fact that this first release of retail space shall be non-notified (unless special circumstances exist), which is discussed under Issue 6e below.

In relation to the submission that **buildings as permitted activities** should be deleted, it needs to be clarified that the only buildings that are permitted are fully complying dwellings (excluding multi unit developments) in the LDR subzone and any buildings that have already been approved as part of a Comprehensive Development Plan (which is a restricted discretionary activity). Other than such dwellings in the LDR subzone and buildings in the Business subzone beyond the mainstreet (which are controlled), all other buildings require a restricted discretionary resource consent. As such, whilst we take on board Mr Hook's concerns (outlined in his evidence presented on behalf of Shotover Park Limited) we are comfortable with the level of control provided by the Plan Change and do not recommend any change in this regard.

The activity status of **visitor accommodation in the residential subzones** was opposed by Mount Cardrona Station. In the planning evidence presented on their behalf, Mr Hook raised concern that enabling Visitor Accommodation to establish outside the Town Centre will potentially draw tourists from the Town Centre and affect its viability. Whilst we understand his concerns, in our view Three Parks will struggle to compete with (at least for a very long time) with the attraction of staying within close proximity to the Town Centre and, therefore, we are not convinced that the amount of Visitor Accommodation enabled by the rules poses any significant threat. As notified, visitor accommodation is non-complying in the MDR and MDR (mixed use) subzones unless the location has been approved as part of an ODP, in which case it is controlled. The reasoning for this is that enabling some visitor accommodation in appropriate locations which have been masterplanned from the outset will achieve a balanced visitor/ resident mix whilst avoiding adverse effects on residential coherence and residential amenity. As outlined in the objectives and policies and assessment matters, the Council expects to see a limited number of visitor accommodation precincts identified in ODPs; for these to be located at the interface of the commercial zones and in locations that are quite separate from the residential parts of the MDR subzone; and that residential use will remain the dominant use within the subzone; with visitor accommodation not adversely effecting residential amenity. We consider that the provisions, as notified, will provide sufficient control to ensure that the MDR subzone does not become dominated by visitor accommodation, whilst enabling a small amount of visitor accommodation in appropriate locations.

Mount Cardrona Station submit that **retail less than 400m² should be non-complying in all subzones**, with Mr Hook citing, in his evidence, that, the speciality retail (other than food and beverage ancillary to the LFR is not consistent with Wanaka 2020 or the retail demand reports and is therefore unjustified. He also suggests that, as well as the size constraint, ANZIC codes (or similar) could be used to more specifically control the types of retail in the Commercial Core. We are satisfied from the analysis provided in the Section 32 report, which considered using ANZSIC codes as one option for managing retail in the business zone, that this is not the most appropriate way of managing retail in the Three Parks Zone. However the approach that has been taken in the Business Subzone is along similar lines to what Mr Hook is suggesting allowing those types of retail which are generally accepted as having low or no effects in terms of redistributing retail from existing Town Centres. This

approach is not considered appropriate however, for the Commercial Core; the very purpose of which is to enable a range of retail activity.

To provide some context, the notified Plan Change enables:

- Up to 5 specialty retail (as opposed to large format) tenancies as permitted in the Commercial Core (and over and above that would be restricted discretionary (and very probably notified). For reasons outlined previously in this report, this is considered an appropriate outcome.
- In the Tourism and Community facilities subzone, only retail activities ancillary to permitted or controlled activities are allowed, with the remainder being non-complying. It is considered unreasonable not to allow visitor accommodation or conference facilities to sell food, drink, or souvenirs, for example.
- In the Business subzone, only certain very specific types of retail, the retailing of goods produced, processed, or stored on the site (limited in scale), and food and beverage outlets are permitted (in parts or all of the subzone), with others being non-complying. The types of retail allowed have been selected as it is not considered that they will significantly affect the health of the Town Centre or the Three Parks Commercial Core. Furthermore, we are not aware of any research which suggests that these permitted retail types need to be further controlled by size.
- Whilst all non-residential uses are discretionary in the LDR and MDR subzones, the assessment matters specify that the Council will not normally approve retailing other than retailing which provides for a demonstrated local demand (e.g. neighbourhood dairy); or which is an integral and necessary part of other activities being undertaken on the site; or of handicrafts or goods grown, or produced on the site. The objectives and policies are intended to support the strict application of the rules relating to non residential activities.
- Whilst non residential uses (including speciality retail) are anticipated in the MDR (Mixed use) subzone (and provided for as controlled activities), such development is deferred until the Commercial Core is well established.

In order to enable the Commercial Core to develop over time into an attractive shopping area (as opposed to enabling only unattractive large format retail) it is considered important to enable a limited number of specialty retail stores in the Commercial Core and for the number to increase over time provided the health of the Town Centre is not degraded. In regard to whether specialty retail is appropriate in the Commercial Core, you are referred to the discussion in sections 2 and 3 of this report.

It is not considered appropriate or necessary to make all retail less than 400m² non-complying in the Business, and Tourism And Community Facilities Subzones as it is considered that some small retail in these areas will be required in the future and that other controls relating to the type and location of retail allowed (as outlined above) provide sufficient protection.

However, we have concerns about the manner in which the notified Plan Change controls non-residential activities within the residential subzones. These matters are also discussed under Issue 2 in response to Willowridge Developments Limited's submission that the deferral mechanisms for the mixed use precinct be relaxed and under Issue 3 in response to submitters' concerns that enabling retail at Three Parks will have an adverse effect on the Town Centre and Anderson Heights.

With regard to the LDR and the MDR subzone (excluding the mixed use precinct), we are concerned that the discretionary status of non-residential activities may not be strong enough to ensure against widespread commercial uses locating in those subzones. In

addition, we struggle to imagine why non-residential uses, and, in particular, retail and other commercial activities such as offices, would need to locate there, given that there is ample commercial land provided within other subzones which are within close proximity of the residential catchment. Furthermore, given that the majority of the residential subzones are within walking distance of commercial subzones, whether any retail activity would be viable in the residential subzones is questionable. Given the risks (of the discretionary regime proving to be ineffective) and the complexities associated with the discretionary regime, as notified, we consider it to be an inefficient and potentially ineffective way of managing the residential area. As such, we recommend that all retail and commercial uses be non-complying in the residential subzones (outside of the deferred mixed use precinct), other than education and day care activities, which should be discretionary. Whilst we have sympathy with allowing community facilities (such as a community house, for example) to locate in the residential subzones, we consider that they are more appropriately located within the Commercial Core, as such facilities will then contribute meaningfully to the core becoming the local hub of the Three Parks residential community and help to give it a sense of place. Whilst this recommended change goes beyond the relief sought by Mount Cardrona Station (in that it changes the status of commercial (activities and LFR), we are relying on the scope provided by those submissions concerned with the health of the Town Centre and also, in part, on the submission by Wanaka Residents Association that the LDR subzone rules be replaced with those that currently apply in the LDR zone in the rest of the District Plan.

Mount Cardrona Station submitted that the rules allowing all residential sites to have a **residential flat should be deleted**. The district-wide definition of “residential flat” applies in the Three Parks Zone and has been significantly improved in recent years to ensure, amongst other things, that the residential flat is clearly subsidiary to the main dwelling in terms of its size. In addition, the Council is currently investigating a Plan Change which is likely to propose amending the residential flat definition in order to prevent its use within multi-unit developments. Given the significant improvements already made to the residential flats definition and the possible additional change, it is considered appropriate to retain the provision allowing residential flats in the LDR subzone, as an effective way of enabling a greater mix in density, affordability, and typology, which may otherwise not occur. Furthermore, we consider that residential flats support the provision of affordable housing as advocated by proposed Plan Change 24 – Affordable and Community Housing.

Willowridge Developments Limited request that **the sale of liquor** in the MDR (mixed use) subzone be changed from non-complying to controlled and some assessment matters added and that rules in the Tourism and Community Facilities Subzone and Commercial Core subzone be amended to enable the sale of liquor to midnight as controlled. For the reasons outlined below, we tend to disagree with Ms Noble on this matter who, in her evidence, states that the intention of the Zone is to create a vibrant main street and that there is no logical reason why the sale of liquor should be non complying given that

In considering the submissions and evidence, the Queenstown Lakes District Council Liquor Licensing Policy (May 2007) also needs to be acknowledged as it provides further control over and above the District Plan. The Policy enables on-licences (other than trading for house guests in hotels and for restaurant style on-licences) in Wanaka to trade until 2.30 am, restaurant style on-licence premises until 2.00 am, and on off-licences (other than caterers’ off-licences) until 12.00 midnight. It is also worth noting that the Sale of Liquor Act is undergoing review with the indication being that trading hours for on-licences are likely to be reduced further.

In considering the relief sought (i.e. for a relaxation of the provisions) it is useful to first summarise the purpose and key provisions of the relevant subzones.

In summary, the purpose of the MDR (deferred mixed use) subzone is to enable small scale commercial which are compatible with residential activity (which, given the rules, will be on the same site and immediately above and/ or beside the non-residential use). The area is meant to retain a primarily residential character and, as such, compatibility is of key consideration in order to avoid any reverse sensitivity issues. In the MDR (deferred mixed use) subzone visitor accommodation is controlled provided it is approved as part of an ODP and, hence, in accordance with the definition, bars ancillary to that visitor accommodation is controlled. Other than this, both on and off-licenses are non-complying and all non-residential activities are controlled by hours of operation (being 10pm for food and beverage outlets) and noise standards (being 40dBA and 70dBa after 8 pm, which is the same as the Town Centre Transitional Zone). We recommend that the notified provisions be retained as we remain unconvinced that there is a need to serve liquor in the mixed use area given its close proximity to the Commercial Core, the need to encourage the consolidation of such uses within the Core and the express desire to avoid incompatible uses within the mixed use precinct. In coming to this conclusion we also note that bars within visitor accommodation can serve liquor to those residing on the premises.

In summary, the purpose of the Tourism and Community Facilities Subzone is to provide for these uses (and for medium density housing) in a park-like setting whereby relatively dense built form is interspersed with areas of landscaped open space. On-licences from visitor accommodation or places of assembly are permitted from 7 am – 6 pm, controlled from 6 pm-11 pm and restricted discretionary outside those hours. Off-licences and on-licenses that are not associated with visitor accommodation or places of assembly are considered 'retail' and, hence, are non-complying. Even with our previous recommendation to make low density housing non complying in this zone (which reduces the reverse sensitivity issues somewhat) we still consider it prudent to retain the 11 pm trigger in order to be consistent with the rest of the district and to ensure that noise and anti- social behaviour issues are mitigated after this time. It is noted that the rule does not apply to the serving of liquor to those staying/ living on the site but does apply even if liquor is being served to diners. It is considered that the exemption should also extend to diners, so as to be consistent with the rest of the District Plan, noting that this is likely to go some way toward addressing Willowridge Developments Limited's submission.

The purpose of the Commercial Core is to provide for a mixture of LFR, speciality stores, office space, visitor accommodation, residential, community facilities, and public open space. As such, the rules are relatively permissive in regards to the sale of liquor; permitting off licenses and the sale of liquor for on-site consumption to residents and diners around the clock (albeit that the hours of operation are restricted by the Council's Liquor Licensing Policy) and permitting all other on-licences between 7 am – 11 pm. A restricted discretionary consent is required for on licenses operating after 11 pm. In respect of this matter we heard evidence from Ms Noble on behalf of Willowridge Developments Limited, whose opinion was that the Commercial Core would include bars and restaurants which may wish to operate until midnight and that the nature of the Commercial Core was such that such an extension to the hours would not result in reverse sensitivity issues. Whilst various provisions are aimed at protecting against reverse sensitivity and anti-social behaviour (e.g. requiring the location of Visitor Accommodation and residential uses and methods of dealing with interface issues to be shown at the Outline Development Plan stage and requiring CPTED principles to followed at all stages of design), we still consider it prudent to retain the 11 pm trigger (at which point a resource consent is needed) in order to be consistent with the rest of the district and to ensure that noise and social issues are mitigated after this time.

Willowridge Developments Limited (16/41/19) request that **offices in the Business subzone** (12.26.6.2 Ref 23) be changed from non-complying to controlled activities in that area outside the mainstreet precinct. Given the ample capacity provided for offices in the Commercial Core and within the Business (mainstreet precinct), the benefits of consolidating such activity within the core and along the mainstreet in order to create a sense of place over time, and the potential reverse sensitivity issues that may arise from mixing office space and business, we consider this to be both unnecessary and inappropriate.

Relief sought and recommendations

You are referred to Appendix 1 for recommendations on the specific relief sought.

In summary, it is recommended that:

- A note is added to the relevant standards to clarify that the first release of retail space still requires (at least) restricted discretionary resource consent in respect of Outline Development Plan and building.
- Retail and commercial activities other than education and day care become non-complying in the residential subzones, whilst education and day care remains discretionary.
- The sale of liquor in the MDR (mixed use) subzone remains a non complying activity.
- The rules in the Tourism and Community Facilities subzone are amended to prevent low density residential housing from establishing there in order to minimise reverse sensitivity, including those associated with the sale and consumption of liquor.
- The sale of liquor rules in the Tourism and Community Facilities Subzone are amended to exempt the sale of liquor to diners from the rules and various minor amendments are made to the sale of liquor rules in the Tourism and Community facilities and Commercial Core subzones.
- The Council consider a review of all sales of liquor rules in the District Plan (which would also include a further review of those in the Three Parks Zone).
- All other provisions are retained as per the notified Plan Change.

You are referred to Appendix 2 for the recommended changes to the Plan provisions.

Reasons for the recommendations

The reasons are fully canvassed in the above discussion but can be summarised as follows:

- To require additional processes (e.g. health check and needs analysis) to be undertaken for the first release of retail is considered inefficient and provides no certainty
- Buildings are not currently permitted other than dwellings in the LDR subzone and, as such, it is queried whether the submitter has misunderstood this.
- There is no significant risk of Visitor Accommodation dominating the residential areas or detracting from visitor accommodation wishing to establish in and around the Wanaka Town Centre.
- It is considered unnecessary and inappropriate to provide for retail or commercial activities in the residential subzones (excluding the deferred mixed use), beyond that which is allowed as home occupations)
- Residential flats provide an appropriate affordable housing option, with no adverse effects.

- No sale of liquor is considered necessary or appropriate in the MDR (mixed use) subzone, other than that which is ancillary to Visitor Accommodation.
 - As there are issues with all the sale of liquor rules in the District Plan it is appropriate that a further review be undertaken district wide and, if necessary, a district wide Plan Change be undertaken.
 - Offices need to be encouraged in the Wanaka Town Centre, the Business (mainstreet precinct) and the Commercial Core in order for those areas to function well and, as such, allowing dispersal of such uses throughout the entire business zone is considered inappropriate.
- e) **The appropriateness of the provisions relating to sustainable design and construction**

Issue:

This issue relates to whether the Plan Change provisions will be effective at achieving sustainably designed subdivisions, infrastructure, and building

Original and further submissions

Sustainable Wanaka (16/36/1, 16/36/4, 16/36/5), supported by **Shotover Park Limited** (16/36/1/1, 16/36/4/1, 16/36/5/1) and opposed by **Willowridge Developments Limited** (16/36/1/2, 16/36/4/2), and **Wanaka Hardware and Building Supplies Ltd** (16/36/1/3), submit that minimum best practice performance criteria relating to sustainable design, construction and infrastructure servicing should be included in the rules of the Plan Change.

Architects Plus Ltd (16/7/1), supported by **Willowridge Developments Limited** (16/7/1/2) and opposed by **Shotover Park Limited** (16/7/1/1) supports the Plan Change for various reasons including the fact that it provides considerable opportunities to integrate design principles such as NZ Green Building Council tools.

Allenby Farms Limited (16/5/1) supported by **Willowridge Developments Limited** (16/5/1/2) and opposed by **Mount Cardrona Station** (16/5/1/1), state in their reasons for supporting the Plan Change that the rules ensure that sections and houses are designed to optimise energy efficiency.

Discussion

Whilst we heard submissions from Sustainable Wanaka, Architects Plus Ltd, Shotover Park Limited, and Willowridge Developments Limited, and evidence from the latter two, none specifically addressed the issues raised in their written submissions in regard to sustainable design.

Whilst the Plan Change prescribes minimum standards in respect of certain aspects of sustainability, it does not prescribe minimum construction standards (such as double glazing), or that certain water, stormwater, and wastewater systems be used, for example. Rather, policies (policies 1.1 - 1.4) were carefully developed to reflect the level of control over the various aspects as was considered appropriate (e.g. To ensure good solar access through well-planned layouts, etc, to encourage energy efficiency, to require best practice in regard to managing stormwater runoff and to encourage the creation or restoration of wetlands where opportunities exist). These policies are achieved through the discretion reserved by Council at the ODP stage (regarding subdivision layouts, density, open space and links, alternative modes of transport and public transport, stormwater disposal and the restoration/ creation of wetland habitats) and through some specific rules relating to outdoor

living areas; internal amenity standards (which, amongst other things, reduced artificial lighting); controls on hard surfacing in order to achieve a minimum amount of onsite stormwater disposal in residential areas, and minimum standards relating to encouraging alternative modes of transport. Furthermore, the Building Act is considered to be more effective and efficient than the RMA at addressing the energy efficiency of buildings. Given the level of analysis that goes into establishing the requirements under the Building Act, it is difficult to support a case that higher standards would be appropriate in this Plan Change. The methods in the Plan Change relating to sustainable infrastructure and design are considerably more detailed and onerous than elsewhere in the District Plan and we consider them to be an effective basis on which to encourage a much greater consideration of these matters. We also consider that if the Council were to prescribe more detailed sustainable subdivision and construction standards in the District Plan then this would be more appropriately done as a district-wide Plan Change.

Relief Sought and recommendations

You are referred to Appendix 1 for recommendations on the specific relief sought.

In summary, it is recommended that no changes are necessary in respect of sustainable design.

Reasons for the recommendations

The reasons are fully canvassed in the above discussion but, in short, it is considered that the Plan Change, together with the Building Act, deals with these matters appropriately

f) The appropriateness of provisions relating to the non-notification of various resource consent applications

Issue:

The Plan Change includes non-notification clauses which have the effect of saying that unless special circumstances exist, then certain activities will not be notified and/or notice will not be served on potentially affected parties. This has the advantage of giving the applicant more certainty in terms of the time and cost of the resource consent process but it does reduce the likelihood of public involvement in that process.

Original Submissions on this issue have been received from:

Firth Industries (16/11/4) supported by **Shotover Park Limited** (16/11/4/1), whilst not requesting specific relief in relation to non-notification, raise concern that Outline Development Plans and Comprehensive Development Plans do not require public input or service on affected parties (provided they are in accordance with the Structure Plan). Presumably, as a result, the submitter feels that this is the last opportunity to have input into the location and design of the intersection onto Ballantyne Road.

Ballantyne Investments Limited (16/8/3) supported by **Ballantyne Investments Limited** (16/8/3/1) and opposed by **Willowridge Developments Limited** (16/8/3/2), submit that the written approval of adjoining landowners should be required with regard to restricted discretionary Outline and Comprehensive Development Plans, with regard to the layout of roading, services and utilities.

Infinity Investment Group Holdings Ltd (16/21/5), supported by **Shotover Park Limited** (16/21/5/1) and opposed by **Willowridge Developments Limited** (16/21/5/2) submit that the establishment of up to 12,000m² of commercial/retail should not be provided for as a permitted, non notified consent.

Shotover Park Limited (16/33/2, 16/33/4, 16/33/8) supported by **Mount Cardrona Station** (16/33/2/1, 16/33/4/1, 16/33/8/1) and opposed by **Willowridge Developments Limited** (16/33/2/2, 16/33/4/2, 16/33/8/2), request that the Plan Change be rejected or that it be amended to address a number of matters, including i) deleting the provision of 12,000m² of commercial/retail activities as a permitted activity; (iii) enabling public input into all “retail needs assessments” and “Wanaka Town Centre health checks” and (iv) requiring all Outline/ Comprehensive Development Plans to include a “retail needs assessments” (including the 1st stage of the Commercial Core). The combined effect of these submissions is that all Outline Development Plans in the Commercial Core could be notified whereas currently stage 1 would be non-notified unless special circumstances exist.

Willowridge Developments Limited (16/41/21), opposed by **Shotover Park Limited** (16/41/21/1), requests that the statement relating to non-notification should apply to all Outline Development Plans and Comprehensive Development Plans, including where a Retail Needs Assessment is required to be lodged as part of the application.

Sustainable Wanaka (16/36/3), supported by **Mount Cardrona Station** 16/36/3/1) and **Shotover Park Limited** (16/36/3/2) and opposed by **Willowridge Developments Limited** (16/36/3/3), request that if the Plan Change is to proceed, then consents for the staging of Three Parks should be notified at each stage to ensure there is adequate evidence of real growth needs.

Discussion

In respect of this matter, we heard submissions from Sustainable Wanaka, Shotover Park Limited, Ballantyne Investments Limited, Willowridge Developments Limited, and Mount Cardrona Station and all but Sustainable Wanaka also presented evidence on this issue. In addition, Firth Industries tabled a written statement at the hearing.

Both Firth Industries and Ballantyne Investments Ltd raise concerns that, as adjoining or **nearby landowners** they will not have involvement in issues that potentially affect them. As outlined in the previous discussion on this submission point, it appears from the further traffic assessment undertaken, that a safe and efficient intersection onto Ballantyne Road is likely to be able to be established within 20m of the intersection shown in the Structure Plan. That said, it appears that the input of those affected parties at the resource consent stage will be important to achieving the best possible outcome. Furthermore, it is noted that if the intersection is moved more than 20 metres then the Outline Development Plan would become a non-complying activity and the non notification clause would no longer apply. Further detail is contained in “Appendix 5 - Three Parks Plan Change – Ballantyne Rd Access Assessment – Response to Firth Industries Submission” and dated August 2009” attached to the Planners Report. Firth Industries tabled a statement at the hearing, in which they state that they consider themselves to be an affected party in relation to the final intersection design and location. They also clarified that the amendment suggested in the Planners report would satisfy their concerns, but suggested additional wording be added to the clause in order to clarify that they would be deemed to be affected under the proposed amendment. We note that Mr Edgar, on behalf of Ballantyne Investments Ltd, supported the amendments recommended in the Planners Report.

Whilst we agree, in principle, with the amendment suggested in the Planners Report, we also agree with Firth Industries that the clause should be made clearer. Whilst we consider it to be inappropriate for the District Plan to determine the geographic extent of who is affected by a resource consent application, as is suggested by Firth (i.e. that all those 50 metres either side of the arterial road shown on the Structure Plan is deemed affected), we have suggested some reformatting to clarify the 2 distinct instances when Outline Development Plan applications may be the subject of limited notification and to clarify that there is no intention to predetermine who will be deemed affected. As a consequential amendment and, in recognition of the recent RMA amendments, we also recommend removing any reference to the notification sections of the Act, which have now changed and would only lead to more confusion were they referred to in the District Plan.

Similarly, regarding Ballantyne Investment's concern, whilst it is considered that, provided the arterial and collector roads are in accordance with the Structure Plan then the issues of connectivity can be dealt with adequately without their involvement, it is considered that better outcomes and greater efficiencies are possible (in terms of servicing and infrastructure) if the landowners work together or at least have their views formally considered by the Consent Authority. Again, it is noted that if the roads are not in accordance with the Structure Plan then the Outline Development Plan will become non-complying and will not be captured by the non notification clause. Another potential issue which occurred to us during the hearing was the issues that might arise when dealing with the interface between landuses on the Three Parks and adjoining land. Whilst these matters may also, in our view, potentially benefit from the involvement of the adjoining landowner they are not sufficiently dealt with through the matters of discretion relating to an Outline Development Plan. As such, we recommend that this issue be added as a matter of discretion in relation to Outline Development Plans which include land along the boundary of land which directly adjoins the Three Parks Zone.

Both Infinity Investment Group Holdings Ltd and Shotover Park Limited request that **all applications for commercial/ retail activities should be able to be notified**, including the first release of 12,000m². To the contrary, Willowridge Developments Ltd request that all Outline Development Plans and Comprehensive Development Plans be subject to the non-notification clause, including those where a Retail Needs Assessment is required. We heard evidence from Ms Noble on behalf of Willowridge Developments Limited, whose opinion is that public involvement is unnecessary and would result in lengthy delays caused by trade competitors. In response, we consider that the matters of discretion in relation to Outline Development Plans for the first release of development can all be adequately assessed without the need for public notification. Whilst there are real concerns that notifying Outline Development Plans for subsequent retail development beyond the initial release will result in trade competition delaying and even stifling development it is still considered prudent to enable notification to be considered on a case-by-case basis due to the level of concern evident in this Plan Change regarding the effect that the Commercial Core could have on the Town Centre. Whilst we are confident that the Commercial Core will complement the development of the Town Centre (and be beneficial to Wanaka) provided it is undertaken in a timely manner, many of the conclusions resulting from a 'Town Centre Health Check' are necessarily subjective. Given the importance of this issue to many people in Wanaka, it is considered that future consents in this area may benefit from public input and, hence, the District Plan should not preclude this from occurring. Lastly, it should be noted that the decision as to whether to notify an Outline Development Plan for further retail development within the Commercial Core (beyond the first release of retail space) will rest with the Consenting Authority when an application is lodged. If the Consenting Authority determines that the issues are relatively straightforward and un-contentious it may decide not to notify the Consent. However, we are not convinced that it

would be appropriate that the Plan Change should state an expectation that such Outline Development Plans not be notified in the future.

In response to the submission that **all Outline Development Plans should have to submit a retail needs assessment**, it is considered that it would be unduly onerous and uncertain for the developer to have to replicate the supply and demand analysis that was undertaken by RCG and then reviewed by Phillip Donnelly and Associates as part of preparing this Plan Change.

Relief Sought and recommendations

You are referred to Appendix 1 for recommendations on the specific relief sought.

In summary, it is recommended that

- A framework for the Town Centre Health Check be attached to the Council decision which outlined the indicators, the source for the available information and a timeline for the completion of any outstanding baseline reports/ studies
- The non notification clause be amended a) to enable limited notification of Outline Development Plans where they adjoin land beyond the zone or propose that a road extend beyond the zone, such that others may be affected by the location or design of the intersection and b) to clarify that it is only restricted discretionary (not non-complying) Outline Development Plans that are subject to the non-notification clause.
- The wording of the matters of discretion relating to retail effects be improved in order to avoid any misinterpretation and to add that the Council will also reserve the right to consider what progress has been made in previous stages of development in terms of creating a 'mainstreet' condition and incorporating a mix of uses within the zone.
- Add a further assessment matter to Outline Development Plans where they include land which immediately adjoins land beyond the Three Parks Zone in order to enable landuse interface issues to be considered.
- Clarify the exception from the non-notification clause regarding subsequent stages of retail in the Commercial Core

You are referred to Appendix 2 for the recommended changes to the Plan provisions.

Reasons for the recommendations

The reasons are fully canvassed in the above discussion but, in summary, we consider that the recommended amendments strike an appropriate balance between certainty and efficiency for the developer and wider community, on the one hand, and enabling input from wider public and potentially affected parties, on the other.

g) The appropriateness of provisions relating to transportation issues, including roading, cost sharing and Travel Demand Management

Original and further submissions:

NZ Transport Agency (16/30/1) requests that the proposed Plan Change be accepted in its entirety subject to considering the points raised in its submission and any consequential changes that may arise.

J K Milne (16/26/1) considers it to be a well planned development but questions whether there is enough parking.

Wanaka Residents Association (16/40/10 and 16/40/11), opposed by **Willowridge Developments Limited** (16/40/10/1) in respect of LFR parking, request that the LFR carparking and employee parking requirements be increased.

Wanaka Residents Association (16/40/12) request that the provision in the rule to reduce parking where public transport exists be replaced with a policy that such reduction will be considered where public transport is proposed.

New Zealand Transport Agency (16/30/2), supported by **Willowridge Developments Limited** (16/30/2/3), partly supported by **Orchard Road Holdings Limited** (16/30/2/2), and opposed by **Firth Industries** (16/30/2/1), support the objectives, policies and rules that affirm and fix the location of major intersections, establish connectivity, and establish obligations on developers relating to Travel Demand Management (TDM), good urban design outcomes, and preparing ITAs.

New Zealand Transport Agency (16/30/4), opposed by **Willowridge Developments Limited** (16/30/4/1), requests that a cost sharing arrangement be considered resulting in the developer contributing to upgrading local roading and the state highway.

Wanaka Residents Association (16/40/13), opposed by **Willowridge Developments Limited** (16/40/13/1), request that the phrase ‘unsustainable car trips’ be defined or removed.

Willowridge Developments Limited (16/41/9), opposed by **Shotover Park Limited** (16/41/9/1), submits that the requirement to provide showers (i.e. Standard 12.26.3.1(5)(ii) only relates to workplaces with over 20 employees).

Willowridge Developments Limited (16/41/17), opposed by **Shotover Park Limited** (16/41/17/1), request that the standards (12.26.4.2 Ref 22 and 23), which require that carparking for non-residential uses not be visible from the street, be deleted as they consider this impractical; that it should be prominent so as to easily identify the activity and ensure traffic safety, and that the scale of such activities would mean that the parking would not be expansive. It is currently non-complying if this standard is breached.

Willowridge Developments Limited (16/41/22), opposed by **Shotover Park Limited** (16/41/22/1) request that bicycle parking requirements be deleted and replaced with an assessment matter.

Wanaka Golf Club (16/38/1) submit that care be given to ensure the safety of members crossing Ballantyne Rd, given the increase in traffic that will eventuate from development.

Discussion

In respect of these matters we heard submissions and expert evidence from the Wanaka Residents Association and Willowridge Developments Limited and written statements were presented at the hearing from Firth Industries and the New Zealand Transport Agency. We also heard from Mr Mentz on the matter of carparking in relation to supermarkets.

In respect of those submissions that request that more **parking** be required for large format retail, we heard evidence from Mr Dickson, on behalf of the Wanaka Residents Association, and Mr Mentz, on behalf of the Council. Specifically in respect of carparking in relation to supermarkets, Mr Dickson’s evidence was largely supported by Mr Mentz. Therefore, whilst we accept that the notified parking ratios are minimum requirements which can be exceeded, we are convinced by the evidence that we heard that the ratio for supermarkets

should be increased to 5 carparks per 100m² of GFA in order to meet demand. Whilst we are conscious of the poor urban outcome arising from providing too much parking (sprawl, reduced walkability, unattractive surface parking lots, and the encouragement of greater car usage), we are satisfied that the parking ratio needs to be increased for supermarkets. We heard no evidence to convince us that the parking requirements for other LFR, other uses, or for employees needed to be increased and, as such, it is recommended that these provisions remain as notified.

We heard evidence from Mr Dickson in relation to the Wanaka Residents Association's submission seeking the removal of the rule allowing a reduction in the carparking requirements where the development/ house is within 400m of public transport and replacing it with a policy and that any rule allowing a reduction in parking should be introduced as part of a separate Plan Change once public transport is established. Whilst we agree with the Wanaka Residents Association that it will be a considerable time before any public transport will travel through the residential subzones, we are satisfied that such a route may feasibly establish through the MDR subzone in time and that this rule, when triggered, could provide some positive outcomes in terms of efficient landuse, and the higher level of amenity that results from less on-site parking. Furthermore, we consider it to be inefficient to remove the rule only to reinstate it through another Plan Change at a later date. That said, we concur with the Wanaka Residents Association that the rule is inappropriate in the LDR subzone due to the fact that a regular public transport route through this subzone is less likely to eventuate and that, even with public transport, the parking needs of those residing in the LDR subzone are likely to be such that 2 carparks will still be required, if not for cars, then for boats, caravans, jet skis, and the likes. We therefore recommend that the reduction on the basis of public transport is retained for the MDR subzone but removed for the LDR subzone. We also recommend, simply for clarity, that the parking requirement for residential flats be included in the Three Parks carparking requirements rather than cross referencing to the district-wide provisions, and that a note be added, highlighting that the staff/ visitor parking associated with medium density housing and Visitor Accommodation may be clustered.

The statement from New Zealand Transport Agency did not further elaborate on its request that an arrangement be made with the developer which requires the developer to **share the cost** of upgrading the state highway. Whilst the Council has collected roading contributions since 2006 to assist with the provision of its own network, it is considered that the NZTA has numerous other more appropriate funding sources for the upgrading and maintenance of the state highways. As such, we do not consider a cost share arrangement to be appropriate.

The term '**unsustainable car trips**' is used in the following policy within the District Plan (which is duplicated sections 14.1.3 (9.2) and 12.25.4 (2.2)):

To require an appropriate number of on-site car parks in order to help limit the number of localised unsustainable car trips (within the zone), whilst providing for users from the wider community in most parts of the zone (compared with the rest of Wanaka).

We agree that the term is unhelpful and that the policy is of little help to the administration of the rules.

With regard to the submission from Willowridge Developments Limited seeking some relaxation of the **requirement for showers**, we heard planning evidence from Ms Noble that offices with less than 20 employees should be exempt from this requirement. We consider that the requirement for showers should be deleted for very small non-residential

buildings with a building occupancy of less than 10 as it is agreed that it may be overly onerous. We also recommend that it be clarified that the building occupancy be calculated on the entire building or building complex that the Resource Consent applies to, rather than on the basis of small individual tenancies that may exist within a large building.

With regard to the submission from Willowridge Developments Limited seeking that rather than include specific **bicycle park requirements**, this should be a matter for consideration as part of the ODP. Whilst we appreciate that the provision of these parks may be complicated, particularly once the land is in multiple ownerships, we are confident that the ratios are based on standards that are well accepted within the industry and that providing specific standards will simplify the Resource Consent process and avoid the need for council planners to request specialist reports on the matter for every ODP that is applied for. In terms of the logistics of providing for the various types of bicycle parks, we see it as being no different to the various negotiations that will need to be undertaken in relation to developing shared, clustered carparking and on-street parking. Furthermore, the relatively high bicycle usage and bike-friendly culture, the lack of Public Transport and the relatively flat topography that exists in Wanaka, together, indicate that encouraging further bicycle use may be highly effective at reducing car trips. We therefore recommend that the provisions relating to bicycle parks be retained

With regard to the submission from Willowridge Developments Limited which requests the removal of the rule (12.26.4.2(22) and (23) requiring **carparking associated with any non-residential uses** in the residential subzones not be visible from the street, we heard evidence from Ms Noble on behalf of the submitter and from Mr Mentz on behalf of the Council. Whilst there was also some confusion at the hearing as to whether the submitter's concern was more related to the MDR (mixed use) subzone or to all residential subzones, the written submission refers to all residential subzones, and hence, we have considered it in that context. Before progressing to the merits of the rule (or otherwise), we need to highlight that we have recommended that all non-residential uses other than education and day care activities be non-complying in the residential subzones other than in the mixed use subzone and that, as such, such uses are not anticipated at all in these subzones.

Ms Noble's opinion was that the rules are impractical and may result in issues of traffic safety and congestion as a result of not being able to find the parking. We are not convinced that such issues will eventuate and note that the principle of locating parking to the rear is consistent with the approach throughout the entire Three Parks Zone, including the Commercial Core. The Planners report and the evidence of Mr Mentz provided sound reasons for the rule, citing that preventing carparking from locating in front of the building is fundamental to achieving buildings that front the streets in order to achieve an active public/private interface and to enable passive surveillance and increased safety. That said, Mr Mentz suggested a number of compromises that may be appropriate, including the fact that the carparking could be provided within the road reserve in the front of the building. Another option may be that, where the non-residential activity is the only activity on the site, up to 2 cars could be parked in front of the building, consistent with what might ordinarily be anticipated in a residential area. Taking consideration of all the options and noting that most non-residential uses will be non-complying in most residential subzones we recommend that the rule is amended to allow a maximum of 2 on-site carparks to be visible from the street and that in the MDR (mixed use) subzone, 90° parking on the street immediately adjacent to the site is able to count toward the carparking requirements. As such, such parking will need to be shown at the Outline Development Plan stage.

With regard to improving the safety of **golf club members crossing Ballantyne Rd**, we consider it is inappropriate to address this through the District Plan. That said, it is accepted that there are currently safety concerns at this crossing point and we recommend

that this continue to be monitored as development in the wider southern Wanaka area progresses over the long term and that techniques aimed at improving safety (be it signage, redesign of the carriageway, etc) be investigated, where necessary.

Relief sought and recommendations

You are referred to Appendix 1 for recommendations on the specific relief sought.

In summary, it is recommended that:

- The carparking requirement for supermarkets be increased to 5 parks per 100m² of GFA.
- A reduction in the carparking in lieu of the availability of public transport is removed from the LDR subzone parking requirements
- The policy (14.1.3 (9.2) and 12.25.4 (2.2) which uses the terminology ‘unsustainable car trips’ be removed, an alternative policy be added into the transport section (Part 14), and a reference be added to another existing policy (in parts 12 and 14) in order to discourage the provision of excessive amounts of parking
- The requirements for showers are amended such that non residential buildings with a design occupancy for less than 10 on-site workers shall be exempt from having to provide a shower.
- The rule relating to the visibility of carparking associated with non-residential uses in the residential subzones be amended to allow up to 2 carparks to be visible from the street (provided there is no other parking on the site) and to allow adjacent on-street carparking in the MDR (mixed use) subzone to count toward the parking requirement.
- The rule allowing a reduction in carparking in the LDR subzone be removed
- The residential flat carparking requirements be included in the Three Parks Zone requirements rather than cross referencing to the district-wide provisions, and that a note be added highlighting that the staff/ visitor parking associated with medium density housing and Visitor Accommodation may be clustered.
- Safety issues relating to the members crossing Ballantyne Rd as development in the wider southern Wanaka area progresses be monitored and, where necessary, investigate possible improvements
- All other provisions referred to in the above submissions be retained as per the notified Plan Change

You are referred to Appendix 2 for the recommended changes to the Plan provisions.

Reasons for the recommendations

The reasons are fully canvassed in the above discussion but can be summarised as follows:

- The evidence presented was unanimous that supermarkets required more parking than the notified Plan Change required
- The reduction in parking in lieu of public transport is reasonable in the MDR but not in the LDR subzone.
- The policy (14.1.3 (9.2) and 12.25.4 (2.2) which uses the terminology ‘unsustainable car trips’ is unhelpful.
- The requirements for showers are too onerous for smaller workplaces.

- It is important that on site parking not dominate sites within the residential area as this can significantly change the character of an area and compromises the ability to achieve an active public/ private interface.
- Safety issues relating to the members crossing Ballantyne Rd is not able to be addressed by the Plan Change and is unlikely to ever be able to be attributed to any particular development but, rather, may worsen as a result of the cumulative development within the area.
- Retain all other provisions as per the notified Plan Change, for reasons provided in the discussion above.

h) The appropriateness of methods relating to affordable housing

Issue:

Since the Plan Change was drafted Willowridge Developments have reached an agreement outside of the Plan, through which to provide Affordable and Community Housing. They therefore wish to avoid having to provide affordable and community housing again due to the application of planning provisions and wish to see the Plan clearly state that this will not occur.

Original and further submissions:

Allenby Farms Limited (16/5/1) supported by **Willowridge Developments Limited** (16/5/1/2) and opposed by **Mount Cardrona Station** (16/5/1/1), state in their reasons for supporting the Plan Change that the additional residential land can only be a benefit to the affordability of land.

Willowridge Developments Limited (16/41/5 and 16/41/6) opposed by **Shotover Park Limited** (16/41/5/1 and 16/41/6/1) request that policies, matters of discretion, and assessment matters relating to affordable housing be deleted and replaced with a policy reflecting that the matter has been dealt with through a separate legal agreement.

Discussion

Whilst providing more residential zoned land is not considered to offer the only or sole solution to a lack of affordable housing, it is considered important to provide a sufficient amount of residential land, offering a range of price points and housing types in order to address the issue. The Three Parks Zone is expected to provide modestly priced housing, relative to other recently zoned land at Peninsula Bay and Kirimoko (due to both its lack of lake views and inclusion of higher density housing), and hence will meet an important part of market demand.

Given that a stakeholder agreement has been reached with the owner of Three Parks (and any subsequent owners) in relation to the provision of affordable housing, it is not considered necessary to include provisions within the District Plan. We do, however, accept that a note to avoid confusion would be helpful. Proposed Appendix 11 as proposed by Plan Change 24 provides for Affordable and Community Housing agreements made outside of the Plan prior to the Plan Change becoming operative to meet a development's requirements to provide Affordable and Community Housing.

In summary, the stakeholder agreement reached between Willowridge Developments Ltd and Queenstown Lakes District Council sets out the following:

Plan Change 16 – Three Parks Special Zone

- The Developer shall contribute land sufficient for the construction of 40 Community Housing units. This land shall consist of ten sections that enable at least two houses of at least two bedrooms each. The balance shall be contributed via five sections that enable at least four houses of at least two bedrooms each. It is anticipated that these units will be managed by the Queenstown lakes Community Housing Trust.
- In addition to the community housing, land capable of accommodating 100 Affordable Housing Units shall be set aside on the site. Of this, a minimum of 50 units shall be delivered via the “kiwi first” scheme (as has been provided by Willowridge Developments Ltd in other areas such as Timsfield in Hawea).
- The balance of the Affordable Housing Contribution (those units not delivered via the ‘Kiwi First Scheme’) shall be delivered by a range of methods chosen by the developer including rental accommodation. The land will be within the Low or Medium Density Sub-zone or other medium or high density area identified as part of an Outline Development Plan. It is agreed that the developer will register covenants against the relevant land titles of this land preventing the use of the land for rental or for sale as visitor accommodation (as defined in the District Plan).
- The community housing contribution will be delivered on a basis of land for at least 50% of the housing transferred to Council by the time 25% of the site has been subdivided and land for 100% of the housing transferred to Council by the time 50% of the site has been subdivided. The affordable housing shall, at a minimum, be delivered at a rate comparable to rate at which development proceeds (in terms of land area developed).

It is recommended that a note be included after the matters for discretion for an outline development plan in all subzones clarifying how this matter is being dealt with.

Relief Sought and recommendations

You are referred to Appendix 1 for recommendations on the specific relief sought.

In summary, it is recommended that the provisions relating to affordable and community housing be deleted from the Plan Change and replaced with a note stating that requirements for affordable and community housing requirements have been reached by an agreement outside the Plan.

You are referred to Appendix 2 for the recommended changes to the Plan provisions.

Reasons for the recommendations

The provisions are unnecessary.

Issue 7 - Consistency with Various Documents

Issue:

Various submissions are concerned that the Plan Change is inconsistent with the RMA, the Otago Regional Policy Statement (RPS)/ Regional Plans, the Wanaka Structure Plan, Growth Management Strategy, Wanaka 2020, and the Town Centre Strategy and, hence, should be rejected in its current form. Others submit that the Plan Change is consistent with the various high level documents

Original and further submissions:

The RMA

Both **Orchard Road Holdings Limited** (16/31/1) and **Willowridge Developments Limited** (16/41/1), opposed by **Shotover Park Limited** (16/31/1/1, 16/41/1/1), submit that the Plan Change be adopted and that it is consistent with the purpose (Part 2) of the RMA.

Mount Cardrona Station (16/27/1, 16/27/9) partly supported by **Shotover Park Limited** (16/27/1/1, 16/27/9/1) and opposed by **Willowridge Developments Limited** (16/27/1/2), and **Shotover Park Limited** (16/33/1), supported by **Mount Cardrona Station** (16/33/1/1) and opposed by **Willowridge Developments Limited** (16/33/1/2), consider that the Plan Change does not achieve the purpose of the RMA.

Sir Clifford Skeggs (16/34/1 and 16/34/2), supported by **Shotover Park Limited** (16/34/1/2, 16/34/2/2) and opposed by **Orchard Road Holdings Limited** (16/34/1/1, 16/34/2/1) and **Willowridge Developments Limited** (16/34/1/3, 16/34/2/3), considers the Plan Change to be contrary to the purpose of the RMA.

As discussed under Issue 8 below, **Shotover Park Limited** question the appropriateness of the Plan Change having relied on/ been informed by a number of non-statutory documents which themselves were not subject to the public participatory process required under the RMA.

The Otago Regional Policy Statement/ Regional Plans

Mount Cardrona Station (16/27/1, 16/27/9) partly supported by **Shotover Park Limited** (16/27/1/1, 16/27/9/1) and opposed by **Willowridge Developments Limited** (16/27/1/2), state, in their submission, that the Plan Change does not sufficiently give effect to the RPS or Regional Plans.

The Wanaka Structure Plan

Allenby Farms Limited (16/5/1) supported by **Willowridge Developments Limited** (16/5/1/2) and opposed by **Mount Cardrona Station** (16/5/1/1) supports various aspects of the Plan Change, including that it is implementing recommendations of the Wanaka Structure Plan.

Ballantyne Investments Limited (16/8/1 and 16/8/2), supported by **Ballantyne Investments Limited** (16/8/1/1, 16/8/2/1) and **Mount Cardrona Station** (16/8/1/2) and opposed by **Willowridge Developments Limited** (16/8/1/3, 16/8/2/2), express a number of concerns, including the fact that in order to maximise the potential benefits of the Wanaka Structure Plan the various parcels identified for re-zoning in the Wanaka Structure Plan should be considered together rather than on a piecemeal basis.

Deborah Humphrey (16/19/1), supported by **Shotover Park Limited** (16/19/1/1) and opposed by **Willowridge Developments Limited** (16/19/1/2), considers it to be contrary to the Wanaka Structure Plan, with particular concern that the Wanaka Structure Plan was intended to ensuring competition in the property market, with zoned land being in various ownerships.

Orchard Road Holdings Limited (16/31/1) opposed by **Shotover Park Limited** (16/31/1/1), submit that the Plan Change be adopted and that it is consistent with the Wanaka Structure Plan.

Willowridge Developments Limited (16/41/1), opposed by **Shotover Park Limited** (16/41/1/1), make the comment in their submission that the land is within the inner growth boundary of the Wanaka Structure Plan.

Chris Norman (16/29/1), supported by **Roger Gardiner** (16/29/1/1), **Mount Cardrona Station** (16/29/1/2), **Shotover Park Limited** (16/29/1/3), **Sustainable Wanaka** (16/29/1/4) and opposed by **Wanaka Hardware and Building Supplies Ltd** (16/29/1/5) and **Willowridge Developments Limited** (16/29/1/6), comments that the proposal to meet all future retail demands contravenes the Wanaka Structure Plan Objective that there should be a degree of competition within the market.

The Growth Options Study and resultant Growth Management Strategy

Mount Cardrona Station (16/27/1, 16/27/6, 16/27/7), partly supported by **Shotover Park Limited** (16/27/1/1, 16/27/6/1, 16/27/7/1) and opposed by **Willowridge Developments Limited** (16/27/1/2, 16/27/6/2), comment that the layout and objectives of the Plan Change (e.g. by providing for small retail and a tourism and community facilities subzone) are contrary to the objectives of the Growth Options Study relating to developing alternative retail while enabling the Town Centre to continue to be the hub of the community. They also submit that releasing land so far in advance of demand is contrary to the objectives of the Growth Plan to promote the growth of the small communities.

Wanaka 2020

Mount Cardrona Station (16/27/1), partly supported by **Shotover Park Limited** (16/27/1/1) and opposed by **Willowridge Developments Limited** (16/27/1/2), submits that what is provided for by the Plan Change goes far beyond the key matters that were identified in the Wanaka 2020 Report. It is noted that some of Mount Cardrona Station's other submission points are likely to be relevant to this issue.

Sustainable Wanaka (16/36/1), supported by **Shotover Park Limited** (16/36/1/1) and opposed by **Wanaka Hardware and Building Supplies Ltd** (16/36/1/2) and **Willowridge Developments Limited** (16/36/1/3), does not believe that the proposal addresses the values expressed as important in the 2020 vision documents.

Wanaka Town Centre Strategy

Chris Norman (16/29/1), supported by **Roger Gardiner** (16/29/1/1), **Mount Cardrona Station** (16/29/1/2), **Shotover Park Limited** (16/29/1/3), **Sustainable Wanaka** (16/29/1/4) and opposed by **Wanaka Hardware and Building Supplies Ltd** (16/29/1/5) and **Willowridge Developments Limited** (16/29/1/6), comments that whilst the Town Centre Strategy is looking at options for intensification the Three Parks Plan Change proposes changes to the Town Centre zone provisions, which could be used to restrict further growth of the Town Centre.

Alistair Madill Architects (16/4/1), supported by **Roger Gardiner** (16/4/1/1) **Mount Cardrona Station** (16/4/1/2) **Shotover Park Limited** (16/4/1/3) **Sustainable Wanaka** (16/4/1/4) and opposed by **Willowridge Developments Limited** (16/4/1/5), submits that the Plan Change has been done precipitately and should be rejected and completely reviewed following other studies, particularly the Wanaka Town Centre Strategy.

Sustainable Wanaka (16/36/1), supported by **Shotover Park Limited** (16/36/1/1) and opposed by **Wanaka Hardware and Building Supplies Ltd** (16/36/1/2) and **Willowridge**

Developments Limited (16/36/1/3), considers that the proposal would have a serious and negative impact on the desired outcomes of the Wanaka Town Centre Strategy.

Discussion

On these matters we heard submissions from Orchard Road Holdings Limited, Willowridge Developments Limited, Shotover Park Limited, Mount Cardrona Station, Ballantyne Investments Limited, Chris Norman, Roger Gardiner, Sustainable Wanaka, and Alistair Madill Architects. We also had the benefit of the Council's Section 32 report and Planners S 42A report and the evidence presented by Mr Kyle (on behalf of Willowridge Developments Limited), Mr Hook (on behalf of Mount Cardrona Station and Shotover Park Limited), and Mr Edgar (on behalf of Ballantyne Investments Limited).

In summary, we are of the view that the Plan Change (in the amended form attached to this report) will achieved the purpose of the RMA, and is consistent with the Otago RPS. Although not statutorily required, we also comfortable that the Plan Change is not contrary to the Wanaka Town Centre Strategy, the Wanaka Structure Plan, the Growth Options Study and Growth management Study, or the Wanaka 2020 process (2002).

Whilst we understand the concerns of many of the submitters regarding how it will affect the Town Centre and the character of Wanaka, we see it as a 'vehicle' for achieving a number of the objectives expressed in Wanaka 2020. For example: we are concerned at the lack of industry (tourism or otherwise) in Wanaka and see Three Parks contributing favourably to the economic sustainability of Wanaka though enabling the establishment of businesses that will provide long term employment, affordable space for business, and through retaining people's spending within the Upper Clutha rather than exporting those benefits to Cromwell, Queenstown, Dunedin, or Invercargill.

We were not convinced by anything we heard at the hearing that there were any serious inconsistencies between the Plan Change and the aforementioned documents. Whilst we appreciate some submitters concerns, most notably those of Sustainable Wanaka, that the Structure Plan is not exactly the same as the Wanaka 2020 document or map, we are comfortable that it gives effect to the intent of those documents. For the record, we suggest that Sustainable Wanaka may not have had the benefit of the Wanaka 2020 proposed rezoning map when making its submission as it incorrectly submitted that the bulk retail was intended to be along Ballantyne Rd when, in fact, the Wanaka 2020 process shows it immediately adjacent to SH84. This is an example where further analysis of the site and the community's desires regarding green entranceways to town resulted in the Commercial Core being pulled well off the main entrance to the town. We are also of the view that whereas the Wanaka 2020 Plan was based on relatively crude growth projections and high level urban design analysis the refinement that occurred through the Wanaka Structure Plan and the Plan Change work that followed provided an improved understanding of what is needed for Wanaka and it is highly appropriate that this be reflected in the Three Parks Structure Plan. That said, as discussed earlier in this report, we have some concern with the scale and the Structure Plan has been modified accordingly and, as a result, now bears a closer resemblance to those earlier plans. It is unfortunate that the copy of the Wanaka 2020 report that was included in the S 32 report did not include the maps that accompanied that report (and which were displayed at the hearing) and we fear that this may have been responsible for some of the confusion over what the Wanaka 2020 process intended for this site. As such, we have attached the Plan to this decision, for the record.

Consistency between this Plan Change and the Wanaka Town Centre Strategy was of considerable concern to many submitters, who, variously, were concerned that the Plan Change was inconsistent with the Strategy and that it had been progressed prior to the

completion of the Strategy. Whilst we may have had some concern in making a decision on the Plan Change prior to the Strategy being adopted by the Council, this has now occurred and we see no problem that the two processes were running in tandem for many months. With the Strategy now in its final form and with ample scope through submissions we have the opportunity to now ensure that the two are consistent. The problem that we encounter, however, is that the Strategy provides relatively little guidance as to whether the Town Centre should include LFR where possible and to what extent and in what manner intensification or expansion is anticipated. In the absence of detailed direction we are therefore left to consider the high level objectives of the Strategy. It is our considered conclusion that the Three Parks Plan Change, as amended in this decision, is consistent with the Town Centre Strategy and that it would be difficult to accommodate all projected retail growth within the Town Centre without significantly compromising the objectives of the Strategy.

Relief sought and recommendations

You are referred to Appendix 1 for recommendations on the specific relief sought.

In summary, it is recommended that:

- An addition is made to the policies of the Town Centre Zone so as to not preclude the option that there may also be some minor expansion of the Town Centre zone boundary in the future.
- Various amendments are made as outlined previously in this report in order to better align the various documents
- No other specific changes are required

You are referred to Appendix 2 for the recommended changes to the Plan provisions.

Issue 8 - The Adequacy of the Section 32 Report and Associated Reports

Issue:

The adequacy of the section 32 report and associated reports (including the request for independent review and further analysis on growth, needs, urban design, and landscape) has been raised by a number of submitters. A number of them go onto request that further work needs to be done before the Plan Change can be further progressed.

Original Submissions

The following submitters suggest that the S 32 documentation is deficient (and hence, that the Plan Change should be rejected or amended):

Infinity Investment Group Holdings Ltd (16/21/3), supported by **Shotover Park Limited** (16/21/3/1) and **Shotover Park Limited** (16/33/1-8), supported by **Mount Cardrona Station** (16/33/1/1, 16/33/2/1, 16/33/4/1, 16/33/5/1, 16/33/6/1, 16/33/7/1, 16/33/8/1) and opposed by **Willowridge Developments Limited** (16/33/1/2, 16/33/2/2, 16/33/3/1, 16/33/4/2, 16/33/5/2, 16/33/6/2, 16/33/7/2, 16/33/8/2) submit that the Plan Change is predicated on non-statutory documents, many of which were not included with the application and that the application/ S 32 report is incomplete/ deficient in that there is no specialist urban design or landscape assessment.

Mount Cardrona Station (16/27/9), partly supported by **Shotover Park Limited** (16/27/9/1) comments that the S 32 report does not contain an assessment of landscape effects.

Mount Cardrona Station (16/27/1, 16/27/2, 16/27/3, 16/27/4, 16/27/9), Partly Supported by **Shotover Park Limited** (16/27/1/1, 16/27/2/1, 16/27/3/1, 16/27/4/1, 16/27/9/1) and opposed by **Willowridge Developments Limited** (16/27/1/2, 16/27/2/2, 16/27/3/2, 16/27/4/2), submits that the S 32 documents under-represents the existing capacity.

Chris Norman (16/29/4), supported by **Roger Gardiner** (16/29/4/1), **Mount Cardrona Station** (16/29/4/2), **Shotover Park Limited** (16/29/4/3), and **Sustainable Wanaka** (16/29/4/4) and opposed by **Willowridge Developments Limited** (16/29/4/5), makes various comments that the capacity assessments in the S 32 documentation are inaccurate.

Shotover Park Limited (16/33/1-8), supported by **Mount Cardrona Station** (16/33/1/1, 16/33/2/1, 16/33/4/1, 16/33/5/1, 16/33/6/1, 16/33/7/1, 16/33/8/1) and opposed by **Willowridge Developments Limited** (16/33/1/2, 16/33/2/2, 16/33/3/1, 16/33/4/2, 16/33/5/2, 16/33/6/2, 16/33/7/2, 16/33/8/2) submits that the S 32 report does not assess the establishment of another 'centre' when considering the existing Town Centre provisions.

The following submitter suggests that the S 32 documentation is adequate:

Willowridge Developments Limited (16/41/1), opposed by **Shotover Park Limited** (16/41/1/1), supports the Section 32 reporting in regard to a) its finding that the objectives, policies, and rules are the most appropriate and b) its evaluation of the costs and benefits.

The following submitters suggest that the Plan Change does not achieve the objectives and policies of the District Plan

Chris Norman (16/29/1), supported by **Roger Gardiner** (16/29/1/1), **Mount Cardrona Station** (16/29/1/2), **Shotover Park Limited** (16/29/1/3), **Sustainable Wanaka** (16/29/1/4) and opposed by **Wanaka Hardware and Building Supplies Ltd** (16/29/1/5) and **Willowridge Developments Limited** (16/29/1/6), comments that the Plan Change is inconsistent with the objectives and policies of the District Plan which aim to consolidate the Town Centre.

Shotover Park Limited (16/33/1-8), supported by **Mount Cardrona Station** (16/33/1/1, 16/33/2/1, 16/33/4/1, 16/33/5/1, 16/33/6/1, 16/33/7/1, 16/33/8/1) and opposed by **Willowridge Developments Limited** (16/33/1/2, 16/33/2/2, 16/33/3/1, 16/33/4/2, 16/33/5/2, 16/33/6/2, 16/33/7/2, 16/33/8/2) considers the Plan Change to be inconsistent with the District Plan.

Sustainable Wanaka (16/36/1), supported by **Shotover Park Limited** (16/36/1/1) and opposed by **Wanaka Hardware and Building Supplies Ltd** (16/36/1/2) and **Willowridge Developments Limited** (16/36/1/3), believes that the Plan Change is in direct conflict with the issues, objectives and policies of Section 10 of the District Plan, relating to Town Centres.

Discussion

In general terms, it is considered that the process and documentation produced is fully compliant with Section 32 of the RMA.

We have considerable material before us in regard to this matter; most notably the Section 32 report itself that accompanied the Plan Change, the evidence of Mr Kyle (on behalf of Willowridge Developments Limited) and that of Mr Hook (on behalf of Mount Cardrona Station and Shotover Park Limited). Both Mr Kyle and Mr Hook provided an assessment of the appropriateness of the Plan Change in accordance with what we shall refer to as the 'Long Bay decision' (A078/2008). In addition we heard from various submitters in respect of whether the Plan Change was appropriate in terms of the existing objectives and policies in the District Plan.

In regard to whether the Plan Change achieves the objectives and policies of the District Plan, the conclusions reached by Mr Hook and by Mr Kyle and those reached in the S 32 report varied significantly. It is worth noting that such varying conclusions are understandable given that the objectives and policies of the District Plan often appear to contradict one another and are often quite subjective in their wording. As such, the process of determining whether the Plan Change is, on balance, achieve the objectives of the District Plan as a whole is necessarily subjective. Regardless, we prefer those conclusions reached in the S 32 report produced and by Mr Kyle and consider that, on balance, the Plan Change will achieve the relevant district-wide and Town Centre objectives.

The following additional specific comments are made in response to the submissions received:

- Whilst an assessment of landscape effects was not included in the S 32 documentation, considerable landscape analysis was undertaken as part of the masterplanning for this site, at both a macro and micro level. This work was undertaken on behalf of the Council by landscape architects from Boffa Miskell. It is also noted that landscape architects were on the team of specialists who undertook the Wanaka 2020 process, which first 'flagged' the potential of the site for future urban growth. As identified in Mr Kyle's evidence, it is notable that no submitters actually concluded that the Plan Change is inappropriate in landscape terms.
- Whilst there is no specialist Urban Design report attached to the S 32 documentation, experienced urban designers were a fundamental part of the team responsible for preparing the Plan Change, leading the masterplanning exercise and having significant input into the specific rule drafting. Notably, both the Wanaka 2020 charette and the finalisation of the Wanaka Structure Plan (which were precursors to this Plan Change) were both led by experienced urban designers. It is also noted that further specialist Urban Design input obtained in response to various submissions is attached to this report and, as such, forms part of the S 32 documentation. You are also referred to the comments made by Council's Urban Designer in the report attached as Appendix 4.
- The criticism that S 32 documents under-represents the existing capacity has been addressed by the Council undertaking further work on capacity and commissioning further retail demand assessment work as part of preparing this report. Mount Cardrona Station suggests that the Plan Change's provision of residential land is inappropriate given the existing **capacity** for residential development in the Wanaka area. You are referred to the full discussion of this matter under Issue 2(b), in this report.

Relief sought and recommendations

You are referred to Appendix 1 for recommendations on the specific relief sought.

Plan Change 16 – Three Parks Special Zone

In summary, it is recommended that other than the further work undertaken in regard to capacity and the urban design advice received in respect of specific submissions, no further work is considered necessary.

You are referred to Appendix 2 for the recommended changes to the Plan provisions.

Reasons for the recommendations

The Section 32 documentation is considered sufficient. It is also noted that this Planners Report and the Council's decision will both form part of the continuing Section 32 process and that, where significant changes are made as part of the decision, the analysis of the options will be documented in the decision.

Plan Change 16 – Three Parks Special Zone

APPENDIX 1

RECOMMENDATIONS ON SPECIFIC SUBMISSIONS & FURTHER SUBMISSIONS RECEIVED ON PLAN CHANGE 16 -THREE PARKS

Ardmore Ltd	Proforma		Issues	Recommendation
Oppose	Do not adopt Plan Change in its present form.	16/1/1	3a	Accept in part , insofar as numerous amendments are recommended
Gardiner, Roger	Support	16/1/1/1	3a	Accept in part
Mount Cardrona Station	Support	16/1/1/2	3a	Accept in part
Shotover Park Limited	Partly Support	16/1/1/3	3a	Accept in part
Willowridge Developments Limited	Oppose	16/1/1/4	3a	Accept in part
Oppose	Establish a very precise business zoning area with only LFR and custodial residential.	16/1/2	3a	Reject
Gardiner, Roger	Support	16/1/2/1	3a	Reject
Mount Cardrona Station	Support	16/1/2/2	3a	Reject
Shotover Park Limited	Oppose	16/1/2/3	3a	Accept
Willowridge Developments Limited	Oppose	16/1/2/4	3a	Accept
Oppose	Ensure the Three Parks development does not detract from the Town Centre.	16/1/3	3a	Accept in part , insofar as numerous amendments are recommended to further protect the Town Centre
Gardiner, Roger	Support	16/1/3/1	3a	Accept in part
Mount Cardrona Station	Support	16/1/3/2	3a	Accept in part
Shotover Park Limited	Support	16/1/3/3	3a	Accept in part

Plan Change 16 – Three Parks Special Zone

Willowridge Developments Limited	Oppose	16/1/3/4	3a	Accept in part
Oppose	The village square concept should occur only in the Wanaka Town Centre.	16/1/4	3a	Reject
Gardiner, Roger	Support	16/1/4/1	3a	Reject
Mount Cardrona Station	Support	16/1/4/2	3a	Reject
Shotover Park Limited	Partly Support	16/1/4/3	3a	Accept in part.
Willowridge Developments Limited	Oppose	16/1/4/4	3a	Accept
Oppose	Avoid fragmented commercial development.	16/1/5	3a	Reject
Gardiner, Roger	Support	16/1/5/1	3a	Reject
Mount Cardrona Station	Support	16/1/5/2	3a	Reject
Shotover Park Limited	Partly Support	16/1/5/3	3a	Accept in part
Willowridge Developments Limited	Oppose	16/1/5/4	3a	Accept
Noosa Holdings Ltd	Proforma of the above		3a	
Oppose	Do not adopt Plan Change in its present form.	16/2/1	3a 3a	Accept in part , insofar as numerous amendments are recommended
Gardiner, Roger	Support	16/2/1/1	3a	Accept in part
Mount Cardrona Station	Support	16/2/1/2	3a	Accept in part
Shotover Park Limited	Partly Support	16/2/1/3	3a	Accept in part
Willowridge Developments Limited	Oppose	16/2/1/4	3a	Accept in part
Oppose	Establish a very precise business zoning area with only LFR and custodial	16/2/2	3a	Reject

Plan Change 16 – Three Parks Special Zone

residential.

Gardiner, Roger	Support	16/2/2/1	3a	Reject
Mount Cardrona Station	Support	16/2/2/2	3a	Reject
Shotover Park Limited	Oppose	16/2/2/3	3a	Accept
Willowridge Developments Limited	Oppose	16/2/2/4	3a	Accept
Oppose	Ensure the Three Parks development does not detract from the Town Centre.	16/2/3	3a	Accept in part , insofar as numerous amendments are recommended to further protect the Town Centre
Gardiner, Roger	Support	16/2/3/1	3a	Accept in part
Mount Cardrona Station	Support	16/2/3/2	3a	Accept in part
Shotover Park Limited	Support	16/2/3/3	3a	Accept in part
Willowridge Developments Limited	Oppose	16/2/3/4	3a	Accept in part
Oppose	The village square concept should occur only in the Wanaka Town Centre.	16/2/4	3a	Reject
Gardiner, Roger	Support	16/2/4/1	3a	Reject
Mount Cardrona Station	Support	16/2/4/2	3a	Reject
Shotover Park Limited	Partly Support	16/2/4/3	3a	Accept in part.
Willowridge Developments Limited	Oppose	16/2/4/4	3a	Accept
Oppose	Avoid fragmented commercial development.	16/2/5	3a	Reject
Gardiner, Roger	Support	16/2/5/1	3a	Reject

Plan Change 16 – Three Parks Special Zone

Mount Cardrona Station	Support	16/2/5/2	3a	Reject
Shotover Park Limited	Partly Support	16/2/5/3	3a	Accept in part
Willowridge Developments Limited	Oppose	16/2/5/4	3a	Accept
Pembroke Body Corporate Oppose	Proforma Do not adopt Plan Change in its present form.	16/3/1	3a	Accept in part , insofar as numerous amendments are recommended
Gardiner, Roger	Support	16/3/1/1	3a	Accept in part
Mount Cardrona Station	Support	16/3/1/2	3a	Accept in part
Shotover Park Limited	Partly Support	16/3/1/3	3a	Accept in part
Willowridge Developments Limited	Oppose	16/3/1/4	3a	Accept in part
Oppose	Establish a very precise business zoning area with only LFR and custodial residential.	16/3/2	3a	Reject
Gardiner, Roger	Support	16/3/2/1	3a	Reject
Mount Cardrona Station	Support	16/3/2/2	3a	Reject
Shotover Park Limited	Oppose	16/3/2/3	3a	Accept
Willowridge Developments Limited	Oppose	16/3/2/4	3a	Accept
Oppose	Ensure the Three Parks development does not detract from the Town Centre.	16/3/3	3a	Accept in part , insofar as numerous amendments are recommended to further protect the Town Centre
Gardiner, Roger	Support	16/3/3/1	3a	Accept in part
Mount Cardrona Station	Support	16/3/3/2	3a	Accept in part

Plan Change 16 – Three Parks Special Zone

Shotover Park Limited	Support	16/3/3/3	3a	Accept in part
Willowridge Developments Limited	Oppose	16/3/3/4	3a	Accept in part
Oppose	The village square concept should occur only in the Wanaka Town Centre.	16/3/4	3a	Reject
Gardiner, Roger	Support	16/3/4/1	3a	Reject
Mount Cardrona Station	Support	16/3/4/2	3a	Reject
Shotover Park Limited	Partly Support	16/3/4/3	3a	Accept in part.
Willowridge Developments Limited	Oppose	16/3/4/4	3a	Accept
Oppose	Avoid fragmented commercial development.	16/3/5	3a	Reject
Gardiner, Roger	Support	16/3/5/1	3a	Reject
Mount Cardrona Station	Support	16/3/5/2	3a	Reject
Shotover Park Limited	Partly Support	16/3/5/3	3a	Accept in part
Willowridge Developments Limited	Oppose	16/3/5/4	3a	Accept
Alistair Madill Architects Ltd				
Oppose	That the Plan Change be completely rejected and subject to complete review after all current studies are completed, particularly the Wanaka Town Centre Strategy.	16/4/1	3a, 5, 7	Reject
Gardiner, Roger	Support	16/4/1/1	3a, 5, 7	Reject
Mount Cardrona Station	Support	16/4/1/2	3a, 5, 7	Reject
Shotover Park Limited	Support	16/4/1/3	3a, 5, 7	Reject
Sustainable Wanaka	Support	16/4/1/4	3a, 5, 7	Reject

Plan Change 16 – Three Parks Special Zone

Willowridge Developments Limited	Oppose	16/4/1/5	3a, 5, 7	Accept
Oppose	The Plan Change should be rejected in its entirety.	16/4/2	5	Reject
Alistair Madill Architects ltd	Support	16/4/2/1	5	Reject
Gardiner, Roger	Support	16/4/2/2	5	Reject
Mount Cardrona Station	Support	16/4/2/3	5	Reject
Willowridge Developments Limited	Oppose	16/4/2/4	5	Accept
Allenby Farms Ltd				
Support	Adopt the Plan Change as notified.	16/5/1	2, 6b, 6c, 6e, 7	Accept in part , insofar as numerous amendments are recommended
Mount Cardrona Station	Oppose	16/5/1/1	2, 6b, 6c, 6e, 7	Accept in part
Willowridge Developments Limited	Support	16/5/1/2	2, 6b, 6c, 6e, 7	Accept in part
Ansley, Bruce				
Support	Adopt the Plan Change as notified.	16/6/1	1	Accept in part , insofar as numerous amendments are recommended
Architects Plus Ltd				
Support	Adopt the Plan Change as notified.	16/7/1	3a	Accept in part , insofar as numerous amendments are recommended
Shotover Park Limited	Oppose	16/7/1/1	3a	Accept in part
Willowridge Developments Limited	Support	16/7/1/2	3a	Accept in part
Ballantyne Investments Limited				

Plan Change 16 – Three Parks Special Zone

Oppose	The residential component of the Plan Change should be withdrawn with the Plan Change left to focus on the proposed retail core, commercial/retail and mixed business land uses.	16/8/1	2, 4, 7	Reject
Ballantyne Investments Limited	Support	16/8/1/1	2, 4, 7	Reject
Mount Cardrona Station	Support	16/8/1/2	2, 4, 7	Reject
Willowridge Developments Limited	Oppose	16/8/1/3	2, 4, 7	Accept
Oppose	Residential development should then be the subject of a separate plan change which considers not only the three Parks site but land between the Three Parks site and the Town Centre such that a more logical staging of development can be implemented and the submitter's land can be planned in an integrated manner along with the three Parks site. This should include provisions to ensure that all necessary services can be extended/upgraded throughout the site and wider area.	16/8/2	4, 7	Reject
Ballantyne Investments Limited	Support	16/8/2/1	4, 7	Reject
Willowridge Developments Limited	Oppose	16/8/2/2	4, 7	Accept
Oppose	The approval of Outline Development Plans and Comprehensive Development Plans should remain as restricted discretionary activities with the written approval of adjoining landowners required with regard to the layout of roading, services and utilities.	16/8/3	6f	Accept
Ballantyne Investments Limited	Support	16/8/3/1	6f	Accept
Willowridge Developments Limited	Oppose	16/8/3/2	6f	Reject

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Carrick, R.W.				
Partly Support	Protect the special nature of Wanaka.	16/9/1	3a,	Accept in part , insofar as numerous amendments are recommended to help achieve this
Partly Support	Avoid bright orange or bright blue colours etc in commercial areas / large format retail.	16/9/2	3a, 6b	Accept in part , insofar as specific reference to colour is recommended
Costello, Denis				
Oppose	Do not proceed with plan Change as notified. Opposed the proposed 'Commercial Core'	16/10/1	2, 3a, 3b, 6b	Accept in part , insofar as numerous amendments are recommended to the Plan Change and specifically in relation to the Commercial Core.
Shotover Park Limited	Support	16/10/1/1	2, 3a, 3b, 6b	Accept in part
Firth Industries, a division of Fletcher Concrete and Infrastructure Ltd				
Oppose	That the location of the 'New Arterial road' where it intersects with Ballantyne Rd be shifted either to the northern-most or southern-most boundary of the Plan change area on Ballantyne Rd; or	16/11/1	5	Reject
Orchard Road Holdings Limited	Oppose	16/11/1/1	5	Accept
Shotover Park Limited	Support	16/11/1/2	5	Reject
Willowridge Developments Limited	Oppose	16/11/1/3	5	Accept
Oppose	If the 'new arterial road' intersection with Ballantyne Road is not moved as set out in the submission point above that no access be permitted from Ballantyne Rd	16/11/2	5	Reject

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into the Plan change area; or

Orchard Road Holdings Limited	Oppose	16/11/2/1	5	Accept	
Shotover Park Limited	Support	16/11/2/2	5	Reject	
Willowridge Developments Limited	Oppose	16/11/2/3	5	Accept	
Oppose	The Plan Change be rejected.	16/11/3		Reject	
Orchard Road Holdings Limited	Oppose	16/11/3/1		Accept	
Shotover Park Limited	Support	16/11/3/2		Reject	
Willowridge Developments Limited	Oppose	16/11/3/3		Accept	
Oppose	Make any consequential amendments that give effect to Firth Industries' submission	16/11/4	6f	Accept in part , insofar as the non notification clause is recommended to be amended	
Shotover Park Limited	Support	16/11/4/1	6f	Accept in part	
Fraser, Hugh J.W.	Support	Adopt the Plan Change as notified	16/12/1	1	Accept in part , insofar as numerous amendments are recommended
Mount Cardrona Station	Oppose	16/12/1/1	1	Accept in part	
Gilbertson, Shaun	Oppose	Give serious consideration to how the proposed Three Park development is staged, in light of effects on Wanaka Town Centre.	16/13/1	3a	Accept in part , insofar as numerous amendments are recommended strengthen staging in the Commercial Core and mixed use subzones and the extent of the commercial core has been reduced

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Bullen, Pete	Support	16/13/1/1	3a	Accept in part
Shotover Park Limited	Partly Support	16/13/1/2	3a	Accept in part
Gordon, Angus & Dale				
Oppose	Would like for more dialogue and consistencies including refining the mish mash of residential commercial industrial and yard based please.	16/14/1	5	Reject
Oppose	Decline application in its entirety.	16/14/2	5	Reject
Shotover Park Limited	Support	16/14/2/1	5	Accept
Oppose	Like the 'ponds' to be settled prior to any zone/plan change.	16/14/3	4	Accept in part , insofar as the Plan Change regarding the ponds is settled. The land ownership is not yet settled.
Gordon, Peter and Dee				
Support	Adopt Plan Change as notified.	16/15/1	5	Accept in part , insofar as numerous amendments are recommended
Mount Cardrona Station	Oppose	16/15/1/1	5	Accept in part
Willowridge Developments Limited	Support	16/15/1/2	5	Accept in part
Helwick Holdings No.1 Ltd				
Oppose	Do not adopt the plan change as notified. Oppose Wanaka retail and services being spread over a wide area.	16/16/1	3a	Accept in part , insofar as numerous amendments are recommended
Shotover Park Limited	Support	16/16/1/1	3a	Accept in part ,
Sustainable Wanaka	Support	16/16/1/2	3a	Accept in part ,
Helwick Holdings No.2				

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Ltd					
Oppose	Do not adopt the plan change as notified. Concern at second centre and consider that it is too early.	16/17/1	2, 3a	Accept in part , insofar as numerous amendments are recommended	
Mount Cardrona Station	Support	16/17/1/1	2, 3a	Accept in part	
Shotover Park Limited	Support	16/17/1/2	2, 3a	Accept in part	
Sustainable Wanaka	Support	16/17/1/3	2, 3a	Accept in part	
Hewett, Norman					
Support	Adopt the Plan Change as notified	16/18/1	1	Accept in part , insofar as numerous amendments are recommended	
Humphrey, Deborah					
Oppose	Do not proceed with the retail aspect of the Plan Change as notified.	16/19/1	3a, 7	Accept in part , insofar as the scale of both the initial release and the Commercial Core have been recommended to be reduced.	
Shotover Park Limited	Support	16/19/1/1	3a, 7	Accept in part	
Willowridge Developments Limited	Oppose	16/19/1/2	3a, 7	Accept in part	
Humphrey, Gavin					
Oppose	Do not proceed with the smaller spaced retail commercial development (less than 400m²) in the proposed Three Parks Town Centre.	16/20/1	3a	Accept in part , insofar as numerous amendments are recommended to strengthen the deferment in the MDR (Mixed use) area and control specialty retail in the LDR subzone.	
Mount Cardrona Station	Support	16/20/1/1	3a	Accept in part	
Shotover Park Limited	Support	16/20/1/2	3a	Accept in part	

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Willowridge Developments Limited	Oppose	16/20/1/3	3a	Accept in part
Oppose	Undertake professional retail consultation on the potential negative effects on the existing Town Centre including: A detailed report on primary and secondary catchment analysis for both the existing and proposed retail precincts. Retail and customer segmentation analysis has not been modelled for the likely new retail tenants. A competitor analysis model for both present and proposed retail centres	16/20/2	3a	Accept in part , insofar as the Council did commission further retail analysis, as attached to the Planners S.42A Report
Mount Cardrona Station	Support	16/20/2/1	3a	Accept in part
Shotover Park Limited	Support	16/20/2/2	3a	Accept in part
Infinity Investment Group Holdings Ltd				
Oppose	Intensify existing areas before looking at expansion on the urban fringe.	16/21/1	2, 3a	Reject
Shotover Park Limited	Support	16/21/1/1	2, 3a	Reject
Willowridge Developments Limited	Oppose	16/21/1/2	2, 3a	Accept
Oppose	Undertake a specialist urban design and landscape assessment which enables a full analysis of the proposal included.	16/21/2	6c	Reject
Shotover Park Limited	Support	16/21/2/1	6c	Reject
Willowridge Developments Limited	Oppose	16/21/2/2	6c	Accept
Oppose	Make non-statutory documents which the plan change application is predicated on available to the public.	16/21/3	8	Accept. Note; All such documents are available to the public
Shotover Park Limited	Support	16/21/3/1	8	Accept
Oppose	The downstream resource consenting requirements should be less permissive.	16/21/4	6d	Reject

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Shotover Park Limited	Support	16/21/4/1	6d	Reject	
Willowridge Developments Limited	Oppose	16/21/4/2	6d	Accept	
Oppose	The establishment of up to 12,000m2 of commercial/retail should not be provided for as a permitted activity.	16/21/5	6d, 6f	Accept in part , insofar as it is recommended that the initial release of retail be reduced to 10,000m.	
Shotover Park Limited	Support	16/21/5/1	6d, 6f	Accept in part	
Willowridge Developments Limited	Oppose	16/21/5/2	6d, 6f	Accept in part	
Oppose	Further expansion of commercial activities should not be provided for by way of a non-notified consent.	16/21/6	6e	Accept in part , insofar as retail applications which exceed the specified thresholds (which are recommended to be reduced) may be notified.	
Shotover Park Limited	Support	16/21/6/1	6e	Accept	
Willowridge Developments Limited	Oppose	16/21/6/2	6e	Reject	
Oppose	Rectify the fact that the staging plan provided is indicative only.	16/21/7	2	Reject	
Shotover Park Limited	Support	16/21/7/1	2	Reject	
Willowridge Developments Limited	Oppose	16/21/7/2	2	Accept	
Kelly, B.A.	Support	Adopt the plan change as notified	16/22/1	2	Accept in part , insofar as numerous amendments are recommended
Kelly, M.C.	Support	Adopt the plan change as notified	16/23/1	2	Accept in part , insofar as numerous amendments are recommended
Marilyn Gordon, Roger Moseby &					

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Other	Under the proposed Three Parks Plan, it shows our 124 SH84 property as being re zoned high Density Residential. As yet we are undecided as to whether that would be the best possible zoning that might suit any future options we may choose to pursue. As the commercial / retail core comes to our eastern boundary, we would want to take advantage of any option that might arise.	16/24/1	5, 4	Reject
Marilyn Gordon, Roger Moseby & Marshall, Greg	Support	16/24/1/1	5, 4	Reject
Oppose	Do not proceed with the Plan Change as notified. Concern at the effect of the proposal on the Town Centre and on the point of difference of Wanaka	16/25/1	3a	Accept in part , insofar as numerous amendments are recommended
Mount Cardrona Station	Support	16/25/1/1	3a	Accept in part
Shotover Park Limited	Support	16/25/1/2	3a	Accept in part
Sustainable Wanaka	Support	16/25/1/3	3a	Accept in part
Milne, J.K.				
Support	Consider whether there is enough parking	16/26/1	6g	Accept in part , insofar as supermarket parking requirements are recommended to be increased and exemptions to the LDR provisions are recommended to be removed.
Partly Support	Adopt the Plan Change.	16/26/2		Accept in part , insofar as numerous amendments are recommended
Mount Cardrona Station				

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Oppose	The Plan Change should be withdrawn and re-notified containing only the retail and business activities that the section 32 reports identify there is a need for; and/or	16/27/1	2, 3a, 7, 8	Reject
Shotover Park Limited	Partly Support	16/27/1/1	2, 3a, 7, 8	Reject
Willowridge Developments Limited	Oppose	16/27/1/2	2, 3a, 7, 8	Accept
Oppose	The Plan change should be put on hold until the economic reports, demand and growth projections on which the need for the Plan Change is based have been updated to reflect current market demands and to include land currently available in existing zoned land in small communities including the Rural Visitor Zones and the Mount Cardrona Special Zone. The content and scale of the Plan Change should then be revisited to be in accordance with these new growth demands; and/or	16/27/2	2, 8	Reject
Shotover Park Limited	Partly Support	16/27/2/1	2, 8	Reject
Willowridge Developments Limited	Oppose	16/27/2/2	2, 8	Accept
Oppose	Delete the residential zones, including the LDR, MDR and Mixed Use zones, or significantly reduce the capacities below what they currently provide for (approximately 100 terraced houses, 150 medium intensity houses and 500 low intensity homes all with residential flats); and/or	16/27/3	2, 8	Reject
Shotover Park Limited	Partly Support	16/27/3/1	2, 8	Reject
Willowridge Developments Limited	Oppose	16/27/3/2	2, 8	Accept
Oppose	Stage the release of Residential zoned land so that it will be released when the updated demand analysis reports show there is a need for the land; and/or	16/27/4	2, 8	Reject

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Shotover Park Limited	Partly Support	16/27/4/1	2, 8	Reject
Willowridge Developments Limited	Oppose	16/27/4/2	2, 8	Reject
Oppose	Amend the Plan Change so that it only includes provision for Industrial activities, large scale businesses and large scale retail activities located in the land area that is continuous to the existing Industrial zoned land; and/or	16/27/5	2	Reject
Shotover Park Limited	Partly Support	16/27/5/1	2	Reject
Willowridge Developments Limited	Oppose	16/27/5/2	2	Accept
Oppose	Amend the plan change to make visitor accommodation activities non-complying in the MDR and Mixed Use zones as it is in the LDR zones. Retail activities with a foot print less than 400m2 should also be non-complying in all zones; and/or	16/27/6	2, 3a, 3b, 6d, 7	Accept in part , insofar as it is recommended that retail in the LDR subzone become non-complying
Shotover Park Limited	Partly Support	16/27/6/1	2, 3a, 3b, 6d, 7	Accept in part
Willowridge Developments Limited	Oppose	16/27/6/2	2, 3a, 3b, 6d, 7	Accept in part
Oppose	Delete the Tourism and Community Facilities subzone; and/or	16/27/7	3a, 3b, 5, 6d, 7	Reject
Shotover Park Limited	Partly Support	16/27/7/1	3a, 3b, 5, 6d, 7	Reject
Oppose	Delete rules that allow all residential sites to have a residential flat.	16/27/8	6d	Reject
Shotover Park Limited	Partly Support	16/27/8/1	6d	Reject
Willowridge Developments Limited	Oppose	16/27/8/2	6d	Accept
Oppose	Provide such further or other relief as may be necessary to address the issues or concerns outlined in the submission.	16/27/9	3a, 6d, 7	Accept in part , insofar as numerous amendments are recommended
Shotover Park Limited	Partly Support	16/27/9/1	3a, 6d,	Accept in part

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			7	
Nichols Garden Group Support	That Plan Change 16 be adopted.	16/28/1	2, 5, 4	Accept in part , insofar as numerous amendments are recommended
Shotover Park Limited	Oppose	16/28/1/1	2, 5, 4	Accept in part
Wanaka Hardware and Building Supplies Ltd	Support	16/28/1/2	2, 5, 4	Accept in part
Norman, Chris	Oppose	16/29/1	2, 5, 6b, 7	Accept. Note: this was attached to the Planners S.42A Report
	A detailed and current commercial capacity analysis of the existing Town Centre, Anderson Heights, Ballantyne Road, Mount Cardrona, Lake Hawea, Hawea Flat and Albert Town should be carried out.			
Gardiner, Roger	Support	16/29/1/1	2, 5, 6b, 7	Accept
Mount Cardrona Station	Support	16/29/1/2	2, 5, 6b, 7	Accept
Shotover Park Limited	Support	16/29/1/3	2, 5, 6b, 7	Accept
Sustainable Wanaka	Support	16/29/1/4	2, 5, 6b, 7	Accept
Wanaka Hardware and Building Supplies Ltd	Oppose	16/29/1/5	2, 5, 6b, 7	Reject
Willowridge Developments Limited	Oppose	16/29/1/6	2, 5, 6b, 7	Reject
Oppose	More green space needs to be shown in maps	16/29/2	5	Accept
Gardiner, Roger	Support	16/29/2/1	5	Accept
Shotover Park Limited	Support	16/29/2/2	5	Accept
Willowridge Developments Limited	Oppose	16/29/2/3	5	Reject
Oppose	The zoning should protect the green corridor into Wanaka.	16/29/3	6c	Accept in part , insofar as it is recommended that the open space

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					provisions be strengthened, the size of the business subzone adjacent to SH84 be reduced, additional rules be added for that area, and the building coverage in the Tourism and community subzone be reduced.
Gardiner, Roger	Support	16/29/3/1	6c		Reject
Shotover Park Limited	Support	16/29/3/2	6c		Reject
Oppose	The Plan Change should be subject to an independent peer review prior to being presented to a Committee for approval.	16/29/4	8		Reject
Gardiner, Roger	Support	16/29/4/1	8		Reject
Mount Cardrona Station	Support	16/29/4/2	8		Reject
Shotover Park Limited	Support	16/29/4/3	8		Reject
Sustainable Wanaka	Support	16/29/4/4	8		Reject
Willowridge Developments Limited	Oppose	16/29/4/5	8		Accept
NZ Transport Agency					
Partly Support	The proposed Plan Change be accepted in its entirety subject to considering the points raised in NZTA's submission and any consequential changes that may arise.	16/30/1	6g		Accept in part , insofar as numerous amendments are recommended

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Support	<p>Adopt the various objectives, policies, rules and assessment matters included in the proposal that address the following matters:</p> <p>Affirms and permanently fixes (subject to minor changes due to localised technical considerations) the location of the major intersections providing access into the Three Parks Special Zone from the State highway, and from Ballantyne and riverbank roads</p> <p>Establishes appropriate connectivity and reduces travel times and distances;</p> <p>Establishes obligations on developers to consider and incorporate principles and mechanisms for managing demand to travel;</p> <p>Establishes obligations on developers to consider and incorporate principles and mechanisms for providing potential alternative modes of travel including provision for safe and efficient public transport, walking and cycling;</p> <p>Establishes obligations on developers to consider and incorporate good urban design principles, which will include the interaction and integration of land use and transportation; and,</p> <p>Establishes obligations on developers to prepare an Integrated transport Assessment when assessing the actual and potential effects of subdivision and land use activities.</p>	16/30/2	6g	Accept
Firth Industries, a division of Fletcher Concrete and Infrastructure Ltd	Oppose	16/30/2/1	6g	Reject
Orchard Road Holdings Limited	Partly Support	16/30/2/2	6g	Accept in part
Willowridge Developments	Support	16/30/2/3	6g	Accept

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Limited					
Oppose	That in considering the proposal, the Council considers the necessity or otherwise of the particular intersections and the associated accesses into the Three Parks Special Zone from Riverbank Road.	16/30/3	5	Accept in part , insofar as no specific change is requested but the matter was reconsidered and further provisions recommended regarding avoiding driveways onto the Road.	
Firth Industries, a division of Fletcher Concrete and Infrastructure Ltd	Oppose	16/30/3/1	5	Accept	
Willowridge Developments Limited	Oppose	16/30/3/2	5	Accept in part	
Oppose	That a cost sharing arrangement could be made involving a financial contribution specifically for the three Park Special Zone and targeted to providing for funding a percentage of the cost of upgrading both the existing local network and adjacent State Highway.	16/30/4	6g	Reject	
Willowridge Developments Limited	Oppose	16/30/4/1	6g	Accept	
Oppose	Alternatively, the NZ Transport Agency suggests that if development of activities within the Three Parks Special Zone were to be staged, the intersections off Riverbank Road are promoted in the proposal as being components of a latter stage of development.	16/30/5	2	Reject	
Orchard Road Holdings Limited					
Support	That Plan Change 16 be adopted.	16/31/1	2, 5, 4, 7	Accept in part , insofar as numerous amendments are recommended	
Shotover Park Limited	Oppose	16/31/1/1	2, 5, 4, 7	Accept in part	

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Robert Facer, Linda Montgomery & Oppose	Do not adopt the Plan Change as notified.	16/32/1	2, 3a, 3b, 4	Accept in part , insofar as numerous amendments are recommended Accept in part
Shotover Park Limited	Support	16/32/1/1	2, 3a, 3b, 4	Accept in part
Wanaka Hardware and Building Supplies Ltd	Oppose	16/32/1/2	2, 3a, 3b, 4	Accept in part
Willowridge Developments Limited	Oppose	16/32/1/3	2, 3a, 3b, 4	Accept in part
Oppose	Do not enable the creation of a new commercial area.	16/32/2	3a, 3b, 4	Reject
Shotover Park Limited	Support	16/32/2/1	3a, 3b, 4	Reject
Wanaka Hardware and Building Supplies Ltd	Oppose	16/32/2/2	3a, 3b, 4	Accept
Willowridge Developments Limited	Oppose	16/32/2/3	3a, 3b, 4	Accept
Shotover Park Limited Oppose	That PC16 be declined; or	16/33/1	2, 6c, 7, 8	Reject
Mount Cardrona Station	Support	16/33/1/1	2, 7, 8	Reject
Willowridge Developments Limited	Oppose	16/33/1/2	2, 7, 8	Accept
Oppose	That PC16 be amended to respond to the matters raised in Shotover Park's submission, including: i) Deleting the provision of 12,000m2 of commercial/retail activities as a permitted activity;	16/33/2	6d, , 6f, 7, 8	Accept in part , insofar as it is recommended that the initial release of retail be reduced to 10,000m ²
Mount Cardrona Station	Support	16/33/2/1	6d, 6f, 7, 8	Accept in part
Willowridge Developments Limited	Oppose	16/33/2/2	6d, 6f, 7, 8	Accept in part

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Oppose	ii) Deleting the provision for buildings as permitted activities.	16/33/3	6d, 7, 8	Reject
Willowridge Developments Limited	Oppose	16/33/3/1	6d, 7, 8	Accept
Oppose	iv) Requiring that a "Retail needs assessment" be submitted with applications for an Outline Development Plan or Comprehensive Development Plan;	16/33/4	6f, 7, 8	Reject
Mount Cardrona Station	Support	16/33/4/1	6f, 7, 8	Reject
Willowridge Developments Limited	Oppose	16/33/4/2	6f, 7, 8	Accept
Oppose	v) Introduce objectives, policies and rules that require good urban design and integration with the surrounding landscape (including the deletion of policy 5.5)	16/33/5	6c, 7, 8	Accept in part , insofar as numerous amendments are recommended
Mount Cardrona Station	Support	16/33/5/1	6c, 7, 8	Accept in part
Willowridge Developments Limited	Oppose	16/33/5/2	6c, 7, 8	Accept in part
Oppose	vi) Reducing the scale of Town Centre/commercial development enabled by PC16 so as to ensure the continued amenity, vitality, viability and function of the existing Wanaka Town Centre.	16/33/6	3a, 7, 8	Accept
Mount Cardrona Station	Support	16/33/6/1	3a, 7, 8	Accept
Willowridge Developments Limited	Oppose	16/33/6/2	3a, 7, 8	Reject
Oppose	Vii) Reducing the scale of Town Centre/commercial development enabled as part of Stage 1 and providing more certainty as to the scale and type of development enabled within each stage (for example, the introduction of additional more specific staging).	16/33/7	2, 7, 8	Accept in part , insofar as it is recommended that the initial release of retail be reduced
Mount Cardrona Station	Support	16/33/7/1	2, 7, 8	Accept in part
Willowridge Developments Limited	Oppose	16/33/7/2	2, 7, 8	Accept in part

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Oppose	iii) Enabling public input into the "Wanaka Town Centre Health Check" and "Retail Needs Assessment"	16/33/8	6f, 7, 8	Accept
Mount Cardrona Station	Support	16/33/8/1	6f, 7, 8	Accept
Willowridge Developments Limited	Oppose	16/33/8/2	6f, 7, 8	Reject
Sir Clifford Skeggs				
Oppose	That Plan Change 16 be abandoned in its entirety	16/34/1	3a, 7	Reject
Orchard Road Holdings Limited	Oppose	16/34/1/1	3a, 7	Accept
Shotover Park Limited	Support	16/34/1/2	3a, 7	Reject
Willowridge Developments Limited	Oppose	16/34/1/3	3a, 7	Accept
Oppose	That a Southern Wanaka Structure Plan be prepared and a new Plan Change notified for either the whole of the southern Wanaka area or at least for the precincts determined by the topographical boundaries whereby all of the properties are subject to the same or similar analysis.	16/34/2	3a, 4, 7	Reject
Orchard Road Holdings Limited	Oppose	16/34/2/1	3a, 4, 7	Accept
Shotover Park Limited	Support	16/34/2/2	3a, 4, 7	Reject
Willowridge Developments Limited	Oppose	16/34/2/3	3a, 4, 7	Accept
Stewart, Daphne				
Support	Adopt Plan Change as notified	16/35/1	1	Accept in part , insofar as numerous amendments are recommended
Sustainable Wanaka				
Oppose	That the Plan Change not be adopted	16/36/1	2, 5, 6e, 7	Reject
Shotover Park Limited	Support	16/36/1/1	2, 5, 6e, 7	Reject
Wanaka Hardware and	Oppose	16/36/1/2	2, 5, 6e,	Accept

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Building Supplies Ltd			7	
Willowridge Developments Limited	Oppose	16/36/1/3	2, 5, 6e, 7	Accept
Oppose	That the plan change be subject to an independent review	16/36/2	2, 5	Reject
Shotover Park Limited	Support	16/36/2/1	2, 5,	Reject
Willowridge Developments Limited	Oppose	16/36/2/2	2, 5,	Accept
Oppose	That consents for the staging of the proposed Three Parks development be notified at each stage to ensure that adequate evidence is provided for the real growth needs and that the public are not excluded from the process.	16/36/3	6f	Accept in part , insofar as retail after the initial release is likely to be notified
Mount Cardrona Station	Support	16/36/3/1	6f	Accept in part
Shotover Park Limited	Support	16/36/3/2	6f	Accept in part
Willowridge Developments Limited	Oppose	16/36/3/3	6f	Accept in part
Oppose	The residential development should be designed to the highest standards of sustainable design and construction meeting best practice performance criteria. These criteria should be specified in the plan change documentation.	16/36/4	6e	Reject
Shotover Park Limited	Support	16/36/4/1	6e	Reject
Willowridge Developments Limited	Oppose	16/36/4/2	6e	Accept
Oppose	The infrastructure serving proposed housing should be meet specifically stated design standards for sustainable sub-divisions.	16/36/5	6e	Reject
Shotover Park Limited	Support	16/36/5/1	6e	Reject
Oppose	The emphasis should be on creating a high quality urban fabric within the three existing centres.	16/36/6	3	Reject
Shotover Park Limited	Support	16/36/6/1	3	Reject
Trinity Group				

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Oppose	Remove the proposed mixed use of residential with commercial and industrial.	16/37/1	3a	Reject
Mount Cardrona Station	Support	16/37/1/1		Reject
Shotover Park Limited	Partly Support	16/37/1/2	3a	Accept in part
Willowridge Developments Limited	Oppose	16/37/1/3	3a	Reject
Oppose	Include a very precise business zoning area with only LFR and residential to be established.	16/37/2	3a	Reject
Mount Cardrona Station	Partly Support	16/37/2/1	3a	Reject
Shotover Park Limited	Partly Support	16/37/2/2	3a	Accept in part
Willowridge Developments Limited	Oppose	16/37/2/3	3a	Accept
Oppose	The village square concept should focus wholly on the Town Centre to prevent further fragmentation	16/37/3	3a	Reject
Mount Cardrona Station	Support	16/37/3/1	3a	Reject
Shotover Park Limited	Support	16/37/3/2	3a	Reject
Willowridge Developments Limited	Oppose	16/37/3/3	3a	Accept
Oppose	That Council's priority be encouraging the vitality and vibrancy of the existing Town Centre	16/37/4	3a	Accept in part , insofar as the Council is currently preparing its Wanaka Town Centre Strategy
Mount Cardrona Station	Support	16/37/4/1	3a	Accept in part
Shotover Park Limited	Partly Support	16/37/4/2	3a	Accept in part
Willowridge Developments Limited	Oppose	16/37/4/3	3a	Accept
Wanaka Golf Club				
Support	Attention should be given to ensuring safe traffic mitigation being applied at The Wanaka Golf Club's road crossing of Ballantyne Road.	16/38/1	6g	Reject
Wanaka Hardware and Building Supplies Ltd				

Plan Change 16 – Three Parks Special Zone

Support	That Plan Change 16 be adopted.	16/39/1	2	Accept in part
Shotover Park Limited	Oppose	16/39/1/1	2	Accept in part
Willowridge Developments Limited	Support	16/39/1/2	2	Accept in part
Wanaka Residents Association				
Oppose	That the plan is revised so that the Commercial Core is focussed on and served by local and collector streets and the local access function of the arterials is minimised to enable them to operate safely and effectively.	16/40/1	5	Accept in part , insofar that it is recommended that arterials be reclassified as a collector roads
Oppose	That the existing rules for low density development in Wanaka apply to the low density areas in the Three Parks area.	16/40/2	6a	Accept in part , insofar as numerous amendments are recommended
Oppose	That the rules in the low density zone, performance standard 2, relating to a required setback of 3-4.5m, living room windows facing the street, and fence heights of 1.2m maximum be deleted from the plan	16/40/3	6b	Accept in part , insofar as numerous amendments are recommended
Willowridge Developments Limited	Oppose	16/40/3/1	6b	Accept in part
Oppose	The rules in the low density zone relating to height of buildings and height in relation to boundaries, rules and 5 and 14: That the height, and height in relation to boundary controls in the existing low density areas be used in the three parks area low density zone.	16/40/4	6b	Accept in part , insofar as the rule is recommended to be amended to meet the submitters concerns
Oppose	The limitation on cul-de-sacs be removed and replaced with requirements for connectivity in the cycling and walking networks.	16/40/5	6c	Reject
Willowridge Developments Limited	Oppose	16/40/5/1	6c	Accept

Plan Change 16 – Three Parks Special Zone

Oppose	The height limit in the Medium Density zone is the same as the high density zone in the rest of Wanaka, namely 7m.	16/40/6	6b	Reject
Oppose	The height limit in the business zone is restricted to 7m.	16/40/7	6b	Reject
Oppose	The height limit in the tourism sub-zone be 10m, the same as the existing Town Centre zone.	16/40/8	6b	Reject
Oppose	The height of buildings in the Commercial Core sub-zone be limited to 2 storeys with a maximum height of 10m.	16/40/9	6b	Accept in part, insofar as numerous amendments are recommended in order to reduce the scale
Bullen, Pete	Support	16/40/9/1	6b	Accept in part
Oppose	That a parking requirement of 7.5 spaces be required for supermarkets and 5 per 100sqm for intensive LFR (warehouse).	16/40/10	6g	Accept in part, insofar as the supermarket parking ratio is recommended to be increased (albeit not to the extent requested)
Willowridge Developments Limited	Oppose	16/40/10/1	6g	Accept
Oppose	That the employee parking ratio for retail activities be increased to 3 per 10 employees.	16/40/11	6g	Reject
Oppose	The provision in the rules to reduce parking for residential and visitor accommodation where there is public transport be deleted and replaced with a policy statement that such a provision will be considered when there is a public transport system proposed and its details known.	16/40/12	6g	Accept in part, in respect of the LDR subzone
Oppose	The phrase 'unsustainable car trips' should either be defined or removed where it occurs in the plan.	16/40/13	6g	Accept
Willowridge Developments Limited	Oppose	16/40/13/1	6g	Reject

Plan Change 16 – Three Parks Special Zone

Oppose	That a minimum lot size of 500sqm be applied to the low density residential zone.	16/40/14	6c	Reject
Willowridge Developments Limited Support	That the Plan Change be adopted in its present form with the exception of the minor amendments sought through the following submissions.	16/41/1	2, 3a, 7	Accept in part , insofar as numerous amendments are also recommended(in response to other submissions)
Shotover Park Limited	Oppose	16/41/1/1	2, 3a, 7	Accept in part
Other	Willowridge requests that the relevant sections of Plan Change 16 be amended to provide for a variation of the location of arterial and collector roads +/- 50m from the centreline shown on the Structure Plan.	16/41/2	5, 6c	Accept in part
Shotover Park Limited	Oppose	16/41/2/1	5, 6c	Accept in part
Support	That policy 4.1 is retained as notified (relates to the first stage of 12,000m² of retail).	16/41/3	2	Accept in part , insofar as it is retained but refers to 10,000m ² as the first release.
Shotover Park Limited	Oppose	16/41/3/1	2	Accept in part
Support	That objective 5 and related policies are retained as notified (relates to establishing a high quality mixed use area over time)	16/41/4	6c	Accept in part , insofar as numerous amendments are recommended
Mount Cardrona Station	Oppose	16/41/4/1	6c	Accept in part
Shotover Park Limited	Oppose	16/41/4/2	6c	Accept in part
Oppose	Policy 6.4, section 12.26.4.5i(i) and 12.26.4.5ii(x) and (y) be deleted (relates to affordable housing)	16/41/5		Accept
Shotover Park Limited	Oppose	16/41/5/1		Reject

Plan Change 16 – Three Parks Special Zone

Other	That a new policy be added at 6.4 to reflect the fact that affordable housing has been addressed through legal agreement. The new policy should be worded as follows: 6.4 Affordable housing requirements have been addressed through separate agreement with the landowner and will be integrated throughout the residential area. Development within the Three Parks Zone will be exempt from further contributions.	16/41/6		Accept
Shotover Park Limited Oppose	That the order of residential development on the Indicative Staging Map 2 is amended so that '2' becomes Stage 3 and '3' becomes Stage 2.	16/41/7	2, 5	Accept in part , in that stage '3' is recommended to become '1 or 3' and stage '2' will remain unchanged
Shotover Park Limited Oppose	That the 'Southern Wanaka Structure Plans' contained on pages G10 and G11 of the Plan Change be renamed 'Three Parks Structure Plan'.	16/41/8	2, 5	Accept
Shotover Park Limited Oppose	That ref 5ii apply only to places of employment where the number of employees is 20 or above.	16/41/9	6g	Reject
Shotover Park Limited Oppose	That 12.26.3.1 6 is amended to remove 'other than the Medium Density Residential subzone' (relates to allowing 10% of lots in MDR to be rear sites)	16/41/10	6c	Reject
Shotover Park Limited Oppose	Delete 12.26.3.1 6 ii (relates to allowing 10% of lots in MDR to be rear sites)	16/41/11	6c	Reject
Shotover Park Limited Oppose	Delete the word 'either' and the reference 'or 12.26.3.1 (6)(ii)' from 12.26.3.1 (6)(iii). (Relates to allowing 10% of lots in MDR to be	16/41/12	6c	Reject

Plan Change 16 – Three Parks Special Zone

rear sites)

Shotover Park Limited	Oppose	16/41/12/1	6c	Accept
Oppose	Delete the words 'other than the MDR subzone,' from 15.2.3(vii)(a); and Delete 15.2.3(vii)(b) in its entirety; and Delete the word 'either' and the reference 'or 15.2.6.3(vii)(b)' from 15.2.3(vii)(c). (Relates to allowing 10% of lots in MDR to be rear sites)	16/41/13	6c	Reject
Shotover Park Limited	Oppose	16/41/13/1	6c	Accept
Oppose	That the activity status for Premises licensed for the sale of liquor in the Deferred MDR (mixed use) zone is changed from 'Non-Complying' to 'Controlled'. That a new assessment matter is added at 12.26.4.4 iv worded as follows: 'iv Premises Licensed for the Sale of Liquor in the Deferred MDR a) The character, scale and intensity of the proposed use and its compatibility in relation to surrounding and/or adjoining uses. b) The adequacy of noise insulation, screening and buffer areas between the site and residential uses. c) Any proposed noise management plan and the ability to mitigate noise effects. d) The previous history of the site and the relative impact of adverse effects caused by activities associated with the sale of liquor.'	16/41/14	6d	Reject
Shotover Park Limited	Oppose	16/41/14/1		Accept

Plan Change 16 – Three Parks Special Zone

	Oppose	That Ref 3 of 12.26.4.3 is deleted and an assessment matter added to address setbacks for non-residential buildings as follows: '12.26.4.5vii (d)The setback from the road boundary.'	16/41/15	6b	Reject
Shotover Park Limited		Oppose	16/41/15/1	6b	Accept
	Oppose	That Ref 21 of 12.26.4.2 is amended as follows: That (i) be amended to read '80% of the first phase of 12,000m2 of retail space has been built and is occupied; and'; and That (ii) be deleted in its entirety. (Relates to the deferral of commercial in the MDR (Mixed Use) subzone).	16/41/16	2	Accept in part , insofar as various amendments are recommended
Shotover Park Limited		Oppose	16/41/16/1	2	Accept
	Oppose	That standards 12.26.4.2 Ref 22 and 23 are deleted. (Relates to carparking for non residential uses in the LDR subzone).	16/41/17	6g	Accept in part , insofar as various amendments are recommended
Shotover Park Limited		Oppose	16/41/17/1	6g	Accept in part
	Oppose	That 12.26.5.2 Ref 6 and 11 and 12.26.5.4 and any other rule or standard restricting the sale of liquor in the Tourism and Community Subzone be amended to provide for the sale of liquor until 12 midnight.	16/41/18	6d	Accept in part , insofar as those dining are recommended to be exempt from the rules
Shotover Park Limited		Oppose	16/41/18/1	6d	Accept
	Oppose	That activity status 12.26.6.2 Ref 23 is changed from Non-Complying to Controlled in the Business Area. (This relates to offices in the business subzone)	16/41/19	6d	Reject
Shotover Park Limited		Oppose	16/41/19/1	6d	Accept
	Oppose	That standards 12.26.7.2 Ref 2 and 10 and assessment matter 12.26.74viii are amended to allow premises licensed for the sale of liquor to operate until 12	16/41/20	6d	Reject

Plan Change 16 – Three Parks Special Zone

midnight. (This relates to the Commercial Core)

Shotover Park Limited	Oppose	16/41/20/1	6d	Accept	
Oppose	Delete the text 'where a Retail Needs Assessment is not required pursuant to Rule 12.26.7.2(6), due to the maximum thresholds relating to the amount and type of retail not being exceeded.'	16/41/21	6f	Reject	
Shotover Park Limited	Oppose	16/41/21/1		Accept	
Oppose	That 14.2.4.2 relating to bicycle parking standards at Three Parks be deleted in its entirety and provision made for bicycle parking as an assessment matter within each subzone.	16/41/22	6g	Reject	
Shotover Park Limited	Oppose	16/41/22/1	6g	Accept	
Oppose	The Controlled activity status in the Business Main Street area should remain and assessment matter 12.26.6.4 (iii) should be amended to delete the words 'within the mainstreet precinct'.	16/41/23	6d	Reject	
Shotover Park Limited	Oppose	16/41/23/1	6d	Accept	
Young, Peter Robert	Support	Adopt the Plan Change	16/42/1	1	Accept in part , insofar as numerous amendments are recommended

Plan Change 16 – Three Parks Special Zone

APPENDIX 2

**RECOMMENDED REVISED PLAN CHANGE PROVISIONS (INCLUDING AMENDED
STRUCTURE PLANS) AS A RESULT OF SUBMISSIONS**



Resource Management Act 1991

16

**Queenstown Lakes District Council
Council decision on Plan Change 16
Three Parks Special Zone**

Plan Change to amend:

- (A) Part 12 (special zones) by adding a new zone called the “Three Parks” zone, as attached**
- (B) Part 1 (Introduction) by adding an explanation regarding the use of discretionary activity status in the residential subzone of the Three Parks zone, as**
- (C) Part 10 (Town Centre) by adding a new objective and policies regarding business activity outside of the Wanaka Town Centre, as attached**
- (D) Part 14 (Transport) by adding car parking and cycling provisions relating to the Three Parks zone, as attached**
- (E) Part 15 (Subdivision) by adding subdivision standards relating to the Three Parks zone, as attached**
- (F) Part D – Definitions by adding a number of new definitions, as attached.**

12 Special Zones

Note: All the following text is in addition to the District Plan

12.25 Three Parks Special Zone

The purpose of this zone is to provide for growth and to give effect to the Wanaka 2020 Community Plan (2002) and the more recent Wanaka Structure Plan (2007) and Wanaka Transport Strategy (2007).

The purpose of the Zone is to provide for a range of activities, including commercial, residential, visitor accommodation, community and recreation activities, as well as an open space network. The purpose of the specific subzones within Three Parks is explained at the start of the provisions for each individual subzone.

12.25.1 The process of applying for resource consents in the zone.

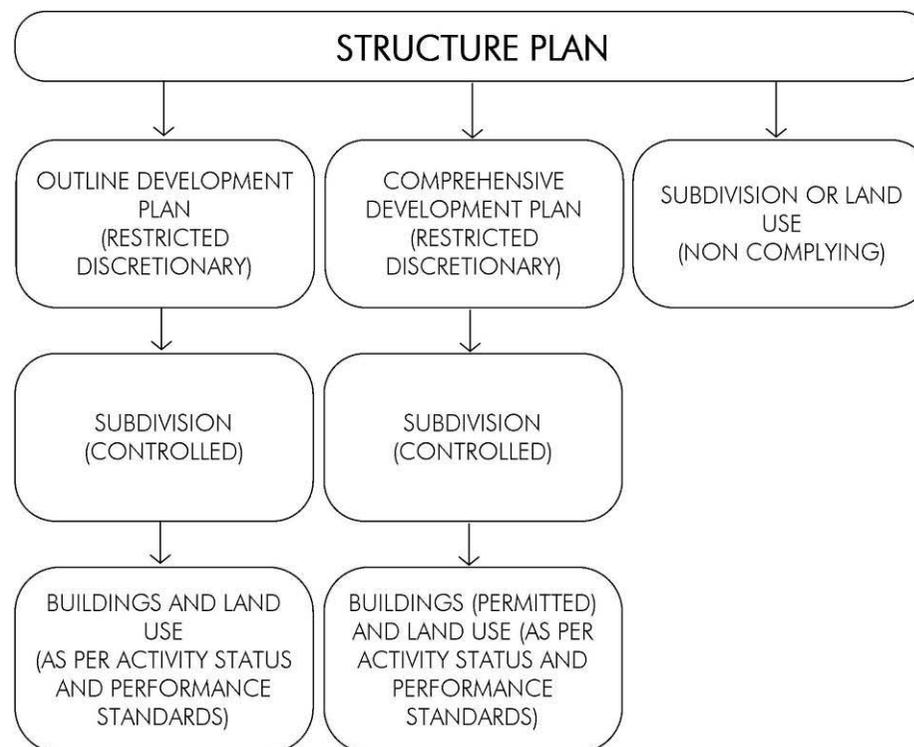
In order to achieve a high quality urban area, all development is expected to be consistent with the Three Parks Structure Plan and subsequent, more detailed, Outline Development Plans or Comprehensive Development Plans.

The expectation is that applicants obtain a resource consent for an **Outline Development Plan** (ODP) for that area that they intend to develop in any given stage prior to applying for any resource consents for individual developments or subdivisions.

Alternatively, the applicant may chose to apply for a **Comprehensive Development Plan** (CDP) as a restricted discretionary activity which includes all those elements required of an ODP but also includes 3 dimensional detail of the proposed built form. Approval of a CDP will avoid the need for the applicant to then apply for subsequent resource consents for the buildings.

Resource consent applications for subdivision or land use prior to obtaining an approved Outline Development Plan or Comprehensive

Development Plan will be non-complying. The following flow diagram summarises the various options available to the applicant.



The suite of resource consent options available to an applicant and the information requirements for each are further outlined in the following table. This is a guide only and additional information will be required for development within some of the subzones. For a full understanding of the level of information required, you are referred to the matters of discretion for Outline Development Plans and Comprehensive Development Plans within the specific subzones.

PLAN CHANGE 16 – THREE PARKS ZONE ZONE-WIDE

G

Ref	Staging	Structure Plan within the District Plan	Outline Development Plan	Comprehensive Development Plan	Land Use Consent
1	Staging – indicative	X			
2	Staging – fixed		X	X	

Ref	Transportation	Structure Plan within the District Plan	Outline Development Plan	Comprehensive Development Plan	Land Use Consent
3	Collector Roads (+/- 50m)	X			
4	Main local roads indicative only	X			
5	Location of roads fixed		X	X	
6	Pedestrian and Cycle links fixed		X	X	
7	Street design by type, indicative only	X			
8	Street design and cross sections fixed		X	X	
9	Passenger transport stops and routes (as applicable)		X	X	

Ref	Open Space Networks	Structure Plan within the District Plan	Outline Development Plan	Comprehensive Development Plan	Land Use Consent
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10	Fixed open spaces around key landscape features	X			
11	Indicative key open spaces and opportunities for open spaces (see Open Spaces Plan)	X			
12	Detailed location and type of open spaces		X	X	
13	Landscaping, including the location and species of street trees, and in subsequent consent stages, the furnishing detail.		X	X	X
14	Indicative key storm water management open spaces	X			
15	Detailed location and type of storm water management open spaces		X	X	

Ref	Land use mix	Structure Plan within the District Plan	Outline Development Plan	Comprehensive Development Plan	Land Use Consent
16	Subzone boundaries approximate (+/- 20m)	X			
17	Fixed subzone boundaries		X	X	
18	Indicative Lot layouts,		X		

Ref	Land use mix	Structure Plan within the District Plan	Outline Development Plan	Comprehensive Development Plan	Land Use Consent
	building platforms, and land use density				
19	Fixed Lot layouts, building platforms, and land use density			X	
20	Location and quantum of land use types		X	X	
21	Design guidelines (if being proposed)		X	X	
22	Demonstration of how land use will be intensified in future development stages (where applicable).		X	X	
23	Building design (includes plans, elevations, cross sections etc, <u>as would be required for a separate resource consent for the building</u>)			X	
24	Detailed building design (includes plans, elevations, cross sections etc.)			X	X
25	Floor area, site coverage, car parks, and other ancillary detail supporting			X	X

Ref	Land use mix	Structure Plan within the District Plan	Outline Development Plan	Comprehensive Development Plan	Land Use Consent
	building design				

12.25.1 The use of assessment matters

Assessment Matters are included in the District Plan in order to help the Council to implement the Plan's policies and fulfil its functions and duties under the Act. In considering resource consents for land use activities, in addition to the applicable provisions of the Act, the Council shall consider the relevant *Assessment Matters* set out in the zone-wide section and in the various subzones below.

12.25.2 Objectives and Policies

Objective 1

A layout and design of development that demonstrates best practice in terms of achieving environmental sustainability

Policies

- 1.1 *To ensure, through well-planned layouts, that buildings and open spaces are located and orientated in a way that achieves good solar access*
- 1.2 *To encourage energy efficiency in the design, location, and orientation of buildings.*
- 1.3 *To require development and subdivision to demonstrate best practice in regard to managing the quantity and quality of stormwater runoff.*
- 1.4 *To encourage the creation or restoration of wetlands where opportunities exist*

Objective 2

The establishment of a green network including parks, areas for community facilities, cycleways, and pedestrian linkages that permeate all parts of the zone and links seamlessly into the more urbanised public realm in the commercial core.

- 2.1 To ensure open space is created as part of a comprehensively planned hierarchy of spaces (including those for ecological and nature conservation purposes, active and passive recreation, soft and hard surface spaces, and those which contribute to the cycle and walking network).
- 2.2 To encourage community reserves and facilities to be in easily accessible, sunny, and flat locations.
- 2.3 To encourage spaces to be provided in the Commercial Core where the public can congregate.
- 2.4 To avoid residential development from being located under the main transmission lines, identified on the Three Parks Structure Plan and encourage this corridor to contribute to the green network.
- 2.5 To avoid residential development in close proximity to riverbank Road.
- 2.6 To consider the possibility of providing additional playing fields that service the wider Wanaka catchment as part of assessing each Outline Development Plan.
- 2.7 To ensure good visual connection between the private and public realm by avoiding high fences and walls between the private allotment and public open space.

Objective 3

An urban structure, well-considered building design, and other initiatives which, together, help to reduce car use and provide practical alternatives.

Policies

- 3.1 To require that the urban structure (including road layout, cycle and walking networks, landuse densities, and block sizes) is well-connected and specifically designed to:
 - 3.1.1 Enable public transport to efficiently service the area, now or in the future (which may, in the future, also include the provision of a transport node); and
 - 3.1.2 Ensure that on-street carparking is provided; and
 - 3.1.3 Reduce travel distances through well-connected streets; and
 - 3.1.4 Provide safe, attractive, and practical routes for walking and cycling, which are well-linked to existing or proposed passenger transport and local facilities and amenities within the zone, and which are well-connected to other areas beyond the zone, particularly the Wanaka Town Centre.
- 3.2 To require applications for Outline Development Plans, Comprehensive Development Plans, and larger scale commercial developments to show how they will help reduce private car travel and encourage realistic alternative modes of transport, including through avoiding the excessive provision of car parking
- 3.3 To encourage large scale developments (i.e. those with at least 150 employees) to prepare voluntary travel plans through the Council providing advocacy and assistance, and considering reductions in parking requirements where travel plans are proposed.

Refer to Council guidelines relating to Travel Plans.

Objective 4

Staged development which keeps pace with the growth of Wanaka and results in a high quality urban area containing a network of open spaces and a mix of compatible uses.

Policies

- 4.1 *To ensure that development is consistent with the Wanaka Structure Plan (2007) and the Wanaka Transport Study (2007).*
- 4.2 *To avoid development that is not in accordance with the Three Parks Structure Plan or approved Outline Development Plans or Comprehensive Development Plans.*
- 4.3 *To ensure development is staged in a manner which results in a logical progression of development, the cost effective provision of infrastructure, an appropriate mix of uses, and a consolidated urban form.*
- 4.4 *To ensure that issues relating to potentially incompatible landuses are taken into account as part of the Outline Development Plan or Comprehensive Development Plan application.*
- 4.5 *To ensure that development and subdivision does not occur unless appropriate infrastructure is in place to service it.*
- 4.6 *To work with the Ministry of Education to enable a school to be appropriately located within the zone, should the Ministry deem such a facility to be required.*
- 4.7 *To ensure that the open space network includes those open spaces shown on the Three Parks Structure Plan in order to provide landscaped buffers along SH84 and Riverbank Rd, to protect key landscape features, and to provide for passive and active outdoor recreation activities.*
- 4.8 *To avoid buildings within the fixed open space areas shown on the Three Parks Structure Plan, other than small buildings that are ancillary to the infrastructure or recreation function of the area.*

- 4.9 *To require high quality landscape design of the Open Space areas*
- 4.10 *To recognise that pastoral and arable farming may be suitable in early stages of development while also acknowledging that it may become unsuitable as surrounding areas become more urbanised.*
- 4.11 *To avoid any subdivision or development of the Deferred Urban Zone in order to preserve it for future urban use and so as to not pre-empt what that use may be.*

Objective 5

The establishment of a Commercial Core which complements and does not compromise the function, viability, and vitality of the Wanaka Town Centre.

Policies

- 5.1 *To enable 10,000m² of retail space to be included in the first release of retail space in order to:*
 - 5.1.1 *Meet existing demonstrated demand within the Wanaka area,*
 - 5.1.2 *Encourage the co-location of large format retail operators,*
 - 5.1.3 *Discourage the continuation of dispersed retail across multiple centres in Wanaka, and*
 - 5.1.4 *In recognition that it is unlikely large format retail developments will locate in areas within or surrounding the Wanaka Town Centre.*
- 5.2 *To limit the provision of specialty retail space in the early stages of development in order to protect the vitality and viability of the existing Town Centre.*

5.3 *The provision of additional retail space in the Commercial Core beyond the first release will only be acceptable if it can be demonstrated that:*

5.3.1 *The adverse effects on the amenity and function of the Wanaka town centre and the social and economic well-being of the Wanaka community are no more than minor.*

5.3.2 *The Wanaka Town Centre is healthy, in terms of its vitality and viability; and*

5.3.3 *There is a demonstrated need for more retail; and*

5.3.4 *The mix of commercial uses proposed will help to establish the Commercial Core as a viable and vibrant centre in its own right over time.*

5.4 *To allow the proportion of specialty retail stores within the Commercial Core subzone (relative to large format retail and other uses) to increase over time in order to meet the local needs of residents within the zone and to help establish a main street, people-orientated environment.*

5.5 *To prevent development in the Commercial Core subzone which would be more appropriately located elsewhere (such as large scale residential subdivisions or expansive resort-like Visitor Accommodation developments) in order to ensure that the commercial core is able to provide for Wanaka's long term commercial needs and to avoid premature pressure to establish another commercial centre elsewhere in Wanaka.*

Objective 6

A Commercial Core which, over time, will evolve into a high quality mixed use urban centre with a main street character and a strong sense of place.

Policies

6.1 *To ensure that the design of the Commercial Core mitigates the adverse visual effects of large format buildings and that attractive, active street frontages are established over time.*

6.2 *To ensure the area evolves into a people-orientated area which serves as the social hub for residents of the Three Parks zone, as well as serving some of Wanaka's wider needs.*

6.3 *To ensure that earlier stages of development in the Commercial Core are neither unattractive or promote poor design outcomes in the short term, nor preclude the transition over time into a high quality urban environment.*

6.4 *To avoid or minimise adverse effects arising from the incompatibility of some commercial and residential uses through the appropriate location of activities and controls.*

6.5 *To encourage a built form at the centre of the Commercial Core and along the mainstreet which contributes to a sense of arrival and departure through being notably higher, relative to the rest of the Commercial Core and the surrounding subzones*

6.6 *To accept that, in the early stages of development, the Commercial Core is unlikely to deliver as high a quality urban character as in later stages (as it will initially be predominantly large format retail), on the basis that finer grain retail will occur in later stages which will 'sleeve' the larger buildings and deliver a street-focused environment.*

6.7 *To ensure the delivery of a pedestrian-oriented streetscape through techniques such as creating shared space to regulate traffic behavior and avoiding parking forecourts which would dominate mainstreet frontages*

6.8 *To prevent development within the Deferred Urban Subzone in order to encourage intensification of the commercial core and Medium Density Residential subzones before development is allowed to expand into this area.*

Objective 7

A high level of residential amenity and a range of housing types which promote strong, healthy, and inclusive communities.

Policies - General

- 7.1 A mixture of residential densities is encouraged in order to provide greater housing choice, a greater range of affordability, and a more diverse resident community.
- 7.2 Residential densities are required to be consistent with those specified in the assessment matters for Outline Development Plans in order to ensure that the various subzones are distinctly different from one another and that an appropriate level of consolidation and open space is achieved in the respective areas.
- 7.3 Neighbourhoods are required to be laid out in a manner which encourages residences to address the street by avoiding long, thin lots with narrow frontages.
- 7.4 A defining character of the medium density residential subzone is that the dwellings will all be located relatively close to the street, and are not dominated by high front fences and garages, thereby improving amenity and passive surveillance between dwellings and the street,
- 7.5 Privacy is maintained between residential neighbours in the residential subzones by minimising the degree to which houses overlook one another.
- 7.6 Retirement villages shall be avoided in the residential subzones unless they are identified in an approved Outline Development Plan or Comprehensive Development Plan.
- 7.7 Non-residential activities (other than visitor accommodation, retirement villages, education, and day care facilities) shall be avoided in the residential subzones, other than in the MDR (deferred mixed use) subzone. unless:

Policies Low Density Residential subzone

In addition to policies 7.1 to 7.7 above:

- 7.8 The character shall be defined by 1 and 2 storey dwellings, which, whilst they may be of varying heights, all have a distinctly low density character.
- 7.9 Small clusters of higher density housing is appropriate in the Low Density Residential subzone provided it is identified in an approved Outline Development Plan, is well designed, and is located such that it provides a high level of residential amenity.
- 7.10 Visitor accommodation is avoided in the Low Density Residential subzone in order to enable a strong degree of residential cohesion to establish and to minimise issues arising from the incompatibility of the two uses.
- 7.11 Some variation in densities is required in the Low Density Residential subzone in order to achieve a more diverse streetscape and resident community.
- 7.12 The multi unit developments within the LDR subzone are comprehensively designed to ensure a quality residential living environment and attractive streetscape.

Policies Medium Density Residential Subzone (including the deferred mixed use precinct)

In addition to policies 7.1 to 7.7 above:

- 7.13 A range of compatible commercial activities are enabled within the mixed use precinct in the long term.
- 7.14 The character of the subzone, including the mixed use precinct, will remain predominantly residential with:
 - 7.14.1 Commercial uses being secondary to the residential use of a site;
 - 7.14.2 Visitor accommodation restricted to appropriately located visitor accommodation precincts in order to

achieve a balanced visitor/ resident mix and avoid adverse effects on residential coherence and residential amenity.

7.14.3 Terrace houses and duplexes being the predominant building types (in preference to above ground level apartments).

7.15 Whilst a certain level of privacy and private outdoor living is considered important in the Medium Density Residential subzone, the controls are set lower than in the Low Density Residential subzone, in recognition of its higher density character and close proximity to public open space, and amenities such as shops and public transport.

7.16 Medium density housing is comprehensively designed, ensuring a quality residential living environment and attractive streetscape.

Objective 8

Establishment of a high quality, functional business area which provides for a wide range of light industrial, service and trade-related activities whilst protecting it from residential and inappropriate retail uses.

Policies

8.1 Other than those types of retail which are specifically permitted in the subzone, all other retail shall be avoided in the business zone in order to:

8.1.1 Preserve the business subzone for those uses that are specifically enabled; and

8.1.2 Ensure that the Commercial Core subzone establishes as the vibrant centre of the zone over time

8.2 Offices (other than ancillary to an on-site use) shall be allowed to occur in the business (mainstreet precinct) subzone but shall be avoided in the remainder of the subzone.

8.3 Residential activities shall be avoided in the subzone in order to avoid reverse sensitivity and future incompatibility issues between residential and business uses and to preserve the subzone for those uses that are specifically enabled

8.4 The design of buildings and site developments is of a high quality, particularly within the mainstreet precinct, where smaller buildings with more attractive frontages are expected.

8.5 Reverse sensitivity and future incompatibility issues between the business subzone and residential uses within the LDR subzone are minimised through the location of compatible activities at the interface and controls on effects.

8.6 Reverse sensitivity issues within the business subzone are minimised through avoiding residential uses within the subzone; restricting offices (other than ancillary) to the mainstreet precinct only; and avoiding those activities most likely to result in offsite effects from locating in the mainstreet precinct.

8.7 Small lot subdivision shall be avoided unless combined with a landuse Resource Consent, which illustrates how a complying business development can occur on the site(s).

Objective 9 Tourism and Community Facilities Subzone

A high quality, attractively landscaped entrance into the Three Parks zone within which quality Visitor Accommodation, places of public assembly such as conference venues, and community facilities are the predominant use.

Policies

9.1 To require a high quality of built form and landscaping, which contribute to the visual amenity of the area, particularly when

viewed from arterial roads, state highways, and elevated public areas.

- 9.2 *To require building setbacks and landscape treatment along the Mainstreet Collector road, which contribute to a sense of arrival at the Commercial Core.*
- 9.3 *To minimise reverse sensitivity issues by avoiding low density residential development from locating in the Tourism and Community Facilities subzone.*
- 9.4 *To protect the sense of arrival into Wanaka by preventing buildings from locating immediately adjacent to the state highway and through careful landscaping.*

Objective 10 Deferred Urban Subzone

The preservation of an area of land adjacent to the Commercial Core for future urban development once those zoned areas within 3 Parks have been largely developed and there is a clear need for more land to be released.

- 10.1 *To prevent development and subdivision of the deferred subzone until a future plan change demonstrates a need and purpose for the urban development of the land*
- 10.2 *To acknowledge that the Deferred Urban Zone may be suitable for either commercial, business, or residential use or a combination of these but that this decision is best deferred until the existing zoned areas have been developed.*
- 10.3 *To enable this area to continue to be farmed or to be used as open space and outdoor recreation until such a time as it is required for urban growth.*

Objective 11

High quality and well-designed buildings that reflect and contribute to the evolving character for the area

Policies

- 11.1 *To require a high standard of building design, including:*
 - 11.1.1 *Diverse and well-articulated built forms, which avoid excessive repetition of the same or similar unit forms and the creation of homogeneous neighbourhoods.*
 - 11.1.2 *Interesting roofscapes, and some variation in form and scale (including the height) of buildings in the all subzones*
 - 11.1.3 *The inclusion of crime prevention principles in the design of buildings and in the location of specific uses, particularly in the Commercial Core;*
- 11.2 *To encourage designs which enable the flexible re-use and staged development of buildings*
- 11.3 *To encourage designs to incorporate green building principles.*
- 11.4 *To ensure that the buildings do not exceed the maximum number of storeys permitted in each subzone, regardless of whether the maximum height limit is able to be met whilst providing for more storeys.*
- 11.5 *To ensure that maximum height rules are not used to create overly high surrounding parapet walls which create a visual presence well in excess of what is required to contain buildings' internal volumes.*

Objective 12

A high quality urban fabric, which is consistent with the vision set out in the Wanaka Structure Plan (2007) and the subsequent Structure Plan for the Three Parks Zone.

Policies

- 12.1 *To require street layouts and design to:*

12.1.1 *Have an informal character in the Low Density residential subzone, including elements such as open swales where appropriate.*

12.1.2 *Be well-connected, with cul-de-sacs being avoided wherever connected streets would offer greater efficiency and amenity*

12.1.3 *Minimise the creation of rear sites.*

12.1.4 *Be safe for vehicles, cyclists, and pedestrians.*

12.1.5 *Minimise opportunities for criminal activity through incorporating Crime Prevention Through Environmental Design (CPTED) principles as appropriate in the design of lot configuration and the street network, carparking areas, public and semi-public spaces, accessways, landscaping, and the location of compatible uses.*

12.2 *To encourage pedestrian and cycle links to be located within the public street, whilst acknowledging that off-street links are also appropriate provided they offer a good level of safety and amenity for users.*

12.3 *To encourage pedestrian and cycle links to provide for both the commuter and recreational needs of residents within the zone and the wider community.*

12.4 *To require well-located and well-designed open spaces that encourage high levels of usage and which are generally consistent with the Indicative Open Space Plan which forms part of the Three Parks Structure Plan*

12.5 *To require a number of public spaces to be developed in the Commercial Core; the scale and purpose of which shall be commensurate with the design capacity of the ODP (in terms of the GFA proposed and the number of employees and residents), including:*

An appropriately scaled public square in the Commercial Core, which provides a focal point for social interaction and contributes to a sense of place;

An appropriately scaled village green, which provides a relaxed distinctly non-commercial atmosphere

A number of small public spaces, which provide a range of different environments in which to congregate and/ or relax, such that there is one within a 5 minute walk from all parts of the Commercial Core.

12.6 *To require a network of well connected, usable, and safe open spaces.*

12.7 *To encourage, where feasible, local reserves to be located and designed such that they can provide for stormwater disposal as well as providing for open space and/ or recreational needs.*

12.8 *To ensure that subdivision and development account for public infrastructure shown on the Three Parks Structure Plan and ensure that ongoing access will be easily facilitated.*

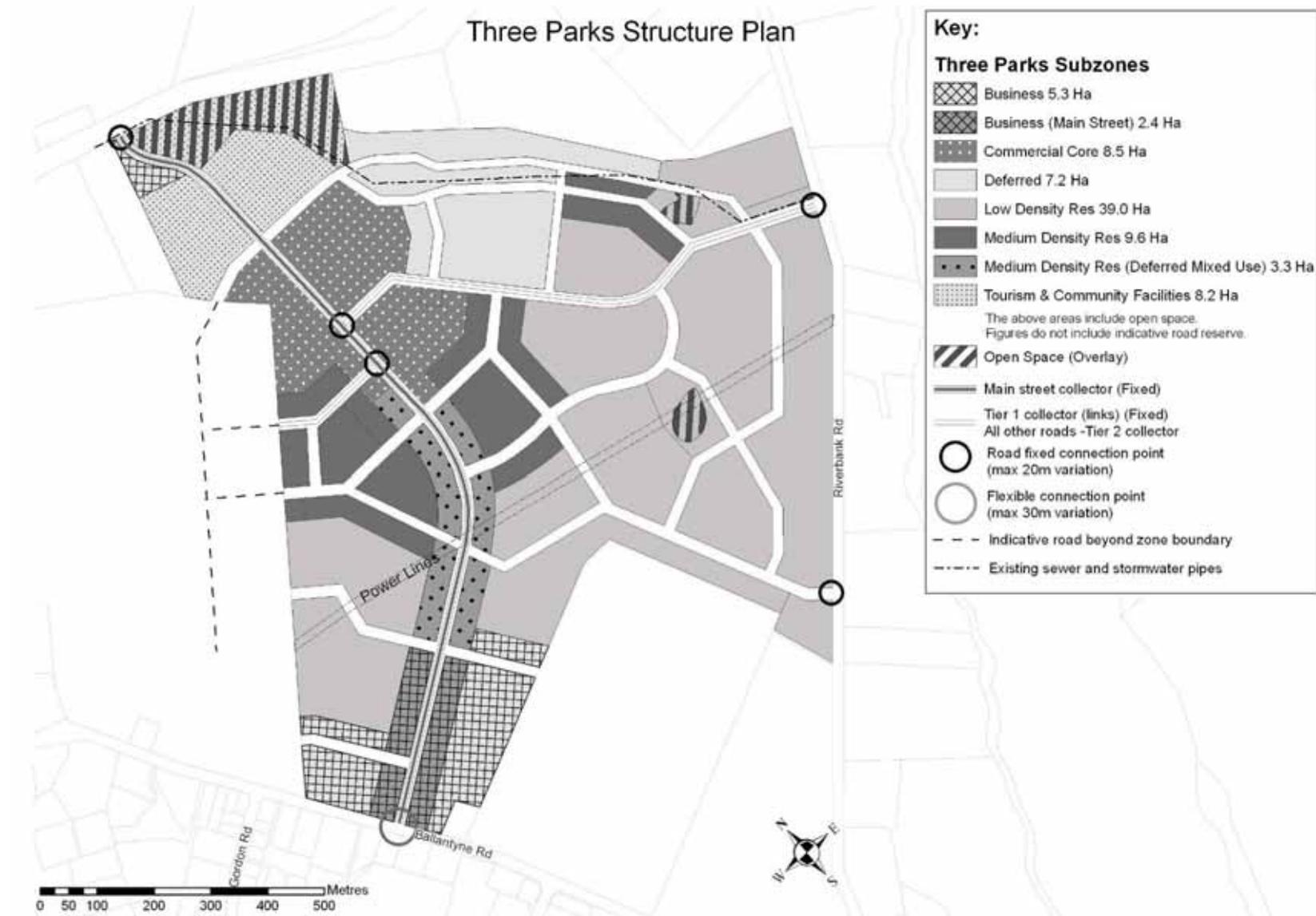
12.9 *To recognise that the relocation of a collector road by more than 50 metres (from that shown on the Structure Plan) is likely to significantly affect the integrity of the Three Parks Structure Plan and should be avoided.*

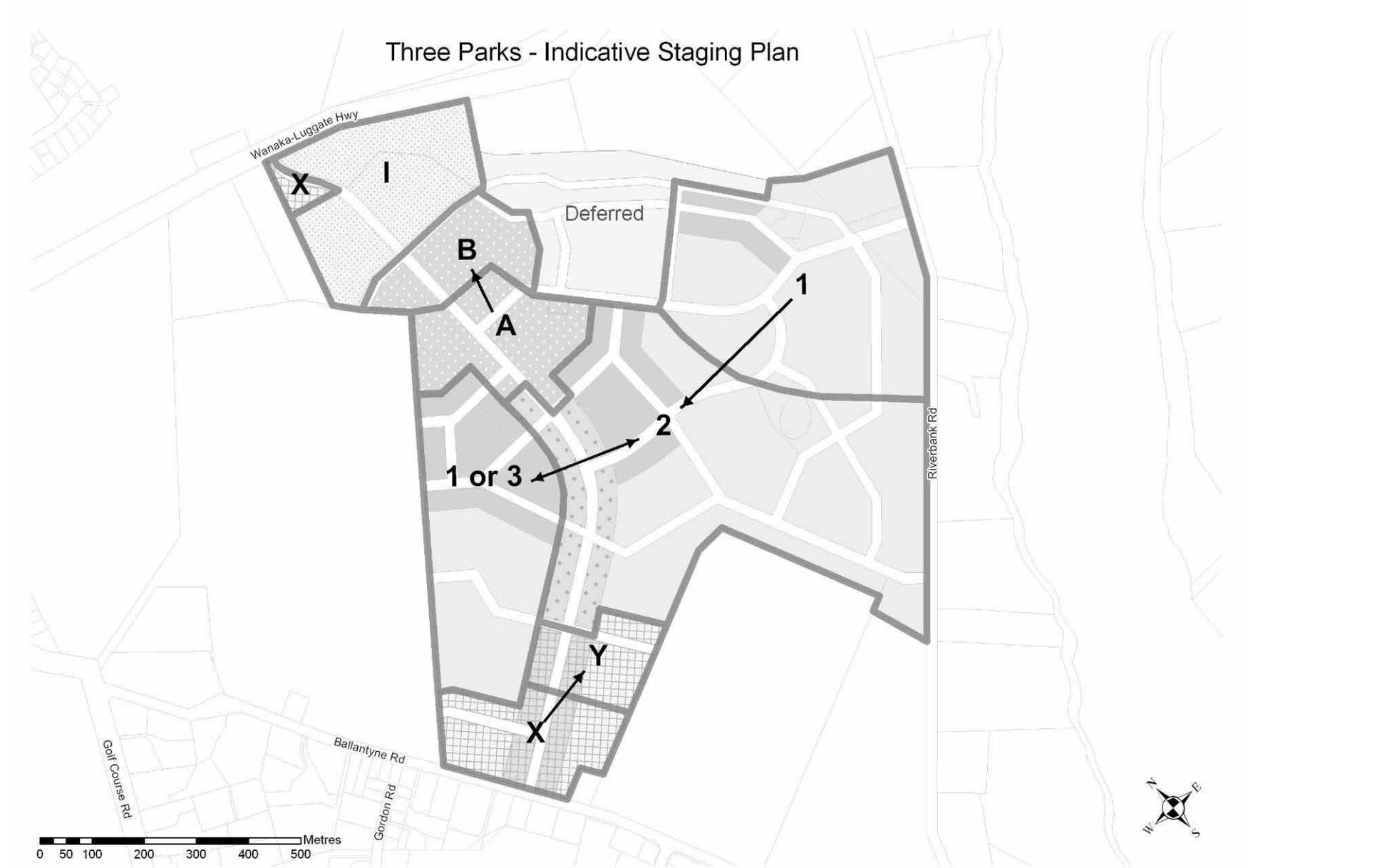
Objective 13

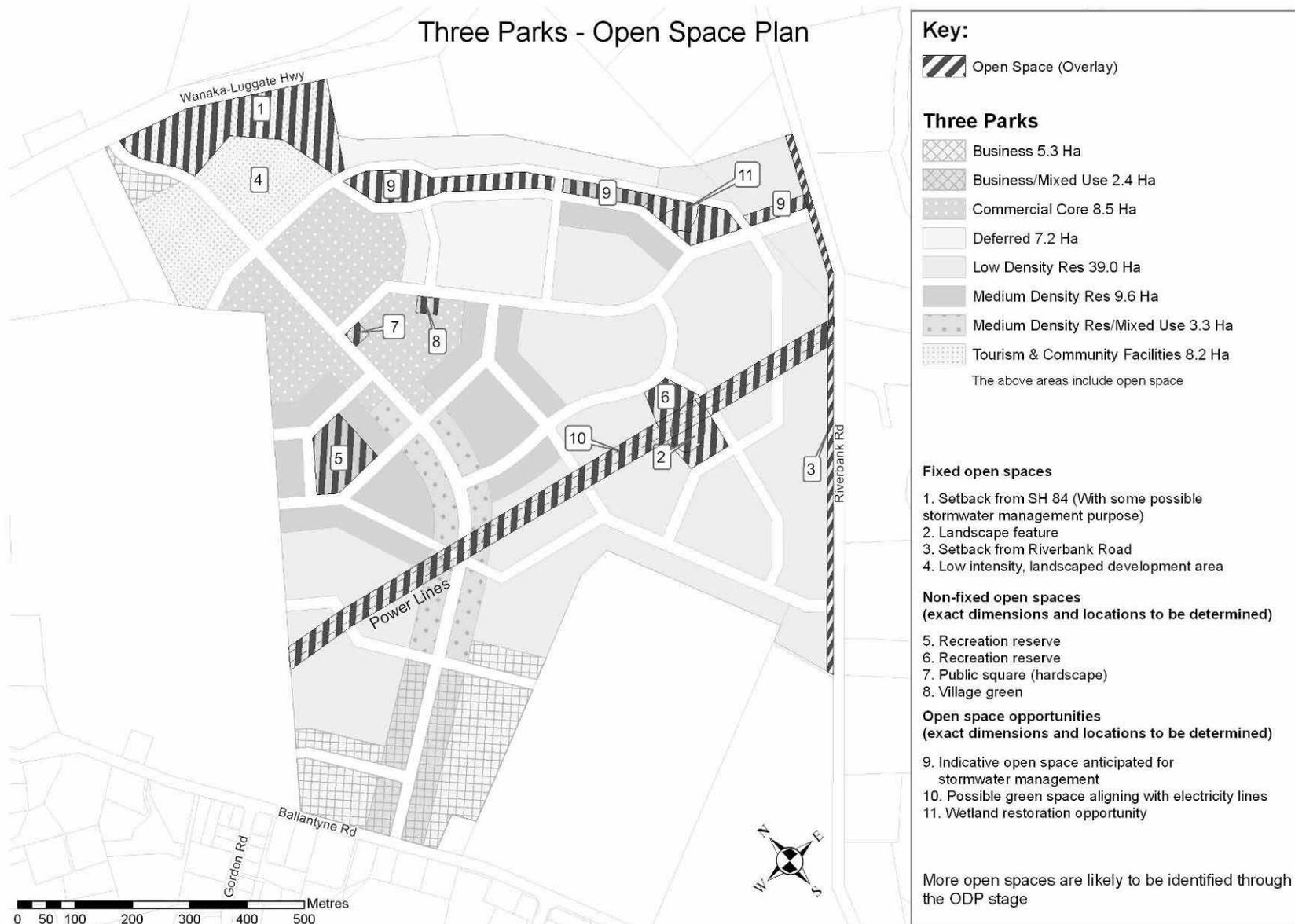
An urban area that is free of contaminated sites or appropriately deals with them so that adverse effects on human health and the environment do not arise.

13.1 *To require the consideration of whether contaminated sites exist and ensure that, if they do, development and subdivision does not proceed without an assurance that they will be remediated or managed in a satisfactory manner.*

12.25.3 Three Parks Structure Plan and Other Maps







12.26 Three Parks Special Zone - Rules

12.26.1 Structure of the Rules section

The Activity Tables for the Three Parks Zone describes the status of activities in the various subzones. The Performance Standards Tables outline the performance standards and the activity status if they are not met.

As well as the zone-wide rules that relate to all subzones, each subzone has self-contained rules, performance standards, and assessment matters.

12.26.1.1 Zone wide rules

- i Performance Standards table
- ii Assessment matters relating to performance standards
- iii Non-notification

12.26.1.2 Low Density Residential (LDR) & Medium Density Residential (MDR) subzones

- i Activity table
- ii Performance Standards table
- iii Controlled activities – matters over which control is reserved and Assessment matters
- iv Restricted discretionary activities – matters over which discretion is reserved and Assessment matters
- v Assessment matters relating to performance standards
- vi Non-notification

12.26.1.3 Tourism and Community Facilities subzone

- i Activity table
- ii Performance Standards table
- iii Controlled activities – matters over which control is reserved and Assessment Matters
- iv Restricted discretionary activities – matters over which discretion is reserved and Assessment Matters
- v Assessment matters relating to performance standards
- vi Non-notification

12.26.1.4 Business subzone

- i Activity table
- ii Performance Standards table
- iii Controlled activities – matters over which control is reserved and Assessment Matters
- iv Restricted discretionary activities – matters over which discretion is reserved and Assessment Matters
- v Assessment matters relating to performance standards
- vi Non-notification

12.26.1.5 Commercial Core subzone

- i Activity table
- ii Performance Standards table

- | | | | | |
|-----|--|-----|--|-----------------|
| iii | Controlled activities – matters over which control is reserved and Assessment matters | iv | Hazardous Substances | - Refer Part 16 |
| iv | Restricted discretionary activities – matters over which discretion is reserved and Assessment matters | v | Utilities | - Refer Part 17 |
| v | Assessment matters relating to performance standards | vi | Signs | - Refer Part 18 |
| vi | Non-notification | vii | Relocated Buildings and Temporary Activities | - Refer Part 19 |

12.26.1.6 Deferred Urban Subzone

- i Activity table
- ii Performance Standards table
- iii Controlled activities – matters over which control is reserved and Assessment matters
- iv Restricted discretionary activities – matters over which discretion is reserved and Assessment matters
- v Assessment matters relating to performance standards
- vi Non-notification

12.26.2 District Rules

The following District Wide Rules apply unless inconsistent with any particular Three Parks Zone provision, in which case the latter shall prevail.

- i Heritage Protection - Refer Part 13
- ii Transport - Refer Part 14
- iii Subdivision, Development and Financial Contributions - Refer Part 15

12.26.3 Zone-Wide Rules

12.26.3.1 Zone-Wide Performance Standards

Key and notes

CON	Controlled Activity	N-C	Non-Complying Activity
PERM	Permitted Activity	DIS	Discretionary Activity
RDIS	Restricted discretionary Activity	PRO	Prohibited Activity
N/A	Performance standard not applicable in the particular subzone.		

Notes: Failure to comply with a standard will result in the need to obtain either a restricted discretionary or non complying resource consent, as specified in this table. Where failure to comply with a performance standard results in a restricted discretionary consent being required, the Council's discretion is restricted only to that or those standards that are not complied with.

Ref	Standard – Zone-Wide	Resource consent status if the standard is not met
1	<p>Earthworks in all parts of the 3 Parks Zone except for the deferred urban subzone</p> <p>The following limitations apply to all but the Deferred Urban Subzone and apply to all earthworks (as defined in this Plan) except for earthworks associated with a subdivision that has both resource consent and engineering approval.</p> <p>i Earthworks</p> <p>(a) Any earthworks for which the total volume exceeds 100m³ per site (within a 12 month period). For clarification of “volume”, see interpretative diagram 5.</p> <p>(b) The maximum area of bare soil exposed from any earthworks where the average depth is greater than 0.5m shall not exceed 200m² in area within that site (within a 12 month period).</p> <p>(c) Where any earthworks are undertaken within 7m of a Water body the total volume shall not exceed 20m³ (notwithstanding provision 17.2.2).</p> <p>(d) No earthworks shall:</p>	RDIS

Ref	Standard – Zone-Wide	Resource consent status if the standard is not met
	<ul style="list-style-type: none"> (i) expose any groundwater aquifer; (ii) cause artificial drainage of any groundwater aquifer; (iii) cause temporary ponding of any surface water. <p>ii Height of cut and fill and slope</p> <ul style="list-style-type: none"> (a) The vertical height of any cut or fill shall not be greater than the distance of the top of the cut or the toe of the fill from the site boundary (see interpretative diagram 6). Except where the cut or fill is retained, in which case it may be located up to the boundary, if less or equal to 0.5m in height. (b) The maximum height of any cut shall not exceed 2.4 metres. (c) The maximum height of any fill shall not exceed 2 metres. <p>iii Environmental Protection Measures</p> <ul style="list-style-type: none"> (a) Where vegetation clearance associated with earthworks results in areas of exposed soil, these areas shall be revegetated within 12 months of the completion of the operations. (b) Any person carrying out earthworks shall: <ul style="list-style-type: none"> (i) Implement erosion and sediment control measures to avoid soil erosion or any sediment entering any water body. Refer to the Queenstown Lakes District earthworks guideline to assist in the achievement of this standard. (ii) Ensure that any material associated with the earthworks activity is not positioned on a site within 7m of a water body or where it may dam or divert or contaminate water. (c) Any person carrying out earthworks shall implement appropriate dust control measures to avoid nuisance effects of dust beyond the boundary of the site. Refer to the Queenstown Lakes District earthworks guideline to assist in the achievement of this standard. <p>iv Protection of Archaeological sites and sites of cultural heritage</p> <ul style="list-style-type: none"> (a) The activity shall not modify, damage or destroy any Waahi Tapu, Waahi Taoka or archaeological sites that are 	

Ref	Standard – Zone-Wide	Resource consent status if the standard is not met
	<p>identified in Appendix 3 of the Plan, or in the Kai Tahu ki Otago Natural Resource Management Plan.</p> <p>(b) The activity shall not affect Ngai Tahu's cultural, spiritual and traditional association with land adjacent to or within Statutory Acknowledgment Areas.</p> <p>Note: Earthworks in the Deferred Urban Subzone shall be subject to the earthworks provisions of the Rural General Zone.</p>	
2	<p>Lighting and Glare</p> <p>i Any activity that does not comply with the following standards:</p> <p>(c) All fixed exterior lighting shall be directed away from adjacent sites and roads; and</p> <p>(d) No activity on any site shall result in greater than a 3.0 lux spill (horizontal and vertical) of light onto any other site measured at any point inside the boundary of the other site, provided that this rule shall not apply where it can be demonstrated that the design of adjacent buildings adequately mitigates such effects.</p> <p>(e) There should be no upward light spill</p> <p>Note: You are also referred to Part 18 of the District Plan relating to the lighting of signage.</p>	RDIS
3	<p>Waste and Recycling Storage Space</p> <p>(a) Offices shall provide a minimum of 2.6 m³ of waste and recycling storage for every 1,000 m² gross floor space, or part thereof.</p> <p>(b) Retail activities shall provide a minimum of 5m³ of waste and recycling storage for every 1,000 m² gross floor space, or part thereof.</p> <p>(c) Food and beverage outlets shall provide a minimum of 1.5m³ of waste and recycling storage per 20 dining spaces, or part thereof.</p> <p>(d) Residential and Visitor Accommodation activities shall provide a minimum of 80 litres of waste and recycling storage per bedroom, or part thereof.</p>	RDIS
4	<p>Fence Heights in relation to open space areas</p>	RDIS

Ref	Standard – Zone-Wide	Resource consent status if the standard is not met										
	<p>i. Fences within any open space area shown on the Three Parks Structure Plan or an open space approved as part of an Outline Development Plan or a Comprehensive Development Plan shall be no higher than 1.2m in height, excluding post and wire fences.</p> <p>ii. Fences located on or within 4 m of the boundary between a private site and an open space identified on the Three Parks Structure Plan or an open space approved as part of an Outline Development Plan or a Comprehensive Development Plan shall be no higher than 1.2m in height. This excludes fences which are at right angles to the boundary between the subject site and the open space.</p>											
5	<p>All non-residential and commercial buildings - The provision of facilities to encourage people to travel to work using modes other than cars</p> <p>All non-residential and commercial buildings shall provide the following:</p> <p>i Lockers - Individual clothes lockers shall be provided for 20% of all on-site workers. These shall be located convenient to the any showers and bicycle parking facilities.</p> <p>Note: Refer to Section D for a definition of ‘on site workers’.</p> <p>ii Showers - Showers shall be provided at the following ratios and these shall be located close to the bicycle parking and lockers and at least one shower shall be a wheelchair accessible shower compartment:</p> <table border="1" data-bbox="257 1045 1317 1340"> <thead> <tr> <th>Number of on-site workers (building design occupancy)</th> <th>Number of Showers</th> </tr> </thead> <tbody> <tr> <td>1-9</td> <td>Nil</td> </tr> <tr> <td>10 - 39</td> <td>1</td> </tr> <tr> <td>40-100</td> <td>2</td> </tr> <tr> <td>>100</td> <td>3 and add 1 per 100</td> </tr> </tbody> </table> <p>Notes:</p> <ul style="list-style-type: none"> The “building design occupancy “ calculation is based on the entire building or building complex for which Resource Consent 	Number of on-site workers (building design occupancy)	Number of Showers	1-9	Nil	10 - 39	1	40-100	2	>100	3 and add 1 per 100	RDIS
Number of on-site workers (building design occupancy)	Number of Showers											
1-9	Nil											
10 - 39	1											
40-100	2											
>100	3 and add 1 per 100											

Ref	Standard – Zone-Wide	Resource consent status if the standard is not met
	<p>is being applied for, rather than for individual office spaces/ tenancies within a larger building. This may mean that there is one shower provided within a communal space which can be shared by a number of small individual offices.</p> <ul style="list-style-type: none"> • Refer to Section D for a definition of ‘on site workers’. • These shower ratios do not supersede the requirements of the Building Code. • These rules do not apply to home occupations. 	
6	<p>Rear Sites shown on an Outline Development Plan or Comprehensive Development Plan</p> <p>i In any subzone other than the Medium Density Residential subzone, no more than 10% of all sites shown on the indicative subdivision layout provided as part of an Outline Development Plan or Comprehensive Development Plan may be “rear sites”; and In the Medium Density Residential subzone, there shall be no rear sites shown on the indicative subdivision layout provided as part of an Outline Development Plan or Comprehensive Development Plan; provided that</p> <p>ii Any rear sites resulting from the subdivision of an existing building shall not be deemed to be ‘rear sites’ for the purpose of either standard 12.26.3.1 (6)(i) or 12.26.3.1 (6)(ii).</p> <p>Note: Refer Section D for a definition of ‘rear site’.</p>	N-C
7	<p>Outline Development Plans and Comprehensive Development Plans</p> <p>i All activities and development shall be in accordance with an approved Outline Development Plan or Comprehensive Development Plan.</p> <p>ii Note: The intent of this rule is ensure that an Outline Development Plan or Comprehensive Development Plan has been submitted and approved prior to any other resource consent being applied for.</p>	N-C
8	<p>Extent of the Outline Development Plan or Comprehensive Development Plan</p> <p>An Outline Development Plan or Comprehensive Development Plan shall include all that land within the Stage within which it sits, as identified on the Indicative Staging Plan for the Three Parks Zone.</p> <p>Note 1: The boundaries of the Outline Development Plan need not follow the exact boundary of the Stage within which it sits but</p>	N-C

Ref	Standard – Zone-Wide	Resource consent status if the standard is not met
	<p>can vary +/- 30 metres of the boundary of the Stage.</p> <p>Note 2: In relation to Outline Development Plans or Comprehensive Development Plans within the Commercial Core, rules 12.26.7.2(7), (8) and (9) explain that whilst the Outline Development Plan, due to its required scale, will show a considerable amount of potential retail space, the applicant must identify which space is being applied for as part of the Outline Development Plan and which space is future retail and will be subject to further assessment in relation to retail need and the health of the Town Centre.</p>	
9	<p>The creation of fixed roads as shown on the Three Parks Structure Plan</p> <p>No Outline Development Plan or development shall prevent the creation of any road that is shown as fixed on the Three Parks Structure Plan</p>	N-C
10	<p>Structure Plan</p> <p>All activities and development (including buildings and applications for ODP's and CDP's) shall be in accordance with the Three Parks Structure Plan, except that:</p> <ul style="list-style-type: none"> i All subzone boundaries, and key connection points shown as 'fixed' on the Three Parks Structure Plan may be moved up to 20 metres and all collector roads shown on the Three Parks Structure Plan may be moved up to 50 metres in any direction in order to enable more practical construction or improved layouts and/ or to allow for minor inaccuracies in the plan drafting. ii All roads and other elements shown as 'indicative' on the Three Parks Structure Plan may be moved or varied provided they are generally in accordance with and achieve the Three Parks Structure Plan and the relevant objectives and policies. iii Where a boundary (or boundaries) has been expressly approved as part of a subsequent, more detailed ODP or CDP, then that subsequent boundary (or boundaries) shall take precedence over that shown in the Three Parks Structure Plan. <p>Note: For the avoidance of doubt, an Outline Development Plan or Comprehensive Development Plan which in any way obstructs or does not specifically provide for the roading connections to land or roads adjoining the zone, in the manner shown on the Three Parks Structure Plan will be processed as a non complying activity.</p>	N-C
11	<p>Access</p> <p>Each unit shall have legal access to a formed road.</p>	N-C

Ref	Standard – Zone-Wide	Resource consent status if the standard is not met
12	<p>Buildings within areas shown as open space on the Three Parks Structure Plan.</p> <p>There shall be no buildings within areas shown as fixed open space on the Three Parks Structure Plan, except:</p> <ul style="list-style-type: none"> - Playground equipment and ancillary structures; and - Public toilets; and - Buildings required exclusively for public infrastructure, public recreation, or community activities. <p>Note 1: Pursuant to Rule 12.26.5.2(14) no buildings are enabled in the open space area adjacent to SH84.</p> <p>Note 2: Buildings that are exempt from this rule (as listed above) are subject to the provisions relating to non-residential buildings as per the underlying subzone.</p> <p>Note 3: “Community activities” is defined as per the definition in Section D of the District Plan but for this purpose of this rule, excludes any commercial activities.</p>	N-C
12	<p>Landscaping within areas shown as Open Space on the Three Parks Structure Plan, excluding any pastoral and arable farming, shall be in accordance with a landscape plan that has been approved as part of an Outline Development Plan or a Comprehensive Development Plan.</p>	N-C

12.26.3.2 Zone-Wide Assessment matters

i Earthworks

In considering whether or not to grant consent or impose conditions, the Council shall have regard to, but not be limited by, the following assessment matters:

- (a) Environmental Protection Measures
 - (i) Whether and to what extent proposed sediment/erosion control techniques are adequate to ensure that sediment remains on-site.
 - (ii) Whether the earthworks will adversely affect stormwater and overland flows, and create adverse effects off-site.
 - (iii) Whether earthworks will be completed within a short period, reducing the duration of any adverse effects.
 - (iv) Where earthworks are proposed on a site with a gradient >18.5 degrees (1 in 3), whether a geotechnical report has been supplied to assess the stability of the earthworks.
 - (v) Whether appropriate measures to control dust emissions are proposed.
 - (vi) Whether any groundwater is likely to be affected, and any mitigation measures are proposed to deal with any effects. NB: Any activity affecting groundwater may require resource consent from the Otago Regional Council.
- (b) Effects on landscape and visual amenity values
 - (i) Whether the scale and location of any cut and fill will adversely affect:
 - (iii) the natural landform of any ridgeline or visually prominent areas;
 - (iv) the visual amenity values of surrounding sites
 - (ii) the visual quality and amenity values of the landscape;
- (c) Effects on adjacent sites:
 - (i) Whether the earthworks will take into account the sensitivity of the landscape.
 - (ii) The potential for cumulative effects on the natural form of existing landscapes.
 - (iii) The proposed rehabilitation of the site.
- (d) General amenity values
 - (i) Whether the earthworks will adversely affect the stability of neighbouring sites.
 - (ii) Whether the earthworks will change surface drainage, and whether the adjoining land will be at a higher risk of inundation, or a raised water table.
 - (iii) Whether cut, fill and retaining are done in accordance with engineering standards.
- (e) Impacts on sites of cultural heritage value:
 - (i) Whether the removal of soil to or from the site will affect the surrounding roads, and neighbourhood through the deposition of sediment, particularly where access to the site is gained through residential areas.
 - (ii) Whether the activity will generate noise, vibration and dust effects, which could detract from the amenity values of the surrounding area.
 - (iii) Whether natural ground levels will be altered.

- (i) Whether the subject land contains Waahi Tapu or Waahi Taoka, or is adjacent to a Statutory Acknowledgement Area, and whether tangata whenua have been notified.
- (ii) Whether the subject land contains a recorded archaeological site, and whether the NZ Historic Places Trust has been notified.

12.26.3.3 Non-Notification of Applications

- (a) Except as provided for by the Act, all applications for **controlled activities** will be considered without public notification or the need to obtain the written approval of or serve notice on affected persons and will be assessed according to matters the Council has reserved control over in the Plan.
- (b) Except as provided for by the Act, the following restricted discretionary activities will be considered without public notification or the need to obtain the written approval of or serve notice on affected persons. The Council will restrict the exercise of its discretion for those matters specified in the Plan for each particular activity:
 - (i) All applications for **earthworks** undertaken in relation to otherwise controlled activities in the Three Parks Zone provided the earthworks **are not within 5m** of the site or zone boundary.
 - (ii) All restricted discretionary applications for **Outline Development Plans or Comprehensive Development Plans** in this subzone; except as specifically provided for in 12.26.3.3(c)(ii) below.

Note: If the Outline Development Plan or Comprehensive Development Plan is non complying due to the fact it is not in accordance with the Three Parks Structure Plan (refer Rule 12.26.3.1 (10), for example) then it may be notified.

- (c) Except as provided for by the Act, the following restricted discretionary activities will be considered without public

notification. Service of notice will not be required if all persons who may be adversely affected have given their written approval. The Council will restrict the exercise of its discretion for those matters specified in the Plan for each particular activity.

- (i) All applications for **earthworks** undertaken in relation to otherwise controlled activities in the Three Parks Zone where the earthworks **are within 5m** of the site or zone boundary.
- (ii) All restricted discretionary applications for **Outline Development Plans or Comprehensive Development Plans** which either:
 - a. Adjoin land beyond the Three Parks Zone, in respect of utilities and servicing and the mitigation of any conflict between land uses on the boundary of the 3 Parks and adjoining zone); or
 - b. Proposes that a collector road connect to adjoining land (including roads) beyond the Three Parks Zone, in respect of roading and intersection design.

12.26.4 Low Density Residential, Medium Density Residential, And Medium Density Residential (Mixed Use Precinct) Subzones – Rules

12.26.4.1 Purpose of the Residential Subzones

i Low Density Residential (LDR) subzone

The Low Density Residential (LDR) subzone will provide a range of housing densities, including clusters of higher density housing located adjacent to open spaces and within walking distance of other amenities in order to provide for a range of residents and levels of affordability. Non-residential activities will generally not be appropriate, other than those which clearly service the local neighbourhood and would not effectively fulfil their function if they were located elsewhere.

ii Medium Density Residential (MDR) subzone

The Medium Density residential (MDR) subzone provides for a mixture of medium density housing types such as duplexes and terrace houses whilst discouraging apartments, except in the mixed use precinct, where they may be appropriate in order to provide a greater diversity of housing types. Whilst private amenity (such as outdoor living, solar access and privacy) is lower than in the LDR subzone, this is compensated for by the benefits of higher density living (such as the close proximity to parks, retail, public amenities, and public transport). The MDR subzone also includes a deferred mixed use precinct, which will, in time, enable small scale commercial activities which are compatible with residential activity. The domestic scale and residential character of the subzone will remain the dominant features in the mixed use area with Visitor Accommodation only being allowed within specific precincts established through the Outline Development Plan process.

12.26.4.2 Activity Table - Low Density Residential, Medium Density Residential, and Medium Density Residential (mixed use) Subzones

Key and notes

CON	Controlled Activity	N-C	Non-Complying Activity
PERM	Permitted Activity	DIS	Discretionary Activity
RDIS	Restricted discretionary Activity	PRO	Prohibited Activity
N/A	Performance standard not applicable in the particular subzone.		

Note: Where a proposed activity could possibly be captured by more than one activity/ classification, the most specifically defined activity shall override any other. For example, where both retail and commercial are both listed the classification for retail over-rides that for commercial as it is more specifically defined.

Ref	Activity – Three Parks Low Density Residential, Medium Density Residential, and Medium Density Residential (deferred mixed use precinct) Subzones	Activity status (provided all Performance Standards are met)		
		LDR	MDR	MDR (deferred mixed use)
1	Any Activity which complies with all the relevant Performance Standards (including zone-wide standards) and is not listed as a Controlled, Discretionary, Non-Complying or Prohibited Activity.	PERM	PERM	PERM
2	Home occupations (except for those that involve an activity which is specifically listed as a prohibited activity in this table).	PERM	PERM	PERM
3	Residential units and residential flats in the LDR subzone, except those within multi-unit developments approved through an Outline Development Plan.	PERM	N/A (refer Rule13 below)	N/A (refer Rule13 below)
4	Buildings approved by a Comprehensive Development Plan (CDP)	PERM	PERM	PERM
5	Visitor Accommodation in a location that is identified on an approved Outline Development Plan (ODP).	N-C	CON	CON
6	Retirement Villages in a location identified on an approved ODP or CDP. Note: If approved as part of a CDP the matters of control do not include the external appearance of the building.	CON	CON	CON

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Ref	Activity – Three Parks Low Density Residential, Medium Density Residential, and Medium Density Residential (deferred mixed use precinct) Subzones	Activity status (provided all Performance Standards are met)		
		LDR	MDR	MDR (deferred mixed use)
7	Buildings for non-residential activities including visitor accommodation, and retirement villages, except those already approved by a CDP. Note: Where any element of an application for a CDP is a non-complying activity (for example, an over height building is proposed), then the CDP application becomes non-complying.	RDIS	RDIS	RDIS
8	Outline Development Plan (ODP) or variation to an approved ODP. Note: Where any element of an application for an ODP is a non-complying activity (for example, more than 10% of sites are 'rear sites'), then the ODP application becomes non-complying.	RDIS	RDIS	RDIS
9	Comprehensive Development Plan (Comprehensive Development Plan) or variation to an approved CDP.	RDIS	RDIS	RDIS
10	Education facilities and day care facilities	RDIS	RDIS	CON
11	All non-residential activities except those specifically listed in this table.	N-C	N-C	CON
12	A Block Plan for all development in the MDR subzone and within multi-unit developments in the LDR subzone. Refer to Section D for the definition of "Block plan – 3 Parks Zone".	RDIS – applies only to multi unit developments	RDIS	RDIS
13	All residential units and flats (including mixed use buildings) in the MDR subzone and within multi-unit developments in the LDR subzone (including the activity and the building) provided they are in accordance with an approved "Block Plan", except; - Where the residential units and flats have been approved by a Comprehensive Development Plan, they are permitted. Refer to Section D for the definition of "multi unit developments".	RDIS (multi unit developments)	RDIS (all residential buildings)	RDIS (all residential buildings)
14	Industrial Activities	N-C	N-C	N-C

Ref	Activity – Three Parks Low Density Residential, Medium Density Residential, and Medium Density Residential (deferred mixed use precinct) Subzones	Activity status (provided all Performance Standards are met)		
		LDR	MDR	MDR (deferred mixed use)
15	Service Activities	N-C	N-C	N-C
16	Visitor Accommodation in a location not identified on an approved ODP.	N-C	N-C	N-C
17	Retirement Village in a location not identified on an approved Outline Development Plan	N-C	N-C	N-C
18	Premises licensed for the sale of liquor (including both on-licences and off-licences)	N-C	N-C	N-C
19	Factory Farming, Forestry Activities, mining	N-C	N-C	N-C
20	Airports/ take-off or landing of aircraft other than the use of land and water for emergency landings, rescues and fire fighting.	N-C	N-C	N-C
21	Planting of any wilding species (as identified in Part 5 of the District Plan)	PRO	PRO	PRO
22	Panelbeating, spray painting, motor vehicle repair or dismantling, fibreglassing, sheet metal work, bottle or scrap storage, motorbody building, fish or meat processing, or any activity requiring an Offensive Trade Licence under the Health Act 1956.	PRO	PRO	PRO

12.26.4.3 Performance Standards

Failure to comply with a standard will result in the need to obtain either a restricted discretionary or non complying resource consent, as specified in this table. Where failure to comply with a performance standard results in a restricted discretionary consent being required, the Council's discretion is restricted only to that or those standards, which are not complied with.

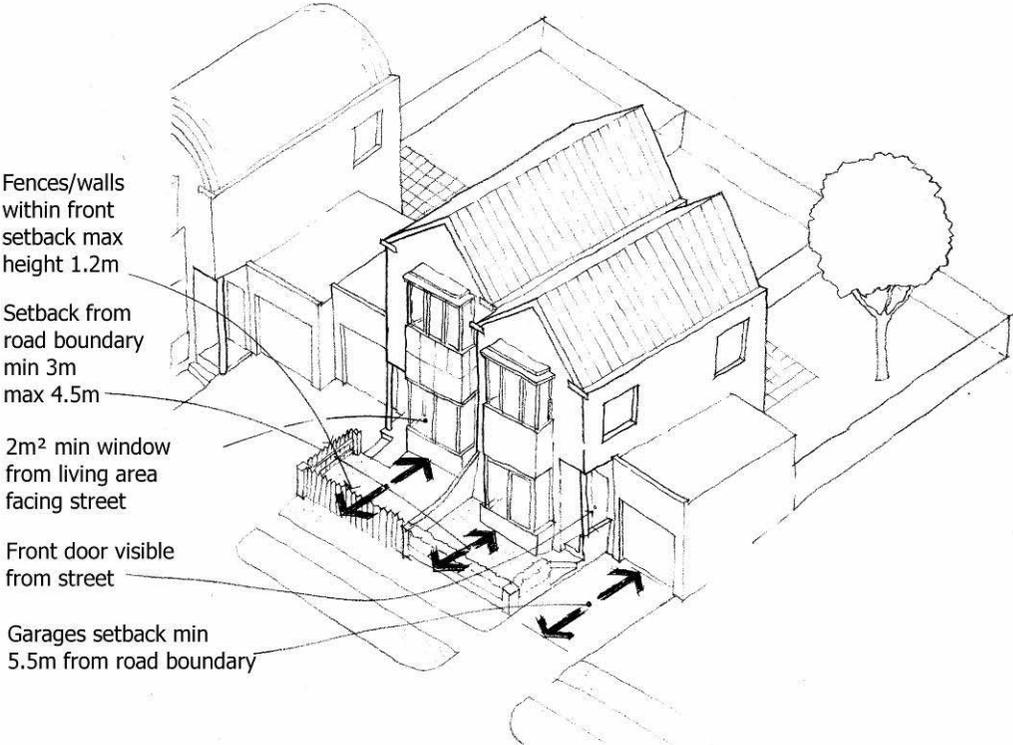
Refer also to the zone-wide standards in Section 12.26.3.1 relating to:

- (a) Earthworks (RDIS)
- (b) Lighting and Glare (RDIS)
- (c) Waste and Recycling Storage Space (RDIS)

- (d) The creation of Rear Sites (N-C)
- (e) Compliance with an approved Outline Development Plans and Comprehensive Development Plans (N-C)
- (f) Compliance with the Three Parks Structure Plan (N-C)
- (g) Staging of development (N-C)
- (h) Access (N-C)

Ref	Standard - Three Parks Low Density Residential, Medium Density Residential, and Medium Density Residential (mixed use) Subzones	Resource consent status if standard not met – All residential subzones, including deferred mixed use		
		LDR	MDR	Deferred MDR (mixed use)
1	<p>Nature and scale of non-residential uses</p> <ul style="list-style-type: none"> i No more than 50% or 80m² (whichever is the lesser) of the GFA of the building shall be for non-residential purposes, with the remainder being used for residential activities ii There shall be no commercial activity above the ground floor. 	N/A – Refer Activity Table	N/A – Refer Activity Table	RDIS
2	<p>Street Scene and setback from roads - Residential units (including mixed use buildings (i.e. those which comprise both residential and non-residential uses), visitor accommodation, and retirement villages in the MDR zone and within multi-unit developments in the LDR subzone except where located on rear sites:</p> <ul style="list-style-type: none"> i Residential units, residential flats, mixed use buildings, visitor accommodation, and retirement villages shall be setback from the road boundary a minimum of 3 metres and a maximum of 4.5 metres; except that <ul style="list-style-type: none"> (a) Garages shall be setback from the road boundary a minimum of 5.5 metres; and ii There shall be at least one area of glazing from a living area of each unit or residential flat OR 	RDIS – NB: Applies only to multi unit developments	RDIS	RDIS

		Resource consent status if standard not met – All residential subzones, including deferred mixed use		
Ref	Standard - Three Parks Low Density Residential, Medium Density Residential, and Medium Density Residential (mixed use) Subzones	LDR	MDR	Deferred MDR (mixed use)
	<p>(a) In the case of mixed use buildings and guest room type Visitor Accommodation, from a main office or reception area, of at least 2 m² facing the street.</p> <p>Note 1: For the purpose of this rule, the term “living area” is as defined in Section D but for the purpose of this rule, excludes hallways, entries, and lobbies.</p> <p>Note 2: Where there is both a residential unit and a residential flat within 4.5 m of the road boundary, either the residential unit or the residential flat must provide the minimum area of glazing.</p> <p>Note 3: Unit type Visitor Accommodation, such as apartments are required to provide the 2m² per unit. The ‘unit type’ and ‘guest room type’ classifications are the same as those used in Section 14 of the Plan (14.2.4.1 – table 1).</p> <p>iii For mixed use buildings, the residential entrance to the building shall be clearly distinct and separate from the public entrance. Separate doors and separate pedestrian connections to footpaths shall be provided. Note: This excludes home occupations.</p> <p>Note: Visitor accommodation and retirement villages are also subject to a restricted discretionary resource consent application pursuant to Rule 12.26.4.2 (7).</p>			

Ref	Standard - Three Parks Low Density Residential, Medium Density Residential, and Medium Density Residential (mixed use) Subzones	LDR	MDR	Deferred MDR (mixed use)
	<p>Diagram showing selected rules in the MDR subzone:</p>  <p>Note: this diagram is indicative of concepts only. There is no guarantee the design shown would prove appropriate to the applicant or satisfy all requirements to gain consent.</p>			

Resource consent status if standard not met – All residential subzones, including deferred mixed use

		Resource consent status if standard not met – All residential subzones, including deferred mixed use		
Ref	Standard - Three Parks Low Density Residential, Medium Density Residential, and Medium Density Residential (mixed use) Subzones	LDR	MDR	Deferred MDR (mixed use)
3.	<p>Street Scene and setback from roads – All buildings in the LDR subzone but excluding those within multi-unit developments and located on rear sites:</p> <p>i All buildings, including any attached or detached garage or accessory building shall be set back from the road boundary a minimum of 3 metres; except that</p> <p>(a) All buildings, including any attached or detached garage or accessory building, shall be setback from the boundary of Riverbank Rd a minimum of 10 metres.</p> <p>ii Fences within the minimum road setback shall be no higher than 1.2m in height, except that a fence of up to 1.8 m in height may be erected within the road setback for a maximum of 1/2 of the length of the road boundary of the site.</p> <p>Note 1: Visitor accommodation and retirement villages are also subject to a restricted discretionary resource consent application</p> <p>Note 2: You are also referred to Zone-wide Performance Standard 12.26.3.1(4) relating to fences in relation to open spaces.</p>	RDIS	N/A – see above standard	RDIS

		Resource consent status if standard not met – All residential subzones, including deferred mixed use		
Ref	Standard - Three Parks Low Density Residential, Medium Density Residential, and Medium Density Residential (mixed use) Subzones	LDR	MDR	Deferred MDR (mixed use)
	<p>Diagram showing selected rules in the LDR subzone:</p> <p>Garage located behind front line of house</p> <p>1.2m max fence height for remaining 50% of street</p> <p>3m min setback from street boundary</p> <p>2m max fence height for up to 50% of street frontage width</p>			
4	<p>Street scene - Non-residential buildings in the MDR subzone, except where located on rear sites:</p> <ul style="list-style-type: none"> i Non-residential buildings shall be setback from the road boundary a minimum of 3 metres. ii There shall be at least one area of glazing from a main office, lobby, or reception area of 	RDIS	N/A – see above standard	RDIS

		Resource consent status if standard not met – All residential subzones, including deferred mixed use		
Ref	Standard - Three Parks Low Density Residential, Medium Density Residential, and Medium Density Residential (mixed use) Subzones	LDR	MDR	Deferred MDR (mixed use)
	<p>at least 2 m² facing the street.</p> <p>Note: Such buildings are also subject to a restricted discretionary resource consent application pursuant to Rule 12.26.4.2 (7).</p>			
5	<p>Setback from internal boundaries in the MDR subzone and on approved multi unit development sites in the LDR subzone.</p> <p>i Buildings shall be set back a minimum of 1.5m from the internal boundaries at ground and above-ground levels, except for:</p> <p>ii Eaves up to 0.6m into the setback;</p> <p>iii Terraced housing (including duplexes) where no setback is required from a side boundary where buildings share a common wall on that boundary;</p> <p>iv Back lane sites, where the setback from the rear lane may be reduced to 1.0m for a ground level garage only. Any office or habitable space above the garage shall be setback at least 3.0 m from the rear lane boundary.</p> <p>Refer to Section D for definitions of a “Back lane site”, “habitable space”, and “internal boundary”.</p>	RDIS	RDIS	RDIS
6	<p>Setback from Internal Boundaries in the LDR subzone (excluding approved multi unit development sites)</p> <p>(a) Except as provided for below, the minimum setback from internal boundaries for any building shall be:</p> <p>Front Site one setback of 4.5m and all other setbacks 2m.</p>	RDIS	N/A – Refer above standard	N/A – Refer above standard

		Resource consent status if standard not met – All residential subzones, including deferred mixed use		
Ref	Standard - Three Parks Low Density Residential, Medium Density Residential, and Medium Density Residential (mixed use) Subzones	LDR	MDR	Deferred MDR (mixed use)
	<p>Rear Sites Two setbacks of 4.5m and all remaining setbacks to be 2m.</p> <p>(b) Accessory buildings for residential activities other than those used for the housing of animals may be located within the setback distances from internal boundaries, where the total length of the walls of accessory buildings within the setback does not exceed 7.5m in length and there are no windows or openings, other than for carports, along any walls within 2m of an internal boundary.</p> <p>(c) Eaves, porches, balconies, bay or box windows, steps, chimneys and similar parts of buildings may be located within the minimum building setback as follows:</p> <ul style="list-style-type: none"> (i) eaves up to 0.6m into the setback; and (ii) balconies and bay or box windows of less than 3m in length may project into the setback by up to 0.6m. Only one such balcony or bay or box window, intrusion is permitted on each setback of each building; and (iii) porches and steps up to 0.6m into a setback; provided they measure no more than 2m parallel to the nearest internal boundary and provided that the floor level of any such porch or the top of any steps shall be no higher than 1m above ground level. Only one such porch or set of steps is permitted on each setback of each building; and (iv) chimneys may project into the setback by up to 0.6m provided that the chimney measures no more than 1.2m parallel to the nearest internal boundary. Only one chimney is permitted on each setback of each building; and (v) no part of any balcony or window which is located within a setback shall be higher than 3m above ground level. 			

		Resource consent status if standard not met – All residential subzones, including deferred mixed use		
Ref	Standard - Three Parks Low Density Residential, Medium Density Residential, and Medium Density Residential (mixed use) Subzones	LDR	MDR	Deferred MDR (mixed use)
	(e) No setback is required from an internal boundary where buildings share a common wall on that boundary.			
7	<p>Pedestrian access</p> <p>Every unit shall have a distinct separate pedestrian access to a door that is visible from the street, except where located on a rear site.</p>	RDIS	RDIS	RDIS
8	<p>Outdoor Living Space</p> <p>i Every residential activity shall have an area of outdoor living space with a minimum area of:</p> <p>(a) 30 m² in the LDR subzone; and</p> <p>(b) 24m² in the MDR subzone, provided that in the MDR subzone (mixed use precinct), where the outdoor living space is provided above the ground floor, it shall be at least 8m² in area.</p> <p>ii This outdoor living space shall have the following characteristics:</p> <p>(a) Contains a continuous area with a minimum 6 m diameter in the LDR subzone and a minimum 4 m diameter in the MDR subzone and a maximum gradient of 1:20 and the minimum dimension taken anywhere within the outdoor living space shall be 2 m.</p> <p>(b) 70% of the outdoor living area receives a minimum of 2.0hrs of continuous sunlight between the hours of 10:00am – 2:00pm as measured on June 21.</p> <p>(c) Is immediately accessible from either a lounge, living, or family room.</p> <p>(d) In the MDR subzone and for multi unit developments within the LDR subzone, the outdoor living area shall not be located between the front façade of the residential</p>	RDIS	RDIS	RDIS

		Resource consent status if standard not met – All residential subzones, including deferred mixed use		
Ref	Standard - Three Parks Low Density Residential, Medium Density Residential, and Medium Density Residential (mixed use) Subzones	LDR	MDR	Deferred MDR (mixed use)
	<p>unit and the road boundary, except where the residential activity is located on a rear site.</p> <p>(e) If the area is to the side of a residential unit then the space and any associated privacy fencing shall be set back a minimum 1.0m from the front face of the unit.</p> <p>(f) No outdoor living space shall be occupied by any building, other than an outdoor swimming pool, or accessory building of less than 8m² gross floor area, driveway or parking space.</p>			
9	<p>Internal residential amenity for multi-unit developments</p> <p>i Residential units and flats shall be designed to achieve the following minimum daylight standards:</p> <p>(a) Living rooms and living/dining areas –shall have a total clear glazed area of exterior wall no less than 20% of the floor area of that space.</p> <p>(b) At least one bedroom shall have a total clear glazed area of exterior wall no less than 20% of the floor area of that space.</p> <p>(c) No bedrooms may rely on natural light borrowed from another naturally lit room.</p> <p>ii Residential units shall comply with the following minimum unit sizes:</p>	RDIS	RDIS	RDIS

Ref		Standard - Three Parks Low Density Residential, Medium Density Residential, and Medium Density Residential (mixed use) Subzones		LDR	MDR	Deferred MDR (mixed use)
		Unit type by bedroom	Minimum residential unit size (GFA)			
		Studio	35m ²			
		1	45m ²			
		2	70m ²			
		3	90m ²			
		4	115m ²			
		iii The minimum floor to ceiling height for habitable rooms (including servicing) shall be 2.4m and for kitchens, bathrooms, hallways, toilets, lobbies, laundries and service areas shall be 2.3m minimum floor to ceiling height.				
10		Boundary Planting No hedgerow boundary planting within 2 metres of any internal boundary shall exceed 1.9 metres in height at any point of its length.		RDIS	RDIS	RDIS
11		Permeability/ onsite stormwater disposal in the LDR subzone: At least 50% of the area of each site shall be maintained as permeable space, whereby permeable space is any area not covered by building(s) or hard surfacing. Refer Section D for the definitions of “building” and “hard surfacing”.		RDIS	N/A – Refer below standard	N/A – Refer below standard
12		Permeability/ onsite stormwater disposal in the MDR subzone: At least 25% of the area of each site shall be maintained as permeable space, whereby permeable space is any area not covered by building(s) or hard surfacing.		N/A – Refer above standard	RDIS	RDIS

Resource consent status if standard not met – All residential subzones, including deferred mixed use

		Resource consent status if standard not met – All residential subzones, including deferred mixed use		
Ref	Standard - Three Parks Low Density Residential, Medium Density Residential, and Medium Density Residential (mixed use) Subzones	LDR	MDR	Deferred MDR (mixed use)
	Refer Section D for the definitions of “building” and “hard surfacing”.			
13	<p>Building Coverage in the LDR subzone</p> <p>The maximum building coverage for all activities on any site shall be 40%.</p>	RDIS	N/A – Refer below standard	N/A – Refer below standard
14	<p>Building Coverage in the MDR subzone</p> <p>The maximum building coverage for all activities on any site shall be 60%.</p>	N/A– Refer above standard	RDIS	RDIS
15	<p>All residential units and flats (including mixed use buildings) in the MDR subzone and within multi-unit developments in the LDR subzone shall be in accordance with an approved “Block Plan”.</p> <p>Refer to Section D for the definition of “multi unit developments” and “Block Plan”</p>	N-C – applies to multi unit developments only	N-C	N-C
16	<p>Building Height in the LDR subzone</p> <p>Building Height in the LDR Subzone</p> <p>The maximum height for buildings shall not exceed 8.0m above ground level, measured at any point and the highest part of the building immediately above that point and, in addition, no part of any building shall protrude through the following recession planes, as measured from any point 2.5 metres above ground level at any given point on the site boundary:</p> <ul style="list-style-type: none"> - Southern site boundary recession plane 25° - Western and eastern site boundary recession plane 40° - Northern site boundary recession plane 55o <p>Except:</p>	N-C	N/A – Refer below standard	N/A - Refer below standard

		Resource consent status if standard not met – All residential subzones, including deferred mixed use		
Ref	Standard - Three Parks Low Density Residential, Medium Density Residential, and Medium Density Residential (mixed use) Subzones	LDR	MDR	Deferred MDR (mixed use)
	<p>(i) Gable, hip, dormer and other similar projections may encroach beyond the recession lines provided they are contained within a calculated area(s) no greater than 6m² with the apex no higher than a point 1m below the maximum height for the zone and the base of the area(s) at the level of recession line protrusion; and</p> <p>(ii) In relation to a southern boundary, where the slope of a site is greater than 6 degrees (ie greater than 1 in 9.5) and the slope follows the same direction as the recession plane, the recession plane shall be relaxed from 25° to 40°.</p> <p>Diagram showing recession planes in the LDR subzone:</p>			
17	<p>Building Height in the MDR subzone</p> <p>i Buildings (including those with commercial use on the ground floor), shall be a maximum height of 11 metres provided it is no more than 3 storeys in height plus non habitable protrusions including roof forms; and</p>	N/A – Refer above standard	N-C	N-C

		Resource consent status if standard not met – All residential subzones, including deferred mixed use		
Ref	Standard - Three Parks Low Density Residential, Medium Density Residential, and Medium Density Residential (mixed use) Subzones	LDR	MDR	Deferred MDR (mixed use)
	<p>ii Where the site adjoins the LDR subzone (excluding where the subzones are separated by a road), then in relation to that boundary which adjoins the LDR subzone, no part of any building shall protrude through the following recession planes, as measured from any point 2.5 metres above ground level at any given point on the site boundary:</p> <ul style="list-style-type: none"> - Southern site boundary recession plane 25° - Western and eastern site boundary recession plane 40° - Northern site boundary recession plane 55° <p>Except:</p> <ul style="list-style-type: none"> (i) Gables may encroach beyond the recession lines provided they are contained within a calculated area(s) no greater than 6m² with the apex no higher than a point 1m below the maximum height for the zone and the base of the area(s) at the level of recession line protrusion; and, \ (ii) In relation to a southern boundary, where the slope of a site is greater than 6 degrees (ie greater than 1 in 9.5) and the slope follows the same direction as the recession plane, the recession plane shall be relaxed from 25° to 40°. <p>iii The ground floor of all buildings in the MDR (mixed use precinct) subzone shall have a minimum stud height of 3.3 metres in order to enable the easy conversion to a non-residential use in the future.</p> <p>iv Non-residential buildings shall have a maximum height of 10 m.</p> <p>Refer Section D for definitions of a “storey” and “habitable space”.</p>			
18	<p>Residential density</p> <p>There shall be no more than 1 residential unit per site (where the site is shown on the Outline</p>	N-C	N-C	N-C

		Resource consent status if standard not met – All residential subzones, including deferred mixed use		
Ref	Standard - Three Parks Low Density Residential, Medium Density Residential, and Medium Density Residential (mixed use) Subzones	LDR	MDR	Deferred MDR (mixed use)
	<p>Development Plan or Comprehensive Development Plan or subdivision scheme plan) unless a higher density has been expressly approved as part of an Outline Development Plan or Comprehensive Development Plan resource consent.</p> <p>Note: This does not preclude a residential flat from being constructed on a site in addition to the residential unit. Refer to Section D for the definition of “residential flat”.</p>			
19	<p>Heavy Vehicle Storage</p> <p>Except for visitor accommodation, no more than one heavy vehicle shall be stored or parked overnight on any site for any activity. This standard applies to residential and non-residential activities cumulatively.</p>	N-C	N-C	N-C
20	<p>Keeping of Animals</p> <p>There shall be no keeping of pigs.</p>	N-C	N-C	N-C
21	<p>Noise - Non-residential activities and buildings</p> <p>i Non-residential activities shall be so conducted that the following noise limits are not exceeded at any point within the boundary of any other site within this subzone:</p> <p>Daytime 0800 - 2000 hours 50dBA L10</p> <p>Night-time 2000 - 0800 hours 40dBA L10 and 70dBA Lmax;</p> <p>ii Construction noise shall comply with and be measured and assessed in accordance with NZS 6803:1999.</p> <p>III Activities conducted in adjoining subzones shall not exceed Residential subzone noise</p>	N-C	N-C	N-C

		Resource consent status if standard not met – All residential subzones, including deferred mixed use		
Ref	Standard - Three Parks Low Density Residential, Medium Density Residential, and Medium Density Residential (mixed use) Subzones	LDR	MDR	Deferred MDR (mixed use)
	<p>limits at any point within the boundary of any site within the Residential subzone.</p> <p>Note: Noise levels (other than construction noise) shall be measured and assessed in accordance with NZS 6801:2008 and NZS 6802:2008.</p>			
22	<p>Hours of Operation – Non-Residential Activities</p> <p>i Hours of operation shall be limited to between the hours:</p> <p>0700 – 2200 for convenience stores and food and beverage outlets</p> <p>0730 – 2000 for all other activities</p> <p>except that:</p> <p>(a) home occupations in the LDR and MDR subzone and controlled non-residential activities in the MDR (Mixed) subzone may be carried out outside the above hours provided:</p> <p>(iii) each person engaged in the activity outside the above hours resides permanently on the site; and</p> <p>(iv) there are no clients, deliveries, or visitors associated with the activity to or from the site outside the above hours; and</p> <p>(v) all other relevant performance standards are met</p> <p>Note: For the avoidance of doubt, visitor accommodation and retirement villages are not captured by this standard.</p>	N-C	N-C	N-C
23	<p>Deferment of non-residential activities in the MDR (Mixed use precinct) subzone</p> <p>There shall be no non-residential uses in the MDR (mixed use precinct) subzone until the</p>	N/A – Refer Activity Table	N/A - Refer Activity Table	N-C

		Resource consent status if standard not met – All residential subzones, including deferred mixed use		
Ref	Standard - Three Parks Low Density Residential, Medium Density Residential, and Medium Density Residential (mixed use) Subzones	LDR	MDR	Deferred MDR (mixed use)
	<p>following level of development criteria has been met within the commercial core subzone:</p> <ul style="list-style-type: none"> i 10,000m² of retail space has been built and is occupied; and ii Buildings fronting the Mainstreet Collector road and between and adjacent to the T-intersections shown on the Three Parks Structure Plan have been developed (as usable space) up to at least 2 storeys along the mainstreet frontage; and iii All large format retail buildings have been “sleaved” with specialty retail spaces in the manner outlined in Assessment Matter 12.26.7.4(vii)(f) <p>Note: The reason for this is to encourage commercial development within the commercial core in the initial stages of development.</p>			
24	<p>Car parking – non residential activities in the LDR subzone</p> <p>No onsite parking associated with the non-residential use shall be visible from the street; except that:</p> <ul style="list-style-type: none"> i Where no residential parking will be visible from the street up to 2 carparks associated with non-residential use may be visible from the street. 	N-C	N/A – Refer below standard	N/A
25	<p>Car Parking – non residential activities in the MDR subzone</p> <ul style="list-style-type: none"> i No onsite parking associated with the non-residential use shall be visible from the street except that where no residential parking will be visible from the street up to 2 carparks associated with non-residential use may be visible from the street; and ii Customer car parking shall be clearly marked and located most proximate to entrances. Staff and resident car parking shall be clearly marked and located furthest 	N/A – Refer above standard	N-C	N-C

Ref	Standard - Three Parks Low Density Residential, Medium Density Residential, and Medium Density Residential (mixed use) Subzones	Resource consent status if standard not met – All residential subzones, including deferred mixed use		
		LDR	MDR	Deferred MDR (mixed use)
	from the street frontage; and iii There shall be no more than 2 carparks located at the side of the building; and iv There shall be no parking or manoeuvring in front of buildings; except in the MDR (deferred mixed use) subzone where 90° parking on the street immediately in front of the site is allowed and may be included in the calculation of on-site carparking requirements.			

12.26.4.4 Controlled Activities – Matters over which the Council has reserved control and Assessment Matters

i Non-residential activities in the MDR (mixed use precinct) subzone, - conditions may be imposed in respect of:

- (a) The relationship of parking, access and manoeuvring areas, including access points/ lanes and whether these enable the joint use of car parking and minimise impacts on pedestrian safety.
- (b) Signage
- (c) The extent and quality of any landscaping proposed and the effectiveness of proposed planting in enhancing the general character of the area, screening car parking areas, and the impact on residential uses.

ii Visitor Accommodation in the MDR subzone on sites identified in an approved Outline Development Plan or Comprehensive Development Plan, and

iii Retirement villages in all residential subzones on sites identified in an approved Outline Development Plan or Comprehensive Development Plan, conditions may be imposed in respect of:

- (a) The relationship of parking, access and manoeuvring areas, including access points/ lanes and whether these enable the joint use of car parking and minimise impacts on pedestrian safety.
- (b) Signage
- (c) The extent and quality of any landscaping proposed and the effectiveness of proposed planting in enhancing the general character of the area, screening car parking areas, and the impact on residential uses.
- (d) The inclusion of initiatives which help reduce private car use and encourage alternative modes of transport (i.e. Travel Demand Management).

- (e) In relation to visitor accommodation which include bar facilities; the location of the bar relative to the site boundaries, noise, and hours of operation.

Note: The building requires separate restricted discretionary resource consent, unless approved through a Comprehensive Development Plan.

12.26.4.5 Restricted discretionary Activities – Matters over which the Council has reserved discretion and the Assessment Matters

i Matters of discretion – For Outline Development Plans in all residential subzones, discretion is reserved in respect of:

- (a) The indicative subdivision or development layout (unless submitted as part of a combined subdivision and landuse Resource Consent), including roading design details.
- (a) Residential density in the LDR and MDR subzones
- (b) Open space areas, open space networks, and pedestrian and cycle links
- (c) Landscaping and streetscape design
- (b) The location of indicative building platforms
- (c) The management of reverse sensitivity issues and issues arising from future incompatible uses.
- (d) The location of visitor accommodation in the MDR subzone.
- (e) Any proposed methods of ensuring high quality design (such as design guidelines).
- (f) The staging of development

- (g) The extent to which any preceding ODP in the subzone has been given effect to.
- (h) The inclusion of initiatives which help reduce private car use and encourage alternative modes of transport (i.e. travel demand management).
- (i) The provision of Public Transport facilities and/or infrastructure or space to enable its future development.

Note: With respect to l) and m) above, any ODP application which will enable development which exceeds one or more of the following thresholds shall include a full Integrated Transport Assessment (ITA):

- (i) Residential development of at least 100 or more dwellings
- (ii) Retail space of at least 1,000 m² GFA
- (iii) Office space of at least 2,500 m² GFA.
- (iv) Industrial space of at least 5,000 m² GFA; or
- (v) Warehousing or storage space of at least 10,000 m² GFA.
- (j) The level of flexibility that the applicant requests between the ODP and the subdivision consent application.
- (k) The provision of infrastructure to service the development such as water, sewage treatment, stormwater, lighting, power and telecommunications facilities.
- (l) Measures to address any adverse effects resulting from any contaminated sites.
- (m) Approaches to stormwater disposal, having regard to the need to provide for the management of stormwater from other sites in the catchment, including the provision of open spaces for stormwater management.

- (n) Measures to restore or create wetland habitats of ecological and cultural value if opportunities exist

Note: Any Affordable and Community Housing contributions that may otherwise be applied in this zone are instead dictated by the Stakeholder Agreement reached between Council and Landowner insofar as the development is consistent and in scale with that envisaged by the Plan. The agreement binds subsequent landowners.

ii Outline Development Plan - Assessment Matters

In considering whether or not to grant consent or impose conditions, the Council shall have regard to, but not be limited by, the following assessment matters:

In regard to the **indicative subdivision/ development layout**:

- (a) Whether the road layout is efficient, legible, and pedestrian-friendly. The Council expects roading layouts and hierarchies (ranging from collectors to local streets) to be immediately navigable and understandable by users. The Council expects to see the use of roundabouts avoided in places where there is anticipated to be high numbers of pedestrians and cyclists. The Council expects roading cross sections to be provided, which illustrate the width, character, landscaping, anticipated speed environment, and how the roading corridors provide for cyclists and pedestrians, as well as cars.
- (b) With regard to the location of collector roads, the Council will not normally approve movement of more than 30 metres for a collector road unless the integrity of the Three Parks Structure Plan is not compromised (including the relative amounts of land in the various subzones) and normally only for the following reasons:
 - (i) Where there are key infrastructure matters that make the indicated path of the roads impracticable (for example land needed for stormwater management); and/ or

- (ii) More appropriate subdivision patterns and street layouts will result from the movement of the collector road.
- (c) Whether the urban structure is well-connected. The Council will not normally approve an Outline Development Plan:
 - (i) Which proposes any cul de sacs in the MDR subzone; and
 - (ii) Which proposes that more than 20% of streets be cul de sacs (i.e. more than 1 in every 5 streets) in the LDR subzone; and
 - (iii) Which proposes any cul de sacs which are longer than 75m, are not straight, and which serve more than 20 lots; and
- NB: 'Back lanes' are not considered to be cul de sacs.
- (iv) Which does not include specific timeframes for the completion of those collector roads (in full) that pass through the area subject to the Outline Development Plan.
- (d) Whether the street blocks are designed to be walkable. The Council will not normally approve a block layout where:
 - (i) In the LDR subzone, any block area exceeds 1.5 hectares and any block length (between intersections) exceeds 200 m; and
 - (ii) In the MDR subzone, any block area exceeds 0.8 hectares and any block length exceeds 100 m, except that it is acknowledged that block lengths adjacent to the Mainstreet Collector road may need to be longer in order to ensure that the corridor functions efficiently.

Note: For the purpose of calculating block lengths, back lanes do not form part of the block layout. Refer to Section D for a definition of "back lanes".

- (e) Whether the number of rear sites have been minimised. The Council will expect to see rear sites avoided unless alternative street layouts would result in a worse outcome in terms of residential amenity, connectivity/ walk-ability, and safety.
- (f) Whether the lot configuration, dimensions, and orientation will result in lots that:
 - (i) Are orientated in order to maximise solar gain,
 - (ii) Enable land uses to connect with the street
 - (iii) Are easy to maintain, and
 - (iv) Have logical boundary lines.
 - (v) Avoid long narrow lots with narrow street frontages, which encourage multi-unit development aligned perpendicular to streets (creating back lots, shared drives, long narrow lines of flats, and body corporates).

The Council will not normally approve designs that result in awkward, irregular boundaries and which do not achieve the above outcomes.

- (g) Whether any 'back lanes' that are proposed are appropriately designed and of an appropriate scale (in terms of their width and the number of units they serve) to ensure that they will provide a 'back lane' character and will function effectively and not result in adverse effects in terms of safety and amenity. The Council expects back lanes to be between 5m and 6m wide, depending on the number of units serviced. The Council would not normally approve a back lane which serves more than 8 units per entrance but, rather, expects 'lanes' of such a scale to be developed as a public street with greater width, footpaths, and an active street frontage. For example; the Council would not expect a back lane to run the entire way through a 100m block but, rather, a lane may provide rear access to part of the block or the block itself may be reduced in length in order to enable it to

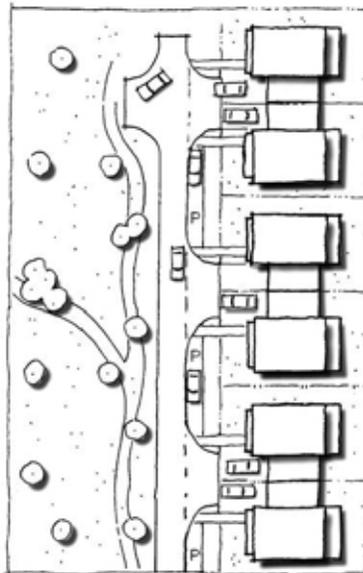
be dissected by a narrow back lane, for its full length (with an entrance at either end).

- (i) Refer also to Rule 14.2.4.1(iv) in regard to access widths, to Section D for a definition of “back lanes”, and to the illustrative diagram entitled “Typical back lane (plan view)” beneath Assessment Matter 12.26.4.5 (viii)(d) for further explanation.
- (h) Whether, in the MDR (mixed use precinct), the impact of commercial activities on the safety and efficiency of the mainstreet collector road have been mitigated through minimising the number of vehicle crossings directly off the mainstreet and avoiding, where possible, any deliveries or servicing from the main street. The Council expects this to be achieved through the provision of rear lanes which provide vehicular access to both service areas and to carparking or through vehicle crossings being shared between properties wherever possible.
- (i) The building’s contribution to the creation of an active street frontage.
- (j) Whether, in the LDR subzone, the lot configuration will ensure against monotonous building setbacks and fencing along Riverbank Road and will avoid individual or shared access lots and right of ways onto Riverbank Road. It is noted that pedestrian and cycle links between the 3 Parks Zone and Riverbank Road are considered appropriate.
- (k) Whether lots and blocks are laid out to maximise solar orientation. The Council will normally expect to see roads to orient north-south, where they are not already identified in the Three Parks Structure Plan.
- (l) Whether a mixed **density** living environment is provided in the LDR and MDR subzones, which achieves the Council’s target densities. The Council will not normally approve an Outline Development Plan unless a) a range of densities and housing types are being proposed and b) the following densities are achieved within the respective subzones:
 - (i) 10 residential units per hectare in the LDR subzone (+/- 5%), including the . land required for roading and reserves,
 - (ii) 15 residential units per hectare on any identified multi-unit developments sites within the LDR subzone (+/- 5%), including the land required for roading and reserves, noting that 15-20% of all units shown in any given Outline Development Plan for the LDR subzone shall be located within multi-unit-developments
 - (iii) 25 residential units per hectare in the MDR subzone (+/- 5%), including the land required for roading and reserves,
 - (iv) Note: All calculations shall be inclusive of land required for roading and reserves.
- (m) Whether and to what extent the Outline Development Plan incorporates the various open spaces identified as non-fixed on the Indicative Open Space Plan. The Council will expect the Outline Development Plan to maximise opportunities to combine stormwater disposal and open space and to include land which is otherwise unsuitable for building (such as that land beneath the transmission lines) in the green network.
- (n) Whether a generous amount of open space will be provided for the enjoyment of residents and visitors to the Three Parks Zone. In determining this, attention shall be paid to the Council’s reserves contribution policies and particular attention shall be paid to whether the layout of open spaces and opportunities in the Open Spaces Plan have been considered and where appropriate given effect to.

Note: the amount of open space indicated on the Open Space Plan should be used as a guide as to what at a minimum may be considered a ‘generous amount of open space’.
- (o) Whether public **open spaces** have direct street frontage, and are located on visually prominent sites, such as at intersections.

- (p) Whether public open spaces are fronted by land uses around them, rather than “backing” on to them. The Council will normally expect land uses around a public open space to have frontage and vehicular access from the park boundary, either by a full street or private lane / JOAL (Joint Owned Access Lot) or similar (not a rear lane).

Example of an acceptable relationship between a residential land use and open space:



Note: this diagram is indicative of concepts only. There is no guarantee the design shown would prove appropriate to the applicant or satisfy all requirements to gain consent.

- (q) Whether public open spaces and the urban form are designed in accordance with principles of Crime Prevention through Environmental Design (CPTED).

- (r) Whether the amount and location of public open spaces are commensurate with the proposed GFA of commercial space, residential densities and employee densities (as derived from the GFA of commercial space) shown in the Outline Development Plan. The Council would expect the Outline Development Plan to show the intended use of the open space (be it passive, active, a playground, or a sportsground) and the anticipated catchment of users.
- (s) Whether the public open spaces form part of an open space network which provides pedestrian and cycle linkages to other open space, community facilities, other subzones and the Wanaka Town Centre.
- (t) Whether and to what extent dedicated, direct and safe **pedestrian and cycle links** are provided. There are benefits for pedestrian or cycle links to be located within the public street. However, off-street links may be appropriate provided they are designed and located in such a way as to provide a good level of safety and amenity for users. The Council would normally expect there to be good surveillance of such links and for them to be straight, well lit, at least 6 m wide and no more than 75 m long, and to avoid the use of under-passes.
- (u) Whether a detailed landscape plan has been provided for all open space areas with the Outline Development Plan. The council will expect the Landscape Plan to:
- i Be appropriate to the desired purpose of the space, be it for active or passive recreation, as a high amenity landscaped space adjacent to a collector road, or for ecological restoration and stormwater disposal.
 - ii Identify all plant species
 - iii Outline the long term management considerations
 - iv Maintain important viewshafts;
 - v Integrate with adjoining land uses;

- vi Be consistent with CPTED principles

Note: Any change to the landscape plan will require a Variation to the Outline Development Plan.

- (v) Whether, in the MDR and LDR subzones, all lots show realistically achievable indicative **building platforms** that will achieve solar access, street frontage, and on-site privacy. Note: In the LDR and MDR subzones residential buildings need not necessarily be built within the platform.

- (w) Whether the **subdivision layout and indicative building platforms in the vicinity of the transmission line** identified in the Three Parks Structure Plan avoid residential dwellings from being within close proximity of the lines and whether opportunities have been taken to include this corridor as part of the green network.

Note: The Council would not expect dwellings to be located within 15 metres of the transmission lines and would not expect the creation of a green corridor along this route to contribute toward the reserve contribution of this development.

- (x) Whether and to what extent **reverse sensitivity issues and issues arising from potentially incompatible uses** have been minimised. This may relate to uses at the interface of two subzones, at the interface with adjoining zones, or between activities within a subzone, where the location has been identified at the ODP stage. The Council expects conflicts to be minimised through methods such as setbacks, noise insulation, covenants, and the location of Multi Unit Developments. Notwithstanding this, it is acknowledged that such issues will also be considered for any ODP within the adjoining subzones.

- (y) In regard to the **range and location of uses** in the LDR and MDR subzones, where possible, the Council expects the Outline Development Plan to show where any education or day care facilities are intended to be located and how any effects on residential amenity will be mitigated. Note: Further resource

consent or designation procedures will still be required for these activities, unless expressly permitted by the Plan.

- (z) The Council expects the ODP to show **visitor accommodation** precincts within the MDR subzone. The Council expects to see a limited number of precincts and for these to be located at the interface of the commercial zones and in locations that are quite separate from the residential parts of the MDR subzone. The Council will not normally grant an ODP where the extent and/ or location of visitor accommodation precincts would:

- (i) Enable visitor accommodation to become the dominant use within the subzone and, hence, adversely affect residential coherence; or
- (ii) Result in visitor accommodation adversely affecting residential amenity.

a.

- (aa) The Council expects the ODP to show any **multi unit development sites** that are being proposed within the LDR subzone and would normally expect these to be located adjacent to (be it across the road) a public park/ open space and such that any effects on the low density character of the surrounding properties are minimised. It may be that they are positioned as a means of providing a transition between commercial and LDR subzones.

- (bb) If design guidelines (or other mechanisms) are proposed to achieve a **high quality of building and streetscape design**, the Council expects the applicant to provide detail as to how these will be enforced. The Council considers that design guidelines should be used sparingly (in recognition of the extensive guidance provided in the District Plan itself) and are likely to only be necessary in certain instances and only in some subzones.

- (cc) Whether the **staging of development** (shown in the ODP), if any, will facilitate a logical progression of development which enables the cost effective provision of infrastructure; provides for a range of housing types/ densities; supports public amenities;

and achieves a critical mass capable of contributing to a sense of community and/ or sense of place.

(dd) **The extent to which any previous ODP relating to the same subzone has been given effect to** (defined as the section 224c certificate having been issued). The Council would normally expect:

(i) The timing of development to occur in accordance with the Indicative Staging Plan for the Three Parks Zone.

(ii) That 60% of the area shown in the ODP (and which relates to the same subzone as the current application) has been given effect to;

(iii) That a mixture of densities has been provided prior to granting another ODP within that subzone.

(ee) Whether an **Integrated Transport Assessment** (ITA) has been provided which satisfactorily outlines how the proposed land use/urban design will affect the sustainability of transportation. The Integrated Transport Assessment should cover all those matters listed in the Council's guide on the subject. Refer to Council guidelines relating to ITA.

(ff) The provision of Public Transport facilities and/or infrastructure or space to enable the future development of Public Transport facilities and/ or infrastructure. The Council would normally expect adequate space to be provided in the road reserve for a bus stop to be located every 400 m along any bus route as identified by the Council or negotiated with the Council, as part of the ODP consent process.

(gg) Whether any **contaminated sites** exist that would be a risk to human health or the environment and, if so, whether measures have been taken to address these. The Council expects a report to be submitted confirming whether any sites exist and, if they do, explaining how the sites will be appropriately remediated or how the subdivision and development layout will address these issues to appropriately minimise or eliminate risk.

(hh) Whether the development proposed will ensure appropriate **stormwater management** in light of the capacity of stormwater infrastructure, the management of overland flows from the site and other sites in the catchment and measures to reduce contaminants entering the receiving environment. The Council expects a significant proportion of all stormwater to be disposed of within the zone through the use of open spaces and that such a stormwater disposal plan will be prepared in consultation with Council's engineers and will be consistent with any stormwater catchment management plan that the Council has for this area.

Whether the development and subdivision would provide opportunities to create or restore **wetland** areas. This may be the case with existing land and water features (including those shown as open space in the Three Parks Structure Plan) and open spaces created for stormwater management. Indigenous plants should be used where possible to restore ecological and cultural values.

(ii) Whether the development has provided appropriately for the ongoing access to and function of the **Stormwater Main Line** and **Transmission Line** shown on the Structure Plan for the Three Parks Zone. The Council expects that the intended treatment of these features will be discussed and that they will be aligned with public access areas such as roads and reserves.

Note: Except where the matter specifically refers to the MDR and/ or LDR subzones, the assessment matters for Outline Development Plans and Comprehensive Development Plans apply zone wide.

iii **Matters of discretion – For Comprehensive Development Plans in all residential subzones, discretion is reserved in respect of:**

Those matters listed in Rule 12.26.4.5 (i) in regard to Outline Development Plans, and those listed in 12.26.4.5 (vii) and 12.26.4.5 (ix) in relation to restricted discretionary buildings, as is relevant.

iv Comprehensive Development Plan - Assessment Matters

All those matters listed in 12.26.4.5 (ii) as Assessment matters in relation to the Outline Development Plan and those matters listed in 12.26.4.5 (viii) and (x) in relation to restricted discretionary buildings, as is relevant.

v Matters of discretion – For Block Plans in all residential subzones, discretion is reserved in respect of:

- (a) The lot boundaries, lot configuration, and shape
- (b) The location of the residential units and any residential flats.
- (c) The design and layout of the residential building types proposed in relation to the streetscape.
- (d) The location, design, dimensions, and ownership of carparking and of access to the individual lots (be it through individual driveways, accessways, rear lanes, private, or public lanes
- (e) The provision, location, and design of any public or private shared open space

vi Block Plans – Assessment Matters

In considering whether or not to grant consent or impose conditions, the Council shall have regard to, but not be limited by, the following assessment matters:

- (a) Whether the lot boundaries, lot configuration, and shape will enable dwellings to be established which meet the relevant performance standards, meet the density targets, and avoid pressure to create rear lots in the future
- (b) Whether the location of the residential units and flats will meet the relevant performance standards and provide for a high amenity and safe living environment through achieving an appropriate balance between addressing the street and providing

privacy, both within living areas and within the units private open space.

- (c) Whether a range of residential building types are proposed, which provide for a mixture of household sizes and for an interesting streetscape.
- (d) Whether parking and access to the various lots, be it through individual driveways, accessways, rear lanes, private, or public lanes, has been configured and designed in a manner which minimises the dominance of driveways at the street edge, maximizes efficient use of the land, maximizes pedestrian vehicular safety
- (e) Whether any public or private shared open space is provided within or adjacent to the block and, if not, the reasons for this.

Note: Applicants may apply for a “Block Plan” for one or more blocks at the same time as the wider Outline Development Plan or at the same time as the more detailed building design (as combined consent).

vii Matters of discretion – For all residential developments in the MDR subzone (including mixed use buildings) and multi unit developments on sites approved by an ODP in the LDR subzone, discretion is reserved in respect of:

- (a) The location, design and external appearance of buildings and associated landscaping, including effects on the domestic scale, residential amenity, streetscape, safety, and privacy of the surrounding residential neighbourhood.
- (b) The location, access, layout and landscaping of off-street car-parking and any proposed use of on-street parking;
- (c) The location, design, and screening of centralised services, including communal areas set aside for waste storage and collection, mailboxes, and the manoeuvring and loading areas for delivery vehicles relative to the living spaces (indoor and outdoor) of adjacent residential activities;

- (d) Internal residential amenity provided within each individual residential unit.
- (e) The ability to service the building(s), in terms of roading, water supply, and waste water.
- (f) The inclusion of initiatives which help reduce private car use and encourage alternative modes of transport (i.e. Travel demand management).

viii Residential developments (including mixed use buildings) in the MDR subzone and multi-unit developments in the LDR subzone - Assessment Matters

In considering whether or not to grant consent or impose conditions, the Council shall have regard to, but not be limited by, the following assessment matters:

- (a) Whether the design of the building(s), open spaces, carparking, access, and landscaping successfully mitigates the adverse effects on adjoining properties in terms of:
 - (i) Noise, vibration and lighting from vehicles
 - (ii) Protecting privacy for residential neighbours whilst maximising passive surveillance of nearby open spaces
- (b) Whether the development positively contributes to the streetscape through the location and design of the built form, carparking, balconies, ground floor levels, accessways, the treatment of the public/ private interface, and landscaping. Also refer to those Assessment Matters listed in 12.26.4.7 (ii), entitled “street scene and setbacks from roads”.
- (c) Whether there is sufficient variation to the articulation of building frontages, which avoids the unmitigated repetition of same or similar unit types. The Council expects building elevations, particularly those which are visible from the street or other public places, to be well articulated. In particular, where any such elevation exceeds 12 m in length, the Council expects

monotonous repetition to be mitigated through such means as variations in form, height, materials, texture and colour, or by including recesses or protrusions in the elevation which are of a sufficient depth and width to effectively ‘break’ any monotony of the form.

Attached housing with variation in form and articulation:



Features of the above diagram include:

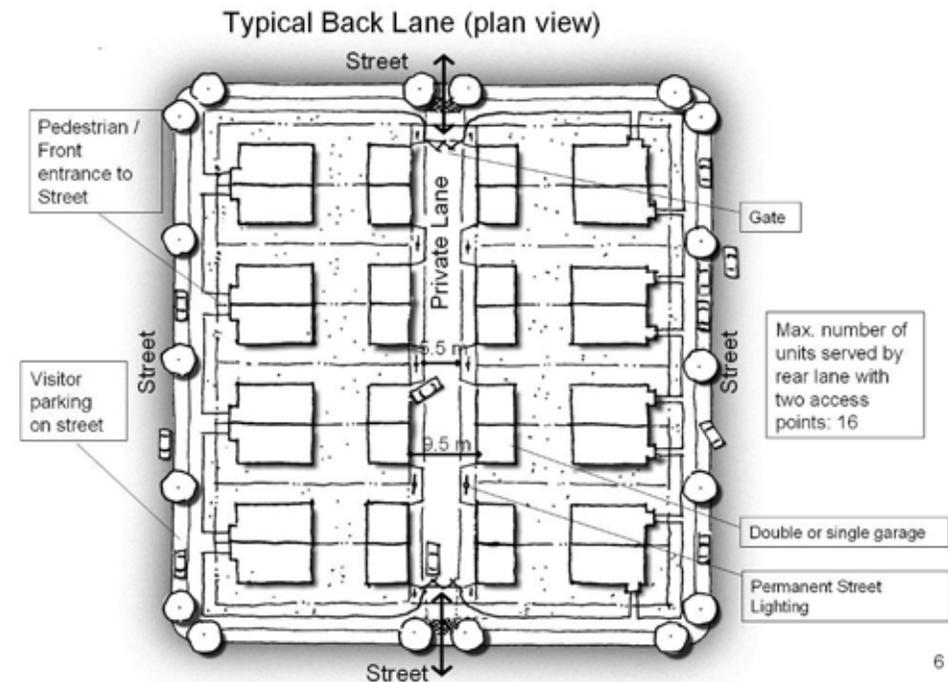
- Variation in the façades and roof forms
- Living spaces address the street
- Appropriate heights of front fences
- Garages located to the rear of properties (accessed via back lanes)
- Clear distinction between public and private spaces

Note: this diagram is indicative of concepts only. There is no guarantee the design shown would prove appropriate to the applicant or satisfy all requirements to gain consent.

- (d) Whether the applicant cannot achieve the required level of solar access into the outdoor living area unless it is located in front of the building(s). Whilst good subdivision layout should make this possible in almost all cases, where this situation does arise (for example, on north facing sites where terrace houses are

proposed), the Council would normally allow the outdoor living in front of the unit provided the following is achieved:

- (i) There is no conflict between the public and private space and no ambiguity of ownership.
- (ii) Solid walls and fences are avoided along the front boundary (and ensured through methods such as covenants). If they are proposed, the Council may accept them if they do not exceed 1.2m in height.
- (iii) Clear sight lines (and hence, passive surveillance) is maintained between the internal living areas and the public street.
- (iv) Garages are preferably located at the rear of the property or are well setback from the front façade of the house.



The above diagram is an example of how a back lane can be used to provide access to garages at the rear of the property. Note: this diagram is indicative of concepts only. There is no guarantee the design shown would prove appropriate to the applicant or satisfy all requirements to gain consent.

- (e) Whether the design retains a domestic scale (when viewed from beyond the site), whilst incorporating greater density.
- (f) Whether the design of multi-unit developments in the LDR subzone is consistent with the underlying low density character, and, in particular, whether overly repetitive forms have been avoided.

- (g) Whether any communal car parking is designed such that spaces are broken up and easily identifiable with each unit. Commercial-style continuous parking areas should be avoided.
- (h) Whether each unit is designed to avoid nuisance effects between each other (such as by off-setting windows in close proximity to one another).
- (i) Whether the area set aside for the storage of waste is adequately sized and designed to enable the separation, storage and collection of recyclable waste.
- (j) Whether the level of internal residential amenity being provided is adequate for permanent residential living.
- (k) Whether and to what extent initiatives are proposed which help reduce private car use and encourage other alternatives modes of transport. The Council would normally expect the following to have been provided:
 - (i) Cycle and motorcycle parking in a manner which encourages people to travel by these modes. Depending on the development, mobility scooter parking may also be appropriate.
 - (ii) Effective lighting and pathways aimed at assisting someone entering the site or building by foot or bike.

ix Matters of discretion – For all buildings for non-residential activities, including visitor accommodation and retirement villages in all residential subzones, discretion is reserved in respect of:

Those matters listed for multi-unit developments in rule 12.26.4.5 (vii) (with the exception of 12.26.4.5 (vii)(d)) above and, in addition:

- (a) The establishment of a clear street presence including an obvious entrance directly accessed from the footpath, and internal layout such that an area of office/ reception or similar faces the street with a large area of glazing allowing two-way visibility between the street and the activity.

- (b) Acoustic or other insulation in order to effectively maintain adjacent residential amenity.
- (c) The ability to service the building(s), in terms of roading, water supply, and waste water.

Note: Failure to comply with performance standards will introduce other matters of discretion.

x Buildings for non-residential activities, including visitor accommodation and retirement villages - Assessment Matters

In considering whether or not to grant consent or impose conditions, the Council shall have regard to, but not be limited by those listed in relation to rule 12.26.4.5(viii) above, as are relevant to non-residential use, and the following additional assessment matters:

- (a) Whether the design of the building(s), open spaces, carparking, access, and landscaping successfully mitigates the adverse effects on adjoining properties in terms of:
 - (i) Noise, vibration and lighting from vehicles
 - (ii) Protecting privacy for residential neighbours whilst maximising passive surveillance of nearby open spaces
- (b) Whether the development positively contributes to the streetscape through the location and design of the built form, carparking, balconies, ground floor levels, accessways, the treatment of the public/ private interface, and landscaping. Refer also to assessment matters 12.26.4.7 (ii) entitled “street scene and setbacks from roads”.
- (c) Whether the building is setback from the road or not. The Council would normally expect to see convenience stores and other neighbourhood shops located up to the road boundary whilst individual non residential buildings that are surrounded by residential properties and are not located on a collector road should normally be set back consistent with residential buildings.

Larger scale buildings such as community facilities or schools would be setback considerably further.

- (d) Whether the area set aside for the storage of waste is adequately sized and designed to enable the separation, storage and collection of recyclable waste.
- (e) Regarding the consideration of proposed initiatives to help reduce private car use, in addition to those matters listed in 12.26.4.5 (viii) (k), the Council will also normally expect shower and locker facilities to be provided at work places.

12.26.4.6 Discretionary Activities - Assessment Matters

i Education or day care facilities in all residential subzones but excluding the mixed use precinct

- (a) Whether the activity has been shown indicatively on an approved Outline Development Plan or Comprehensive Development Plan.
- (b) Whether the scale of the activity will enable the residential coherence and amenity of the neighbourhood to be maintained. The Council expects a very small amount of non-residential activity in the residential subzones, limited to those types of activities which will not adversely affect the residential amenity of the subzone or the viability and vitality of the commercial zones beyond the Three Parks Zone.
- (c) Whether the activity will contribute positively to the neighbourhood by providing an opportunity for interaction amongst residents, and/or a shared “sense of place”.
- (d) Whether the activity would more appropriately and could feasibly be located in the Wanaka Town Centre, the Three Parks Commercial Core or Business subzones, or other business zones beyond Three Parks.
- (e) Whether it is proposed to operate or would logically wish to operate in the future outside the permitted hours. The Council would not normally approve such an extension of hours unless

confident that noise levels (from the activity and associated vehicle movements) will be consistent with those expected in a residential environment.

- (f) The Council will not normally approve any activities that breach or are likely to breach the residential noise standards.
- (g) Whether the outside storage of any goods, materials or equipment (including vehicles associated with the activity parked on the site overnight) would have an adverse effect on the residential amenity of neighbours or the streetscape.
- (h) Whether the activity will have any positive or negative cumulative effects, given other such activities given any others that already exist in the vicinity.

12.26.4.7 Assessment matters relating to performance standards

i Internal Setbacks - Assessment Matters

In considering whether or not to grant consent or impose conditions, the Council shall have regard to, but not be limited by, the following assessment matters:

- (a) Buildings are located and designed to minimise overlooking between properties. The Council will expect multi unit developments to use a varied design that offsets windows of adjacent buildings between windows to prevent direct visual connection between buildings.
- (b) Buildings are located in order to minimise shading of neighbouring properties.

ii Street scene and setbacks from Roads - Assessment Matters

In considering whether or not to grant consent or impose conditions, the Council shall have regard to, but not be limited by, the following assessment matters:

- (a) Whether buildings are able to achieve a high level of connection with the street, including establishing local character and evoking visual interest from street users.
- (b) Whether the design includes windows facing the street. The Council will not normally approve applications that fail to present a clear visual connection through windows from a main living room (dining / kitchen / family / lounge / rumpus) to the street.
- (c) Whether views from the street into sites are clearly drawn to land use activities and entrance points, with garages being a recessive visual feature. The Council will not normally approve applications where the garage, front fencing, or high front landscape screening will dominate a site frontage
- (d) Whether buildings dominate the public footpath. The Council will not normally approve encroachment into the road setbacks where the building will cast shadowing along the street to a greater extent than would a complying building; or will result in either low levels of residential privacy or lengths of blank building edge along the street.
- (e) Whether and the extent to which the proposed fencing or landscaping:
 - (i) Will detract from the pleasantness and safety of the adjacent public space;
 - (ii) Will dominate the adjacent open space; or
 - (iii) Will still enable a positive relationship between the private and public realm;

In making its decision, the council will consider whether CPTED principles have been considered in the solution proposed, including the type of fencing, changes in levels, the use of various species of planting, whether the design allows some ability to see into and out of the site, whether allowing some higher fencing will make the outdoor and indoor living spaces sufficiently private to ensure that they are well-used by residents and hence will contribute to passive surveillance.

iii Outdoor Living Space - Assessment Matters

In considering whether or not to grant consent or impose conditions, the Council shall have regard to, but not be limited by, the following assessment matters:

- (a) Whether the amount proposed is sufficient given the size of the dwelling. The Council may approve a reduction if justified by the size of the dwelling.
- (b) Whether the site is adjacent to open space (public or semi public) which would meet some of the needs of residents. The Council may approve a small reduction in such instances
- (c) Whether, in the case of multi unit developments, communal space is being provided on shared land that is part of the development. The Council may approve a reduction in such instances.
- (d) In the case of north facing multi unit developments, Council will consider approving outdoor living on the north side (and within the road setback) where an appropriate balance between privacy and passive surveillance will be achieved.

i Permeability/ onsite stormwater disposal - Assessment Matters

The Council is likely to approve a greater proportion of hard surfacing provided methods are proposed on-site which will ensure that post-development runoff (both natural flow and piped) is equivalent to that which would be achieved through restricting hard surfacing to 50% of the site. The Council will normally also expect methods to be proposed to ensure that these systems will be maintained in perpetuity.

iv Noise - Assessment Matters

Whether, the application is accompanied by a design report and noise management plan that has been prepared by a suitably qualified person stating how the design, orientation, and layout of activity on the site have been designed to:

- (a) Minimise noise and nuisance noise spill onto adjoining sites; and
- (b) Minimise noise spill from adjoining sites and established activities creating a nuisance for the proposed activity.

12.26.4.8 Non-notification of Applications

- i Except as provided for by the Act, all applications for **controlled activities** will be considered without public notification or the need to obtain the written approval of or serve notice on affected persons and will be assessed according to matters the Council has reserved control over in the Plan.
- ii Except as provided for by the Act, the following restricted discretionary activities will be considered without public notification or the need to obtain the written approval of or serve notice on affected persons. The Council will restrict the exercise of its discretion for those matters specified in the Plan for each particular activity:
 - (a) All applications for **(restricted discretionary) non-residential buildings** (pursuant to Rule 12.26.4.2 (7)), provided they are in accordance with an approved ODP.
 - (b) All restricted discretionary applications for **Outline Development Plans or Comprehensive Development Plans** in this subzone; except as specifically provided for in 12.26.4.8(iii)(b) below.

Note: If the Outline Development Plan or Comprehensive Development Plan is non complying due to the fact it is not in accordance with the Three Parks Structure Plan (refer Rule 12.26.3.1 (10),for example) then it may be notified.

- (c) All applications for **multi unit developments** in the MDR subzone or on sites approved through an Outline Development Plan resource consent.
- (d) Applications for the exercise of the Council’s discretion in respect of the following **Performance Standards**:
 - (i) Outdoor Living Space;

- iii Except as provided for by the Act, the following restricted discretionary activities will be considered without public notification. Service of notice will not be required if all persons who may be adversely affected have given their written approval. The Council will restrict the exercise of its discretion for those matters specified in the Plan for each particular activity.

- (a) Internal setbacks
- (b) All restricted discretionary applications for **Outline Development Plans or Comprehensive Development Plans** which either:
 - (i) Adjoin land beyond the Three Parks Zone, in respect of utilities and servicing and the mitigation of any conflict between land uses on the boundary of the 3 Parks and adjoining zone); or
 - (ii) Proposes that a collector road connect to adjoining land (including roads) beyond the Three Parks Zone, in respect of roading and intersection design.

12.26.5 Tourism and Community Facilities Subzone - Rules

12.26.5.1 Purpose

The **Tourism and Community Facilities Subzone** provides for tourist facilities, conference centres, community facilities, commercial recreation activities, and visitor accommodation (including ancillary uses). Building forms are expected to be of a larger scale than in the residential subzones, yet will be set in a heavily landscaped parkland environment with generous setbacks between comprehensive developments. Only residential of a medium density will be allowed in order to minimise reverse sensitivity issues between residential uses and the predominant uses of the subzone. Temporary worker households are one form of residential use which is considered compatible with and complementary to the purpose of this subzone.

12.26.5.2 Activity Table - Tourism and Community Facilities Subzone

Key and notes

CON	Controlled Activity	N-C	Non-Complying Activity
PERM	Permitted Activity	DIS	Discretionary Activity
RDIS	Restricted discretionary Activity		
PRO	Prohibited Activity		
N/A	Performance standard not applicable in the particular subzone.		

Note: Where a proposed activity could possibly be captured by more than one activity/ classification, the most specifically defined activity shall override any other. For example, where both retail and commercial activities are both listed, the classification for retail over-rides that for commercial as it is more specifically defined.

Ref	Activity - Tourism and Community Facilities Subzone	Activity status (provided the performance standards are met)
1	Any Activity which complies with all the relevant performance standards, (including the zone-wide standards), and is not listed as a Controlled, Discretionary, Non-Complying or Prohibited Activity.	PERM
2	Multi unit developments which meets a density of at least 25 residential units per hectare, inclusive of land required for roading and reserves. Note: The built form requires resource consent pursuant to Standard 11 below	PERM
3	Home occupations	PERM
4	Office (activities) ancillary to any Permitted or Controlled Activity. NB- Any building will be subject to a restricted discretionary consent.	PERM
5	Buildings approved by a Comprehensive Development Plan	PERM
6	The sale of liquor (on-licence only) from visitor accommodation or places of assembly between the hours of 6 pm– 11 pm, except that this rule shall not apply to the sale of liquor to any person who is residing (permanently or temporarily) on the premises.	CON

Ref	Activity - Tourism and Community Facilities Subzone	Activity status (provided the performance standards are met)
7	Visitor Accommodation activities	CON
8	Place of assembly (which, for the purpose of this rule, includes conference facilities), community activities, places of entertainment, educational facilities and recreational activities, commercial recreation activity, retirement villages, and day care facilities (children and elderly). Note: The building itself requires a Restricted Discretionary Resource Consent unless already approved by a Comprehensive Development Plan.	CON
9	Outline Development Plan or a variation to an approved ODP. Note: Where any element of an application for an Outline Development Plan is a non-complying activity (for example, more than 5% of sites are 'rear sites'), then the Outline Development Plan application becomes non-complying.	RDIS
10	Comprehensive Development Plan or a variation to an approved CDP. Note: Where any element of an application for a Comprehensive Development Plan is a non-complying activity (for example, an over height building is proposed), then the Comprehensive Development Plan application becomes non-complying.	RDIS
11	All buildings, except those already approved by a Comprehensive Development Plan	RDIS
12	The sale of liquor (on-licence only) from visitor accommodation or places of assembly between the hours of 11 pm and 7 am, except that this rule shall not apply to the sale of liquor to any person who is residing (permanently or temporarily) on the premises or who is on the premises for the purpose of dining.	RDIS
13	Residential units, except for multi unit developments which meet a density of at least 25 residential units per hectare, inclusive of land required for roading and reserves. Refer to Section D for the definition of "multi unit development". Note; For the avoidance of doubt, this rule is to make low density housing non complying	N-C
14	Buildings within the Open Space precinct adjacent to SH84, as shown on the Three Parks Structure Plan.	N-C
15	Commercial activities (other than those listed specifically in this table)	N-C

Ref	Activity - Tourism and Community Facilities Subzone	Activity status (provided the performance standards are met)
16	Retail activities (other than those ancillary to a permitted or controlled activity)	N-C
17	Service activities and Industrial Activities	N-C
18	Offices other than those that are ancillary to any permitted or controlled activity	N-C
19	Factory Farming, Forestry Activities, Mining	N-C
20	Airports/ take-off or landing of aircraft other than the use of land and water for emergency landings, rescues and fire fighting.	N-C
21	Planting of any wilding species (as identified in Part 5 of the District Plan)	PRO
22	Panelbeating, spray painting, motor vehicle repair or dismantling, fibreglassing, sheet metal work, bottle or scrap storage, motorbody building, fish or meat processing, or any activity requiring an Offensive Trade Licence under the Health Act 1956.	PRO

12.26.5.3 Performance Standards

Failure to comply with a standard will result in the need to obtain either a restricted discretionary or non complying resource consent, as specified in this table. Where failure to comply with a performance standard results in a restricted discretionary consent being required, the Council's discretion is restricted only to that or those standards that are not complied with.

Refer also to the zone-wide standards in Section 15.21.3.1, relating to:

- (a) Earthworks (RDIS)
- (b) Lighting and Glare (RDIS)
- (c) Waste and Recycling Storage Space (RDIS)
- (d) The creation of Rear Sites (N-C)
- (e) Compliance with an approved Outline Development Plans and Comprehensive Development Plans (N-C)

- (f) Compliance with the Three Parks Structure Plan (N-C)
- (g) Staging of development (N-C)
- (h) Access (N-C)

Ref	Standard - Tourism and Community Facilities Subzone	Resource consent status if standard not met
1	<p>Streetscene and placement of buildings</p> <p>All buildings shall be contained within a building platform approved as part of an Outline Development Plan or Comprehensive Development Plan.</p>	RDIS
2	<p>Setback from Internal Boundaries</p> <p>Buildings shall be set back at least 10 metres from internal boundaries; except that:</p> <ul style="list-style-type: none"> i No setback is required from an internal boundary where buildings share a common wall on that boundary. <p>Note: The purpose of this rule is to achieve comprehensively designed large-lot development, whereby the effects are internalised to the development.</p>	RDIS
3	<p>Outdoor Living Space for residential activities</p> <p>Refer to the standards in Rule 12.26.4.3 (8) in relation to the MDR subzones</p>	RDIS
4	<p>Residential Amenity for multi-unit developments</p> <p>Refer to the standards in Rule 12.26.4.3 (9) in relation to the MDR subzones.</p>	RDIS
5	<p>External Appearance of Residential buildings</p> <ul style="list-style-type: none"> i There shall be a minimum 1 m recess of garage behind the building's front face. ii There shall be at least one area of glazing from a living room or, in the case of mixed use buildings from a main office or reception area, of at least 2 m² facing the street. 	RDIS

Ref	Standard - Tourism and Community Facilities Subzone	Resource consent status if standard not met
6	<p>Fences</p> <p>Fences and/or landscaping having the effect of a fence anywhere within the open space precinct or within any road setback within the subzone shall be no higher than 1.2m in height.</p>	RDIS
7	<p>Building Height - All activities & buildings:</p> <p>All buildings shall be a maximum of 3 storeys in height, provided the total height does not exceed 12 metres.</p> <p>Refer Section D for definitions of a “storey” and “habitable space”.</p>	RDIS
8	<p>Permeability/ onsite stormwater disposal</p> <p>At least 50% of the area of each site shall be maintained as permeable space, whereby permeable space is any area not covered by building(s) or hard surfacing.</p> <p>Refer Section D for the definitions of “building” and “hard surfacing”.</p>	RDIS
9	<p>Building Coverage</p> <p>The maximum building coverage for all activities on any site shall be 25%.</p>	N-C
10	<p>Heavy Vehicle Storage</p> <p>Except for visitor accommodation, no heavy vehicles shall be stored or parked overnight on any site for any activity.</p>	N-C
11	<p>Noise</p> <p>i Activities shall be so conducted that the following noise limits are not exceeded at any point within the boundary of any other site in this subzone:</p> <p>daytime (0800 - 2200 hrs) 60dBA L₁₀</p>	N-C

Ref	Standard - Tourism and Community Facilities Subzone	Resource consent status if standard not met
	<p>night time (2200 - 0800 hrs) 50dBA L₁₀ and 70dBA L_{max}</p> <p>ii Construction noise shall be measured and assessed in accordance with NZS 6803:1999.</p> <p>Note: Noise levels (other than construction noise) shall be measured and assessed in accordance with NZS 6801:2008 and NZS 6802:2008.</p>	
12	<p>Residential density</p> <p>There shall be no more than 1 residential unit per site (where the site is shown on the Outline Development Plan or Comprehensive Development Plan or subdivision scheme plan) unless a higher density has been expressly approved as part of an Outline Development Plan or Comprehensive Development Plan resource consent.</p> <p>Note: This does not preclude a residential flat from being constructed on a site in addition to the residential unit. Refer to Section D for the definition of “residential flat”.</p>	N-C

12.26.5.4 Controlled Activities – Matters over which the Council has reserved control and Assessment Matters

i Matters of control - The sale of liquor (on-licence only) from visitor accommodation or places of assembly between the hours of 6 pm and 11 pm - conditions may be imposed in respect of:

- (a) The scale of the activity
- (b) Car parking
- (c) Retention of amenity
- (d) Noise; and
- (e) Hours of operation.

Note: This rule shall not apply to the sale of liquor to any person who is residing (permanently or temporarily) on the premises.

ii The sale (on-licence only) and on-site consumption of liquor from visitor accommodation or places of assembly - Assessment Matters

In considering whether or not to impose conditions, the Council shall have regard to, but not be limited by, the following assessment matters:

- (a) The character, scale and intensity of the proposed use (including the hours, frequency of use) and its compatibility in relation to surrounding and/or adjoining uses.
- (b) The effect on the existing and foreseeable future amenities of the neighbourhood, particularly in relation to noise and traffic generation.
- (c) The topography of the site and neighbouring area and how this will affect noise emissions beyond the site.
- (d) The nature of existing and permitted or controlled future uses on nearby sites.

- (e) The location of car parking for the site.
- (f) The adequacy of screening and buffer areas between the site and other uses. The Council would normally expect an on-licence activity to be set back, buffered (by other uses), or screened by fencing and/ or landscaping such that the effects of noise and reduced privacy on adjacent residential activities are avoided or minimised.
- (g) The previous history of the site and the relative impact of adverse effects caused by activities associated with sale of liquor.
- (h) Any proposed noise management plan and the ability to mitigate noise effects.

iii Matters of control – Visitor Accommodation activities, places of assembly (including conference facilities), community activities, places of entertainment, educational facilities, commercial recreational activities, recreational activities, retirement villages, and day care facilities (children and elderly) - conditions may be imposed in respect of:

- (a) The location, nature and scale of activities on site;
- (b) landscaping
- (c) The location of carparking, bus parking, access, and traffic generation and any methods proposed to reduce traffic issues at peak times/ special events/ traffic management plans;
- (d) Noise;
- (e) Hours of operation; and
- (f) The proximity to and impact on existing residential activities or residential developments identified in an approved Outline Development Plan.
- (g) Initiatives which help reduce private car use and encourage alternative modes of transport (i.e. demand management).

iv Visitor Accommodation activities, places of assembly (which includes conference facilities), community activities, places of entertainment, educational facilities and recreational activities, retirement villages, and day care facilities (children and elderly) - Assessment Matters:

In considering whether or not to impose conditions, the Council shall have regard to, but not be limited by, the following assessment matters:

- (a) Compatibility with amenity values of the surrounding environment considering the visual amenity of the street and neighbouring properties; and, in particular:
 - (i) The character, scale and intensity of the proposed use and its compatibility in relation to surrounding uses
 - (ii) The nature of the development in the context of the permitted or controlled future uses on nearby sites
 - (iii) Any loss of privacy to surrounding existing or approved residential activities
 - (iv) Hours of operation
 - (v) The quality of the landscaping and its contribution to creating an attractive entrance to the Three Parks Commercial Core.
 - (vi) Whether the external appearance of the buildings complements the surrounding landscape and urban character.
- (b) Any adverse effects from the activity are avoided, remedied or mitigated in terms of:
 - (i) The adequacy and location of car parking for the site
 - (ii) Noise, vibration and lighting from vehicles entering and leaving the site

- (iii) Pedestrian safety within the vicinity of the activity
- (c) Mitigation of noise emissions beyond the property boundary considering:
 - (i) The adequacy of mitigation measures, including the layout of outdoor activities (for example barbecues, spa pools), and the ability to screen those activities by vegetation, fencing or building.
 - (ii) Measures that can be incorporated into the premises to provide for acoustic insulation and /or attenuation of noise emissions.

12.26.5.5 Restricted Discretionary Activities – Matters over which discretion is reserved and Assessment Matters

i Matters of discretion – For any Outline Development Plan, discretion is reserved in respect of:

- (a) All those matters listed in Rule 12.26.4.5 (i) in relation to the LDR and MDR subzones, except where identified that the matter is specific to the residential subzones; and
- (b) Fixed building platforms (as opposed to indicative)
- (c) Landscape treatment of the open space buffer adjacent to SH 84 and the areas adjacent to the Mainstreet Collector Road as shown on the Three Parks Structure Plan.

Note: For the avoidance of doubt, any subsequent landscaping not in accordance with the ODP will require a variation to the ODP.

- (d) The location and design of carparking, including bus parking.

ii Assessment Matters - Outline Development Plan

In considering whether or not to grant consent or impose conditions, the Council shall have regard to, but not be limited by, the following assessment matters:

- (a) All those Assessment Matters listed in 12.26.4.5 (ii) in relation to the LDR and MDR subzones, except where identified that the matter is specific to the residential subzones; and in addition:
 - (i) Contribute to an informal, open, park-like character which becomes increasingly urban, the closer one gets to the Commercial Core
 - (ii) Create a soft edge to the Mainstreet Collector road (as shown on the Three Parks Structure Plan), ranging from substantial setbacks closest to the State Highway to more urban setbacks at the edge of the Commercial Core. The Council expects buildings to be set back between 10 and 20 metres at the end of the Mainstreet closest to the State Highway (with at least one building in each development being set back no more than 20 metres), narrowing to setbacks in the order of 5 metres closest to the Commercial Core.
 - (iii) Create an open space dominant 'campus' type built form that conveys a low-scale entry to the Zone from the State Highway. The Council will not normally approve applications that create an impression of high density, intense urban development in the subzone.
- (b) The extent to which the indicative **building platforms** will:
 - (i) Contribute to an informal, open, park-like character which becomes increasingly urban, the closer one gets to the Commercial Core
 - (ii) Create a soft edge to the Mainstreet Collector road (as shown on the Three Parks Structure Plan), ranging from substantial setbacks closest to the State Highway to more urban setbacks at the edge of the Commercial Core. The Council expects buildings to be set back between 10 and 20 metres at the end of the Mainstreet closest to the State Highway (with at least one building in each development being set back no more than 20 metres), narrowing to setbacks in the order of 5 metres closest to the Commercial Core.
 - (iii) Create an open space dominant 'campus' type built form that conveys a low-scale entry to the Zone from the State Highway. The Council will not normally approve applications that create an impression of high density, intense urban development in the subzone.
- (c) The extent to which the **landscape treatment** of the open space buffer and land adjacent to the Mainstreet Collector road (as shown on the Three Parks Structure Plan) will:
 - (i) Create an attractive entrance to the Three Parks Zone.
 - (ii) Contribute to an established, park-like character which gets increasingly urban and domesticated the closer one gets to the Commercial Core
 - (iii) Help to minimise effects arising from the proximity of Visitor Accommodation to collector roads (such as noise and reduced amenity).
 - (iv) Provide for informal pedestrian access along the Mainstreet Collector Road and State Highway 84.
 - (v) Have the potential to adversely affect views of Mt Iron and other prominent natural landscapes.
- (d) In regard to the location and design of **carparking**, including bus parking, the Council will not normally approve:
 - (i) Carparking areas that dominate views into the site from the street or other public places.
 - (ii) Any surface carparking between the building and the Mainstreet Collector road.
- (e) Whether any residential development is being proposed and, if so;
 - (i) whether the proposed location and design effectively avoids or mitigates reverse sensitivity issues with other anticipated uses within the subzone; and
 - (ii) Whether it is located within 400 m of amenities including parks, bus stops, shops, and other services. The Council will normally expect both these matters to be addressed at the Outline Development Plan stage.

iii Matters of discretion – For Comprehensive Development Plan, discretion is reserved in respect of:

Those matters listed in Rule 12.26.5.5 (i) in regard to Outline Development Plans, and those listed in Rule 12.26.5.5 (v) in regard to restricted discretionary buildings.

iv Assessment matters - Comprehensive Development Plan

All those Assessment matters listed in 12.26.5.5 (ii) in relation to the Outline Development Plan and those matters listed in 12.26.5.5 (vi) in relation to restricted discretionary buildings.

v Matters of discretion – For all buildings, discretion is reserved in respect of:

- (a) The location, design and external appearance of buildings, including, in particular:
 - (i) Their effect on views from public places.
 - (ii) The identification of public and private parts of sites including main entrances and exits (excluding emergency/ fire exits).
- (b) The location, access, layout and landscaping of off-street car-parking, including the nomination of staff and visitor parking areas, including bus parking.
- (c) Vehicle access;
- (d) Streetscape design, including landscaping;
- (e) Solar orientation and the orientation of buildings in relation to the prevailing winds and sunlight;
- (f) Building location and design, landscaping, and lighting in respect of maximising private and public safety and preventing crime;

- (g) Servicing, including the provision of centralised areas for the storage and collection of recyclable waste.
- (h) The ability to service the building(s), in terms of roading, water supply, and waste water.
- (i) The inclusion of initiatives which help reduce private car use and encourage alternative modes of transport (i.e. Travel demand management).

vi Assessment Matters - All buildings

In considering whether or not to grant consent or impose conditions, the Council shall have regard to, but not be limited by, the following assessment matters:

The Council will expect to see the following key design outcomes achieved in the design and layout of all buildings within the subzone:

- (a) Buildings are designed to present interesting and varied facades to streets and public spaces, and to avoid repetition. The Council expects building elevations, particularly those which are visible from the street or other public places, to be well articulated. In particular, where any such elevation exceeds 12 m in length, the Council expects monotonous repetition to be mitigated through such means as variations in form, height, materials, texture and colour, or by including recesses or protrusions in the elevation which are of a sufficient depth and width to effectively 'break' any monotony of the form.
- (b) Main entrance points are clearly identifiable from the street and/ or carparking area and have direct connections to footpaths.
- (c) Roof designs create interest as well as emphasising architectural features including main entrance points.
- (d) Landscaping is used to complement building design, not mitigate low quality design elements.

- (e) Diversity in materials, finishes, and building modulation; helping to create interesting facades.
- (f) Facades that face streets and public spaces are heavily fenestrated.
- (g) Parking areas are located to the side or rear of buildings.
- (h) Facilities that are frequented by the general public are situated in visible “easy to find” locations within developments.
- (i) Whether the views along a street or of surrounding landscape features will be preserved through good design and, in particular, through variations in height and the placement of the building and orientation of view shafts.
- (j) Whether the external appearance of the roof top of the building has been designed such that it is not unattractive when viewed from public places such as Mt Iron. The Council will normally expect to see all servicing (e.g. air conditioning units) well screened and, interesting/ varied rooftops where the building is highly visible from public places, including Mt Iron.
- (k) Whether and to what extent initiatives are proposed, which help reduce private car use and encourage alternative modes of transport (i.e. Travel Demand Management). The Council would normally expect the following to have been provided:
 - (i) Cycle and motorcycle parking in a manner which encourages people to travel by these modes. Depending on the development, mobility scooter parking may also be appropriate.
 - (ii) Shower and locker facilities for work places, so employees who choose to walk, run, cycle to work can shower and store clothing.
 - (iii) Effective lighting and signage aimed at assisting someone entering the site or building by foot or bike.

vii Matters of discretion – For the sale of liquor, for on-site consumption, between the hours of 11pm and 7am, discretion is reserved in respect of:

- (a) Those matters listed in Rule 12.26.5.4 (i) in respect of the controlled sale of liquor.

12.26.5.6 Assessment matters relating to performance standards

i Building Height - Assessment Matters

Whether buildings are designed so that the overheight part of the building is located away from the street frontage, unless it is associated with emphasising an entry point, plaza, or lobby. The Council will not normally approve any noncompliance with the height standard where buildings are within 30m of a street or public open space.

ii Streetscene and setback from roads - Assessment Matters

Whether the combination of the location and design of the buildings and the associated landscaping will result in the desired open space character and provide an attractive entrance into to the Commercial Core. The Council will not normally approve buildings:

- (a) Where the main entrances into buildings are not clearly visible from the street and where there are not clear pedestrian pathways to the entrance. Note that visibility from the street is not applicable where the building itself is not visible from the street.
- (b) Unless at least 60% of the area between the road and the closest building is landscaped and free of surface car parking.
- (c) Unless carparking areas are designed in a manner which gives clear priority to pedestrians through the use of paths, pedestrian rights of way, and clearly marked zebra crossings.

iii Permeability/ onsite stormwater disposal - Assessment Matters

The Council is likely to approve a greater proportion of hard surfacing provided methods are proposed on-site which will ensure that post-development runoff (both natural flow and piped) is equivalent to that which would be achieved through restricting hard surfacing to 50% of the site. The Council will normally also expect methods to be proposed to ensure that these systems will be maintained in perpetuity.

iv Residential activities - outdoor living space

Refer to assessment matters 12.26.4.7 (iii) within the residential subzones section

v Residential activities - Street scene and setback from roads

Refer to assessment matters 12.26.4.7 (ii) within the residential subzones section.

12.26.5.7 Non-notification of Applications

- i Except as provided for by the Act, all applications for controlled activities will be considered without public notification or the need to obtain the written approval of or serve notice on affected persons and will be assessed according to matters the Council has reserved control over in the Plan.
- ii Except as provided for by the Act, the following restricted discretionary activities will be considered without public notification or the need to obtain the written approval of or serve notice on affected persons. The Council will restrict the exercise of its discretion for those matters specified in the Plan for each particular activity:
 - (a) All applications for **restricted discretionary buildings**, provided they are in accordance with an approved ODP
 - (b) All restricted discretionary applications for **Outline Development Plans or Comprehensive Development Plans** in this subzone; except as specifically provided for in 12.26.5.7(iii)(a) below.

Note: If the Outline Development Plan or Comprehensive Development Plan is non complying due to the fact it is not in accordance with the Three Parks Structure Plan (refer Rule 12.26.3.1 (10), for example), then it may be notified.

- (c) Applications for the exercise of the Council's discretion in respect of the following **Performance Standards**:
 - (i) Outdoor Living Space.
- (d) All applications for **multi unit developments** in the MDR subzone or on sites approved through an Outline Development Plan resource consent.
- (e) Applications for the exercise of the Council's discretion in respect of the following **Performance Standards**:
 - (i) Outdoor Living Space;
- iii Except as provided for by the Act, the following restricted discretionary activities will be considered without public notification. Service of notice will not be required if all persons who may be adversely affected have given their written approval. The Council will restrict the exercise of its discretion for those matters specified in the Plan for each particular activity.
 - a) All restricted discretionary applications for **Outline Development Plans or Comprehensive Development Plans** which either:
 - (i) Adjoin land beyond the Three Parks Zone, in respect of utilities and servicing and the mitigation of any conflict between land uses on the boundary of the 3 Parks and adjoining zone); or
 - (ii) Proposes that a collector road connect to adjoining land (including roads) beyond the Three Parks Zone, in respect of roading and intersection design.

12.26.6 Business (Three Parks) Subzone - Rules

12.26.6.1 Purpose

The **Business subzone** provides for light industrial activities, wholesaling, showrooms, trade-related retail, and those retail activities which are inappropriate in the Commercial Core or can locate in the Business subzone of the Three Parks Zone without detracting significantly from the Town Centre or the Commercial Core within the Three Parks Zone. The intention is to ensure that mainstreet retail aimed at the general public does not 'leak' into this area and undermine the Wanaka Town Centre or the Commercial Core and cause competition in the Business subzone between business uses and retail. Where the mainstreet precinct exists, activities and building types will be required to provide an attractive, active street frontage. Conversely, it is accepted that buildings and activities in the remainder of the business area will not necessarily always provide an attractive street frontage or be of such high quality design.

12.26.6.2 Activity table

Key and notes

CON	Controlled Activity	N-C	Non-Complying Activity
PERM	Permitted Activity	DIS	Discretionary Activity
RDIS	Restricted discretionary Activity		
PRO	Prohibited Activity		
N/A	Performance standard not applicable in the particular subzone.		

Note: Where a proposed activity could possibly be captured by more than one activity/ classification, the most specifically defined activity shall override any other. For example: Where both retail and commercial are both listed the classification for retail over-rides that for commercial as it is more specifically defined.

Ref	Activity - Business (Three Parks) Subzone	Activity status (subject to meeting the performance standards in the following table)	
		Business	Business (Main St)
1	Any Activity (including buildings) which meets the performance standards, (including the zone-wide standards), and is not listed in this table as a Controlled, Discretionary, Non-Complying or Prohibited Activity	PERM	PERM
2	Buildings approved by a Comprehensive Development Plan	PERM	PERM
3	The display and retailing of goods produced, processed, or stored on the site up to 20% of the net floor area (NFA) on the site used to produce, process, or store those goods, or 100m ² , whichever is the lesser.	PERM	PERM
4	Automotive and marine suppliers.	PERM	PERM
5	Building suppliers	PERM	PERM
6	Catering equipment suppliers	PERM	PERM

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Ref	Activity - Business (Three Parks) Subzone	Activity status (subject to meeting the performance standards in the following table)	
		Business	Business (Main St)
7	Garden and patio suppliers	PERM	PERM
8	Hire services (except hire/ loan of books, videos, DVDs, and other similar home entertainment items)	PERM	PERM
9	Industrial clothing and safety equipment suppliers	PERM	PERM
10	Office furniture, equipment, and systems suppliers	PERM	PERM
11	Second hand goods outlets	PERM	PERM
12	Service stations, including ancillary retail	PERM	PERM
13	Industrial activities	PERM	PERM
14	Service activity	PERM	PERM
15	Wholesaling	PERM	PERM
16	Offices ancillary to any permitted use	PERM	PERM
17	The sale of liquor for consumption on the premises	N-C	CON
18	Yard-based suppliers	PERM	RDIS
19	Food and beverage outlet	N-C	PERM
20	Buildings, except those already approved by a Comprehensive Development Plan	CON	RDIS
21	Outline Development Plan or variation to an approved ODP Note: Where any element of an application for an Outline Development Plan is a non-complying activity (for example, more than 5% of sites are 'rear sites'), then the Outline Development Plan application becomes non-complying.	RDIS	RDIS

Ref	Activity - Business (Three Parks) Subzone	Activity status (subject to meeting the performance standards in the following table)	
		Business	Business (Main St)
22	Comprehensive Development Plan or variation to an approved CDP Note: Where any element of an application for a Comprehensive Development Plan is a non-complying activity (for example, an over height building is proposed), then the Comprehensive Development Plan application becomes non-complying.	RDIS	RDIS
23	Offices, other than those ancillary to a permitted use	N-C	CON
24	Retail activities other than those previously listed in this table in Rules 12.26.6.2 (3) – (19).	N-C	N-C
25	Panelbeating, spray painting, motor vehicle repair or dismantling, fibreglassing, sheet metal work, and motorbody building	PERM	N-C
26	Commercial activity	N-C	N-C
27	Airports/ take-off or landing of aircraft other than the use of land and water for emergency landings, rescues and fire fighting.	N-C	N-C
28	Bottle and scrap storage and processing, fish or meat processing, or any activity requiring an Offensive Trade Licence under the Health Act 1956.	N-C	N-C
29	Agriculture, Forestry, and mining	N-C	N-C
30	Visitor accommodation	N-C	N-C
31	Residential activities	N-C	N-C
32	Planting of any wilding species (as identified in Part 5 of the District Plan)	PRO	PRO

12.26.6.3 Performance Standards

Failure to comply with a Performance Standard results in the need to obtain either a restricted discretionary or non complying resource consent, as specified in this table. Where failure to comply with a performance standard results in a restricted discretionary consent being required, the Council’s discretion is restricted only to that or those standards that are not complied with.

- i Refer also to the zone-wide standards in Section 12.26.3.1, relating to:
 - (a) Earthworks (RDIS)
 - (b) Lighting and Glare (RDIS)
 - (c) Waste and Recycling Storage Space (RDIS)
 - (d) The creation of Rear Sites (N-C)
 - (e) Compliance with an approved Outline Development Plans and Comprehensive Development Plans (N-C)
 - (f) Compliance with the Three Parks Structure Plan (N-C)
 - (g) Staging of development (N-C)
 - (h) Access (N-C)

Ref	Standard - Business (Three Parks) Subzone	Resource consent status if standard not met - Business & Business (Main St precinct) subzones
1	<p>Office(s) or Showroom(s)</p> <p>All office(s) or showroom(s) shall be located at the front of the building(s) and facing the street; except that this does not apply to those on rear sites.</p>	RDIS
2	<p>Setback from roads outside of the mainstreet precinct</p> <p>Outside of the mainstreet precinct, any building over 8 m in height shall be set back at least 3 m from the road boundary(ies).</p>	RDIS

Ref	Standard - Business (Three Parks) Subzone	Resource consent status if standard not met - Business & Business (Main St precinct) subzones
3	<p>Setbacks from roads within the mainstreet precinct</p> <p>Buildings shall be not be setback from the Mainstreet Collector Road other than for the purpose of achieving building indentation at least every 10m as outlined in Standard 12.26.6.3 (8)(iv); except that:</p> <ul style="list-style-type: none"> i Buildings may be setback up to 1.5 metres provided this is continuous for a minimum length of 15 metres, and is provided solely to provide additional footpath width; and/ or ii Buildings may be setback up to 1.5 metres for the purpose of providing a recessed entrance(s) to the building; and/ or iii Buildings may be setback in order to provide for the display and sale of vehicles, machinery, boats and caravans; iv This does not apply to service stations 	RDIS
4	<p>All buildings shall be set back at least 4.5 m from the boundary of any Residential or Tourism and Community Facilities subzone</p>	RDIS
5	<p>Permeability and onsite stormwater disposal</p> <p>Other than for that area of the subzone adjacent to SH84, at least 10% of the area of each site shall be maintained as permeable space, whereby permeable space is any area not covered by building(s) or hard surfacing.</p> <p>Refer Section D for the definitions of “building” and “hard surfacing”.</p>	RDIS
6	<p>Outdoor storage areas</p> <p>Except those used for the sale of vehicles, machinery, boats and caravans, outdoor storage areas:</p> <ul style="list-style-type: none"> i Shall not be located within the building setbacks; and ii Shall be screened from road frontages or subzone boundaries by either a solid fence and/ or dense planting of at least 1.8 m in height; and, in addition; and 	RDIS

Ref	Standard - Business (Three Parks) Subzone	Resource consent status if standard not met - Business & Business (Main St precinct) subzones
	<p>iii Within the business (mainstreet precinct) subzone, shall be located behind the front façade of the principal building on the site and shall be screened from road frontages by either a solid fence and/ or dense planting of at least 1.8 m in height, which is, itself, setback behind the front façade of the building.</p>	
7	<p>Residential subzone boundary fencing</p> <p>A solid fence and/ or dense planting of at least 1.8 m in height shall be erected on the boundary of any residential subzone.</p>	RDIS
8	<p>Additional design standards for Buildings (other than service stations) within the Mainstreet precinct</p> <p>i A minimum of 80% of the ground floor of the façade facing the mainstreet shall be in glazing; and</p> <p>ii All buildings shall provide a continuous canopy projecting over the road boundary a minimum 3.5m (or 0.5m inwards from the road kerb), whichever is the shorter; and</p> <p>iii Any exterior lighting visible from the main street (other than street lights) shall be in the form of wall-washing, up-lighting, or down lighting; and</p> <p>iv All buildings shall provide a clear change in the character of the façade through a change in materials, glazing, colour, style, or articulation at least every 10m along the frontage of the mainstreet. Note: All buildings shall be designed so that the experience along the mainstreet appears to pedestrians like a group of connected but different buildings.</p>	RDIS
9	<p>Additional design standards for development in the Business Subzone adjacent to SH 84</p> <p>i The maximum building coverage for all activities on any site shall be 20%</p> <p>ii At least 20% of the area of each site shall be maintained as permeable space, whereby permeable space is any area not covered by building(s) or hard surfacing.</p> <p>Refer Section D for the definitions of “building” and “hard surfacing”.</p>	RDIS

Ref	Standard - Business (Three Parks) Subzone	Resource consent status if standard not met - Business & Business (Main St precinct) subzones
10	<p>Hours of operation</p> <p>The hours of operation for any activity on a site which adjoins the residential subzone (including those where a road separates the two subzones) shall be limited to between:</p> <p>0730 - 2000, except for service stations.</p>	RDIS
11	<p>Building Height</p> <p>i No building shall exceed a maximum height of 10 metres, provided it is no more than 3 storeys.</p> <p>ii Outside of the mainstreet precinct, any building (or part of a building) within 3 metres of the road boundary shall not exceed a maximum height of 8 m provided it is no more than 2 storeys.</p> <p>iii Buildings shall not project beyond a recession line constructed at an angle of 34° inclined towards the site from points 3m above Low Density Residential or Medium Density Residential subzone boundaries, except that gable ends may project beyond the recession line provided the maximum height of the gable end is no greater than 2.5 metres above the recession line.</p> <p>Refer to Section D for the definition of “storey”</p>	N-C
12	<p>Noise</p> <p>i Activities shall be so conducted that the following noise limits are not exceeded at any point within the boundary of any other site in this subzone:</p> <p>0800 - 2000 hrs 60dBA L₁₀</p> <p>2000 - 0800 hrs 50dBA L₁₀ and 70 dBA L_{max}</p> <p>ii Activities shall not exceed Residential subzone noise limits at any point within the boundary of any site within the Residential subzone.</p> <p>Note: Noise levels (other than construction noise) shall be measured and assessed in accordance with NZS 6801:2008 and NZS 6802:2008.</p>	N-C

12.26.6.4 Controlled Activities – Matters over which control is reserved and Assessment Matters

i Controlled buildings – conditions may be imposed in respect of:

- (a) Landscaping,
- (b) External appearance (including signage, the colour of the building and, in particular, the extent of corporate colours used),
- (c) The location and design of carparking; and
- (d) The visual impact on the streetscape and the experience provided to pedestrians along the street
- (e) The ability to service the building(s), in terms of roading, water supply, and waste water.
- (f) The inclusion of initiatives which help reduce private car use and encourage alternative modes of transport (i.e. Travel demand management).

ii Controlled Buildings – Assessment matters

In considering whether or not to impose conditions, the Council shall have regard to, but not be limited by, the following assessment matters:

- (a) External appearance (including the colour of the building and, in particular, the extent of corporate colours used, lighting, signage and the provision of signage platforms), to avoid or mitigate adverse effects on:
 - (i) street scene;
 - (ii) adjoining or surrounding buildings, particularly those in residential subzones
 - (iii) privacy of adjoining residential properties
 - (iv) The visual approach into Wanaka, along Ballantyne Road.

- (b) Whether the landscaping will be effective at substantially improving the visual appearance of the site and buildings and mitigating adverse effects of outdoor storage and carparking areas, taking account of:

- (i) The nature of planting or materials to be used,
- (ii) The ease of maintenance, and
- (iii) The size of the plants and/ or the time it will take for the plants to mature.

- (c) Whether and to what extent initiatives are proposed, which help reduce private car use and encourage alternative modes of transport (i.e. Demand Management). The Council would normally expect the following to have been provided:

- (i) Cycle and motorcycle parking in a manner which encourages people to travel by these modes. Depending on the development, mobility scooter parking may also be appropriate.
- (ii) Shower and locker facilities for work places, so employees who choose to walk, run, cycle to work can shower and store clothing.
- (iii) Effective lighting and signage aimed at assisting someone entering the site or building by foot or bike.

iii Offices within the mainstreet precinct – Conditions may be imposed in respect of:

- (a) Any reverse sensitivity issues that may arise with respect to existing and permitted business activities in the vicinity
- (b) Any positive contributions to the establishment of an active street frontage
- (c) The amenity of the office environment for workers

- (d) Initiatives which help reduce private car use and encourage alternative modes of transport (i.e. Travel Demand Management).
- (e) Noise insulation

iv Offices – Assessment Matters

In considering whether or not to impose conditions, the Council shall have regard to, but not be limited by, the following assessment matters:

- (a) Whether reverse sensitivity issues have been adequately avoided through methods such as ensuring that incompatible uses do not establish in the vicinity (which may include consent notices on titles which restrict certain uses) and/ or through noise insulation.
- (b) Whether the office will present an active and vibrant front to the main street through offices facing the street, through upstairs offices including balconies for the use of staff (as part of the lunch room for example).
- (c) Whether the office provides natural light for workers and the provision of outdoor open space, either at ground or in the form of balconies and decks.
- (d) Whether and to what extent facilities are provided which encourage workers to walk, cycle, carpool, or take public transport to work. The Council expects such initiatives to be included in the site design.

v The sale of liquor for onsite consumption - Conditions may be imposed in respect of:

- (a) The scale of this activity,
- (b) car parking,
- (c) retention of amenity,

- (d) noise; and
- (e) hours of operation.

vi The sale of liquor for onsite consumption - Assessment Matters

In considering whether or not to grant consent or impose conditions, the Council shall have regard to, but not be limited by, the following assessment matters:

- (a) The character, scale and intensity of the proposed use (including the hours, frequency of use) and its compatibility in relation to surrounding and/or adjoining uses.
- (b) The topography of the site and neighbouring area and how this will affect noise emissions beyond the site.
- (c) The nature of existing and permitted or controlled future uses on nearby sites.
- (d) The location of car parking for the site.
- (e) The adequacy of noise insulation, screening and buffer areas between the site and residential uses.
- (f) The previous history of the site and the relative impact of adverse effects caused by activities associated with sale of liquor.
- (g) Any proposed noise management plan and the ability to mitigate noise effects.

12.26.6.5 Restricted discretionary Activities – Matters over which discretion is reserved and Assessment Matters

i Matters of discretion - For Buildings within the Mainstreet precinct, discretion is reserved in respect of:

- (a) External appearance (including lighting, signage, the colour of the building and, in particular, the extent of corporate colours used), including, for that area of business land to the north of the

Commercial Core, the external appearance when viewed from State Highway 84 and from Mt Iron.

- (b) The location and design of carparking (including access thereto); and
- (c) Landscaping
- (d) The landscape treatment and/ or identified future use of any building setbacks being proposed (e.g. the addition of smaller buildings within the road setback).
- (e) The provision of an active frontage and the experience provided to pedestrians along the street.
- (f) The ability to service the building(s), in terms of roading, water supply, and waste water.
- (g) The inclusion of initiatives which help reduce private car use and encourage alternative modes of transport (i.e. Travel Demand Management).

ii Buildings within the Mainstreet precinct - Assessment Matters

In considering whether or not to grant consent or impose conditions, the Council shall have regard to, but not be limited by, the following assessment matters:

- (a) Those matters listed in 12.26.6.4 (ii) in regard to controlled buildings, and those listed in 12.26.6.5 (v)(b) in regard to building platforms shown as part of an Outline Development Plan; and, in addition:
- (b) The building's contribution to the creation of an active street frontage. The Council normally expects:
 - (i) Pedestrian amenity and opportunities for pedestrian movement to be maximised along the main street through the provision of footpaths, verandas, interesting façade design (which should include the main pedestrian entrance

into the building), minimal vehicle crossings, and the avoidance, where possible, of any deliveries or servicing from the main street.

- (ii) Vehicle access from the main street to be minimised and avoided where possible, through the provision of a rear lane which provides vehicular access to both service areas and to carparking or through vehicle crossings being shared between properties wherever possible.

- (c) For that area of the business subzone adjacent to SH84, whether the design of the buildings (including landscaping, lighting, signage) is attractive and whether the design of the roof top (i.e. the 5th dimension) is such that obvious, unattractive air conditioning units and other such utilities are avoided or attractively screened.

iii Matters of discretion – For yard-based suppliers within the mainstreet precinct, discretion is reserved in respect of:

- (a) The effect on the visual amenity and the pedestrian experience arising from the outdoor storage and/ or display of goods

Note: For the avoidance of doubt, this includes the sale of vehicles and garden supplies.

iv Matters of discretion – For any Outline Development Plan, discretion is reserved in respect of:

- (a) All those matters listed in Rule 12.26.4.5 (i) in relation to the LDR and MDR subzones, except where identified that the matter is specific to the residential subzones; and
- (b) The location and indicative design of carparking, acknowledging that this will need to be further refined as part of subsequent land use consents once carparking requirements are known.

- (c) Landscaping, including the landscape treatment and/ or identified future use of any building setbacks being proposed (e.g. the addition of smaller buildings within the road setback).

v Outline Development Plan – Assessment matters

In considering whether or not to grant consent or impose conditions, the Council shall have regard to, but not be limited by, the following assessment matters:

- (a) All those matters listed as Assessment matters in 12.26.4.5 (ii) relation to the LDR and MDR subzones, except where identified that the matter is specific to the residential subzones; and:
- (b) In regard to building platforms, whereas the Council would normally prefer buildings to not be setback from the road, where building platforms are proposed to be setback from the road boundary, the Council will expect the setback to:
 - (i) Be landscaped in a manner that enhances the visual appearance of the building and improves the pedestrian experience; or
 - (ii) Be for the purpose of providing for smaller buildings to be added at a later stage. Note: The Council will expect to a) to see some mechanism proposed to ensure that such infill does occur, and b) for this space to be landscaped and maintained in the interim; or
 - (iii) Be used for the purpose of displaying goods such as motor vehicles.

vi Matters of discretion - For Comprehensive Development Plan, discretion is reserved in respect of:

Those matters listed in rule 12.26.6.5 (iv) in regard to the Outline Development Plan plus those listed in rules 12.26.6.4 (i) and 12.26.6.5 (i) in regard to controlled and restricted discretionary buildings, as relevant to the application.

vii Assessment matters - Comprehensive Development Plan

All those Assessment matters listed in 12.26.6.5 (v) in relation to the Outline Development Plan and those matters listed in 12.26.6.4 (ii) and 12.26.6.5 (ii) in relation to buildings, as relevant to the application.

12.26.6.6 Assessment matters relating to performance standards

i Setback from Roads and Internal Boundaries – Assessment Matters

Refer to those assessment matters in 12.26.6.5 (v), in regard to Outline Development Plans and those in 12.26.6.4 (ii), and 12.26.6.5 (ii) in regard to Buildings.

ii Design Standards in the Mainstreet precinct – Assessment Matters

Refer to those assessment matters in 12.26.6.5 (ii) in regard to Buildings.

iii Outdoor Storage Areas – Assessment Matters

The Council would not normally approve any storage visible from the road, except for the outdoor display of goods for sale, whereby the display of the goods will be a positive contribution to the visual appearance and pedestrian experience of the street.

iv Permeability/ onsite stormwater disposal – Assessment Matters

The Council is likely to approve a greater proportion of hard surfacing provided methods are proposed on-site which will ensure that post-development runoff (both natural flow and piped) is equivalent to that which would be achieved through restricting hard surfacing to 50% of the site. The Council will normally also expect methods to be proposed to ensure that these systems will be maintained in perpetuity.

12.26.6.7 Non-notification of Applications

i Except as provided for the Act, all applications for **controlled activities** will be considered without public notification or the need to obtain the written approval of or serve notice on affected persons and will be assessed according to matters the Council has reserved control over in the Plan.

ii Except as provided for by the Act, the following restricted discretionary activities will be considered without public notification or the need to obtain the written approval of or serve notice on affected persons. The Council will restrict the exercise of its discretion for those matters specified in the Plan for each particular activity.

(a) All applications for **restricted discretionary buildings**, provided they are in accordance with an approved ODP.

(b) All restricted discretionary applications for **Outline Development Plans or Comprehensive Development Plans** in this subzone; except as specifically provided for in 12.26.6.7 (iii)(a) below.

Note: If the Outline Development Plan or Comprehensive Development Plan is non-complying due to the fact it is not in accordance with the Three Parks Structure Plan (refer Rule 12.26.3.1 (10), for example) then it may be notified.

(c) Applications for the exercise of the Council's discretion in respect of the following **Performance Standards**:

(i) Additional design standards for Buildings (other than service stations) within the mainstreet precinct.

(ii) Outdoor storage areas,

(iii) Permeability and onsite stormwater disposal.

iii Except as provided for by the Act, the following restricted discretionary activities will be considered without public notification. Service of notice will not be required if all persons who may be adversely affected have given their written approval. The Council will restrict the exercise of its discretion for those matters specified in the Plan for each particular activity.

(a) All restricted discretionary applications for Outline Development Plans or Comprehensive Development Plans which either:

(i) Adjoin land beyond the Three Parks Zone, in respect of utilities and servicing and the mitigation of any conflict between land uses on the boundary of the 3 Parks and adjoining zone); or

(ii) Proposes that a collector road connect to adjoining land (including roads) beyond the Three Parks Zone, in respect of roading and intersection design.

12.26.7 COMMERCIAL CORE - RULES

12.26.7.1 Purpose

The **Commercial Core subzone** will evolve in a staged manner to eventually include large format retail, specialty stores, office space, visitor accommodation, residential, community facilities, and public open space. In the initial stages, development will comprise almost exclusively of large format retail, in response to a demonstrated demand and a desire to not undermine the vitality and viability of the Wanaka Town Centre. As a result, it is acknowledged that the street frontage and mainstreet character will become increasingly attractive and vibrant in future stages as more smaller buildings with active frontages are introduced.

12.26.7.2 Activity Table - Commercial Core Subzone

Key and notes

- CON Controlled Activity
- PERM Permitted Activity
- RDIS Restricted discretionary Activity
- PRO Prohibited Activity
- N/A Performance Standard not applicable in the particular subzone.

Note: Where a proposed activity could possibly be captured by more than one activity/ classification, the most specifically defined activity shall override any other. For example: Where both retail and commercial are both listed the classification for retail over-rides that for commercial as it is more specifically defined.

Ref	Activity - Commercial Core Subzone	Activity status (provided all performance standards are met, including compliance with an approved Outline Development Plan)
1	Any Activity (including buildings) which complies with all the relevant Performance Standards, (including the zone-wide standards), and is not listed as a Controlled, Discretionary, Non-Complying or Prohibited Activity	PERM
2	Premises licensed for the sale and consumption of liquor between the hours of 7 am – 11 pm	PERM
3	Residential activities identified in an approved Outline Development Plan or Comprehensive Development Plan	PERM
4	Visitor Accommodation activities identified in an approved Outline Development Plan or Comprehensive Development Plan.	PERM
5	Buildings approved by a Comprehensive Development Plan	PERM
6	Retail activity which either: <ul style="list-style-type: none"> i Does not result in the total amount of retail in the Commercial Core subzone exceeding any of the following 	PERM

Ref	Activity - Commercial Core Subzone	Activity status (provided all performance standards are met, including compliance with an approved Outline Development Plan)
	<p>thresholds:</p> <ul style="list-style-type: none"> (a) 10,000m² Gross Floor Area (excluding waste storage areas); and (b) 5 individual specialty retail tenancies; and (c) A total of 10 individual retail tenancies (of any size and including the specialty retail stores); OR <p>ii Does exceed one of the thresholds listed in (i) above but has been specifically approved as part of an Outline Development Plan or Comprehensive Development Plan.</p> <p>Note: Whilst the retail activity itself is permitted until one of these thresholds is met, the ODP and the buildings themselves will still require restricted discretionary Resource Consents.</p>	
7	<p>Outline Development Plan or Variation (other than to uplift additional retail space) to an approved Outline Development Plan.</p> <p>Note 1: Where any element of an application for an Outline Development Plan is a non-complying activity (for example, more than 10% of sites are 'rear sites'), then the Outline Development Plan application becomes non-complying.</p> <p>Note 2: The approval of "indicative future retail space" as part of an approved Outline Development Plan is not an indication that the retail will be approved within any specific time period. Rather, in respect of "indicative future retail space" only the spatial aspects of those building platforms and the associated parking and open spaces are approved by the initial Outline Development Plan.</p>	RDIS
8	<p>A Variation to an approved Outline Development Plan or Comprehensive Development Plan for the sole purpose of uplifting additional retail space.</p> <p>Note: This has been separated out as its own 'activity' as the matters of discretion in relation to such a variation are limited to only those matters relating to the effects of additional retail.</p>	RDIS

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Ref	Activity - Commercial Core Subzone	Activity status (provided all performance standards are met, including compliance with an approved Outline Development Plan)
9	Comprehensive Development Plan or variation (other than to uplift additional retail space) to an approved CDP Note: Where any element of an application for a Comprehensive Development Plan is a non-complying activity (for example, an over height building is proposed), then the Comprehensive Development Plan application becomes non-complying.	RDIS
9	Buildings, except those already approved by a Comprehensive Development Plan	RDIS
10	Premises licensed for the sale and consumption of liquor between the hours of 11 pm and 7 am; except that: This rule shall not apply to the sale of liquor to any person who is residing on the premises (permanently or temporarily) or to any person who is present on the premises for the purpose of dining.	RDIS
11	Residential activities (not identified on an approved ODP or CDP)	N-C
12	Visitor accommodation (not identified on an approved ODP or CDP)	N-C
13	Service station	N-C
14	Factory Farming, Forestry Activities, mining	N-C
15	Commercial boarding kennels and commercial catteries	N-C
16	Airports/ take-off or landing of aircraft other than the use of land and water for emergency landings, rescues and fire fighting.	N-C
17	Planting of any wilding species (as identified in Part 5 of the District Plan)	PRO
18	Panelbeating, spray painting, motor vehicle repair or dismantling, fibreglassing, sheet metal work, bottle or scrap storage, motorbody building, fish or meat processing, or any activity requiring an Offensive Trade Licence under the Health Act 1956.	PRO

12.26.7.3 Performance Standards in the Commercial Core Subzone

Failure to comply with a Performance Standard results in the need to obtain either a restricted discretionary or non complying resource consent, as specified in this table. Where failure to comply with a performance standard results in a restricted discretionary consent being required, the Council’s discretion is restricted only to that or those standards that are not complied with.

Refer also to the zone-wide standards in Section 12.26.3.1 relating to:

- (a) Earthworks (RDIS)
- (b) Lighting and Glare (RDIS)
- (c) Waste and Recycling Storage Space (RDIS)
- (d) The creation of Rear Sites (N-C)
- (e) Compliance with an approved Outline Development Plans and Comprehensive Development Plans (N-C)
- (f) Compliance with the Three Parks Structure Plan (N-C)
- (g) Staging of development (N-C)
- (h) Access (N-C)

Ref	Standard - Commercial Core Subzone	Resource consent status if the standard is not met
1	<p>Residential Activities</p> <p>All residential activities shall be restricted to first floor level or above.</p>	RDIS
2	<p>Outdoor living Space</p> <p>i Any building or part of a building used for residential activities shall provide an outdoor living space for each residential unit, which:</p> <p>(a) Contains a continuous area of 5m² with a minimum dimension of 2m; and</p>	RDIS

Ref	Standard - Commercial Core Subzone	Resource consent status if the standard is not met												
	<p>(i) Is immediately accessible from either a lounge or family room; and</p> <p>(j) Is for the exclusive use of that unit</p> <p>Except that:</p> <p>ii Units of less than 45 m² GFA and which are to be used either as ‘temporary worker households’ or as student accommodation, shall provide a minimum outdoor living area of 4 m² with a minimum dimension of 1.5m per unit, which may be provided either separately for each unit and/ or in the form of communal space(s).</p> <p>Note: The restriction on use shall be lodged as a consent notice on the title(s).</p>													
3	<p>Internal Residential amenity standards</p> <p>i Accommodation units shall be designed to achieve the following minimum daylight standards:</p> <p>(a) Living rooms and living/dining areas shall have a total clear glazed area of exterior wall no less than 20% of the floor area of that space.</p> <p>(b) At least one bedroom shall have a total clear glazed area of exterior wall no less than 20% of the floor area of that space.</p> <p>(c) No bedrooms shall rely on natural light borrowed from another naturally lit room.</p> <p>ii Residential units shall comply with the following minimum unit sizes:</p> <table border="1" data-bbox="280 1121 1809 1390"> <thead> <tr> <th data-bbox="280 1121 1489 1185">Unit type by bedroom</th> <th data-bbox="1489 1121 1809 1185">Minimum residential unit size (GFA)</th> </tr> </thead> <tbody> <tr> <td data-bbox="280 1185 1489 1257">Studio within a dormitory type housing development, where each studio unit contains a bathroom but does not contain a living area or kitchen but, rather, shares communal living and kitchen areas</td> <td data-bbox="1489 1185 1809 1257">17m²</td> </tr> <tr> <td data-bbox="280 1257 1489 1294">1</td> <td data-bbox="1489 1257 1809 1294">45m²</td> </tr> <tr> <td data-bbox="280 1294 1489 1331">2</td> <td data-bbox="1489 1294 1809 1331">70m²</td> </tr> <tr> <td data-bbox="280 1331 1489 1367">3</td> <td data-bbox="1489 1331 1809 1367">90m²</td> </tr> <tr> <td data-bbox="280 1367 1489 1390">4</td> <td data-bbox="1489 1367 1809 1390">115m²</td> </tr> </tbody> </table>	Unit type by bedroom	Minimum residential unit size (GFA)	Studio within a dormitory type housing development, where each studio unit contains a bathroom but does not contain a living area or kitchen but, rather, shares communal living and kitchen areas	17m ²	1	45m ²	2	70m ²	3	90m ²	4	115m ²	RDIS
Unit type by bedroom	Minimum residential unit size (GFA)													
Studio within a dormitory type housing development, where each studio unit contains a bathroom but does not contain a living area or kitchen but, rather, shares communal living and kitchen areas	17m ²													
1	45m ²													
2	70m ²													
3	90m ²													
4	115m ²													

Ref	Standard - Commercial Core Subzone	Resource consent status if the standard is not met
	<ul style="list-style-type: none"> iii The minimum floor to ceiling height for habitable rooms (including servicing) shall be 2.4m and for kitchens, bathrooms, hallways, toilets, lobbies, laundries and service areas shall be 2.3m minimum floor to ceiling height. iv The minimum width of common area corridors shall be 1.5m. v The minimum width of a corridor/lobby space immediately adjacent to the lift shall be 2.7m, measured at 90 degrees to the lift doors, for the full combined width of the lift doors. 	
4	<p>Storage</p> <p>Storage areas for non-residential buildings shall be situated within the building or accessed from a service lane at the rear of the property and sheltered and screened from view from all public places and adjoining subzones by a solid fence.</p> <p>Also refer zone-wide minimum standards for waste and recycling storage space.</p>	RDIS
5	<p>Building setback from Internal Boundaries</p> <p>Where the site adjoins a residential subzone or public open space, buildings should be setback at least 4.5 m along that internal boundary.</p>	RDIS
6	<p>Building Setback from Roads</p> <p>All buildings, other than large format retail buildings, shall be built up to the street boundary along the full street frontage of the site except where the setback is for the purpose of:</p> <ul style="list-style-type: none"> (a) Providing a pedestrian link or public space; or (b) Providing a recessed entrance(s) to the building, which is no greater than 1.5m in depth and 2m in width. 	RDIS
7	<p>Sunlight and Outlook of Residential Neighbours</p> <p>Buildings within this subzone shall not project beyond a recession line constructed at an angle of 34° inclined towards the site from points 3m above Low Density Residential subzone or Medium Density Residential subzone boundaries. Except that gable ends may project beyond the recession line where the maximum height of the gable ends is no greater than 2.5m above the recession line.</p>	RDIS

Ref	Standard - Commercial Core Subzone	Resource consent status if the standard is not met
8	<p>Building Coverage</p> <p>The maximum building coverage for all activities on any site shall be 90%</p>	RDIS
9	<p>Staging of retail activities</p> <p>Unless approved as part of an application for an Outline Development Plan or Comprehensive Development Plan, any retail development which results in the total amount of retail in the Commercial Core subzone exceeding one or more of the following thresholds:</p> <ul style="list-style-type: none"> i 10,000m² Gross Floor Area (excluding waste storage areas); and ii 5 individual specialty retail tenancies; and iii A total of 10 individual retail tenancies (of any size and including the specialty retail stores). <p>Refer to Section D for definitions of “tenancy”, “specialty retail”, and “large format retail”.</p>	N-C
10	<p>Building Height</p> <ul style="list-style-type: none"> i The building shall be a maximum height of 12 m provided it is no more than 3 storeys; except that <ul style="list-style-type: none"> (a) 20% of all buildings with frontage to the mainstreet Collector road and which are located between or within 40 m of the T-intersections shown on the Three Parks Structure Plan I may extend to 15 m and a maximum of 4 storeys, provided this has been approved as part of the ODP. <p>Note: The 20% calculation shall be based on the ground level internal gross floor area)</p> ii Buildings fronting the Mainstreet Collector road (as shown in the Three Parks Structure Plan) shall be a minimum of 2 storeys along the mainstreet frontage <p>Note: Whilst the upper floors may not necessarily be occupied in the initial stages of development, they must be designed and developed such that they can be occupied in the future.</p> <p>Also refer to Standard 12.26.7.3 (7) entitled “Sunlight and Outlook of Residential Neighbours”, regarding the requirement for a</p>	N-C

Ref	Standard - Commercial Core Subzone	Resource consent status if the standard is not met
	<p>recession plane relative to the adjoining residential subzone.</p> <p>Refer to Section D for a definition of “storey”.</p>	
11	<p>Noise</p> <p>i Activities shall be so conducted that the following noise limits are not exceeded at any point within the boundary of any other site in this subzone:</p> <p>daytime (0800 - 2200 hrs) 60dBA L₁₀</p> <p>night time (2200 - 0800 hrs) 50dBA L₁₀ and 70dBA L_{max}</p> <p>And:</p> <p>ii Activities shall not exceed Residential subzone noise limits at any point within the boundary of any site within the Residential subzones.</p> <p>iii Construction noise shall be measured and assessed in accordance with NZS 6803:1999.</p> <p>Note: Noise levels (other than construction noise) shall be measured and assessed in accordance with NZS 6801:2008 and NZS 6802:2008.</p>	N-C

12.26.7.4 Restricted discretionary Activities – Matters over which discretion is reserved and Assessment Matters

i Matters of discretion – For Outline Development Plans, discretion is reserved in respect of:

- (a) All those matters listed in rule 12.26.4.5 (i) in relation to the LDR and MDR subzones, except where identified that the matter is specific to the residential subzones, and, in addition:
- (b) The location of visitor accommodation and residential activities.
- (c) The location and design of carparking (including vehicle accesses from collector roads)
- (d) In regard to retail development beyond the first 20,000m² GFA of retail space, the amount of parking to be provided and how this is appropriate. Note: The Council will reserve the right to impose a maximum or minimum amount of parking as a condition.
- (e) The location and design of bicycle parking along the mainstreet (limited to that part of the mainstreet that is subject to the ODP application).
- (f) With respect to the first Outline Development Plan applied for, whether the urban structure shows elements of a pedestrian-orientated ‘mainstreet’ urban core, and that the urban structure will enable it to become a pedestrian-orientated ‘mainstreet’ urban core over time. This will include showing future road links, how land use will intensify, and how walk-ability will be achieved.
- (g) The effects of proposed additional retail activity, excluding any ‘indicative future retail space’ shown on the Outline Development Plan, shall be a matter of discretion wherever:
 - (i) The retail activity applied for, excluding any ‘indicative future retail space’ shown on the Outline Development

Plan, will result in the total amount of retail in the Commercial Core exceeding 10,000m² GFA; or

- (ii) The retail activity applied for, excluding any ‘indicative future retail space’ shown on the Outline Development Plan, will result in the total number of specialty retail tenancies in the Commercial Core I exceeding 5; or
- (iii) The retail activity applied for, excluding any ‘indicative future retail space’ shown on the Outline Development Plan, will result in the maximum number of retail tenancies in the Commercial Core exceeding 10;
- (iv) Whereby the Council’s discretion is restricted to:
 - a. The outcomes of a Wanaka Town Centre Health Check.
 - b. The outcomes of a Retail Needs Assessment.
 - c. The maximum Gross Floor Area of each unit proposed.
 - d. Evidence that the development proposed will more clearly give effect to the desired pedestrian-orientated ‘mainstreet’ urban core and facilitate later stages to also achieve this outcome.
 - e. The extent to which the 3 Parks Zone, as a whole, is working toward becoming an integrated mixed use area, including residential, retail, and employment land.
- (h) The height of buildings within that part of the Mainstreet which has been afforded some extra height

ii Outline Development Plans - Assessment matters

In considering whether or not to grant consent or impose conditions, the Council shall have regard to, but not be limited by, the following assessment matters:

- (a) All those matters listed as Assessment matters listed in 12.26.4.5 (ii) in relation to the LDR and MDR subzones, except where

identified that the matter is specific to the residential subzones; and:

- (b) Whether **crime prevention through Environmental Design (CPTED) principles** have been applied in the indicative layout of buildings, open spaces, access ways, service areas, carparking, any proposed controls on the built form, and the location of proposed tenancies in relation to one another.
- (c) Whether the amount and type of **open space** proposed is appropriate. The Council will not normally approve an Outline Development Plan unless open space is provided in appropriate forms and locations.
- (d) In considering the location of **building platforms** (and the proposed streetscape design), the Council will consider the effect of any increased or reduced setback or any additional height being proposed (beyond the general 3 storey rule) on the streetscape, the adequate provision of space for pedestrian movement, and the treatment (e.g. landscaping) of any proposed set-back.
 - (i) Note: Larger setbacks may be acceptable in earlier stages if this is intended to enable later 'sleeving' by smaller buildings. Larger setbacks will be less acceptable in later Outline Development Plans (particularly those lodged after the retail thresholds outlined in Rule 12.26.7.4 (g) above have been exceeded) as these later Outline Development Plans will be expected to give effect to the sleeving of large format retail buildings.
- (e) The general layout of building platforms should enable the resultant buildings to share vehicle access points and carparking.
- (f) Whether the views along a street and/ or of surrounding landscape features, including Mt Iron, have been preserved and enhanced through the placement of the buildings, with respect to view shafts.

- (g) Whether the Outline Development Plan clearly identifies those building platforms for which the retail space is being applied for as part of the Outline Development Plan application and those platforms which identify "indicative future retail space".

Note 1: Where the Outline Development Plan includes more retail floor space than is supported by the Town Centre health check and needs assessment, the applicant is expected to show the surplus retail as "indicative".

Note 2: Those platforms which are identified as "indicative future retail space" will require a Variation to the Outline Development Plan in order for retail to be approved for those spaces. There will be a condition or advice note on the consent that those shown as "subject to variation or land use consent" will require further consent.

- (h) Whether the location and/ or design of proposed **visitor accommodation and residential activities** will minimise reverse sensitivity issues and any potential future incompatibility issues between them and commercial activities and road noise. The Council may impose conditions that preclude the location of visitor accommodation or residential on certain building platforms if it considers that reverse sensitivity issues will make the site unsuitable for these uses or it may place conditions on subsequent uses relating to acoustic insulation or hours of operation on sites that form part of the application.
- (i) Whether the location and/ or design of proposed **visitor accommodation and residential activities** will provide a good living environment and contribute positively to the streetscape and safety of the area through 24 hour occupancy and passive surveillance. The Council would normally expect apartments to face the street, entry lobbies to have direct access onto streets and has a preference for dual-aspect apartments within perimeter block layouts (i.e. whereby the front of units face across the street, and the back of units face inwards across courtyards which, in turn, provide adequate separation from other buildings.

- (j) Whether the **carparking** associated with visitor accommodation or residential activity can be located and/ or designed so as to not adversely affect the ability to achieve a consolidated urban core. The Council would normally
- (k) Whether the location and design of carparking areas minimises its impact on the urban form, congestion on the mainstreet, and pedestrian amenity, through:
 - (i) The co-location and shared usage of carparks (thus reducing the sheer amount). The Outline Development Plan should seek to avoid carparking designed for the sole use of one building owner or tenant. There is an expectation that carparking is located and structured (through ownership, lease agreements, and consent notices) such that they are able to be shared and that such arrangements will be secured long term. An exception to this is Visitor Accommodation, which should provide onsite, dedicated parking and, as such, is best suited at the periphery of the Commercial Core.
 - (ii) Locating carparking to the side or rear of buildings so that it is not visually dominant when viewed from the street.
 - (iii) Minimising the number of vehicle accesses from the main street, through the provision of a rear lane which provides vehicular access to both service areas and to carparking or through vehicle crossings being shared between properties wherever possible.
- (l) In addition to assessment matters in 12.26.4.5 (ii) which relate to roading design, where the Mainstreet Collector passes through the Commercial Core, the Council expects it to:
 - (i) Be designed as a low speed environment (for example, 30 km), where it passes through the Commercial Core
 - (ii) Be a two way, 2 lane road with a carriageway; and
 - (iii) Include parallel parking on both sides of the road; and
 - (iv) Include a dedicated cycle path within the road corridor; and
 - (v) Include street trees
 - (vi) Include footpaths on both sides of between x and y m in width

All of which should be achievable within a 20 m width.

Note: Of particular relevance, Assessment Matter 12.26.4.5 (ii)(a) states that the Council expects roading cross sections to be provided; to see the use of roundabouts avoided in places where there is anticipated to be high numbers of pedestrians and cyclists; and expects public transport facilities and/or infrastructure or space to enable the future development of public transport facilities and/ or infrastructure, noting an expectation for space to be provided in the road reserve for a bus stop to be located every 400 m along any bus route.
- (m) Whether the level of carparking proposed in stages beyond the first 20,000m² of retail space will be appropriate in light of:
 - (i) effects on the role, function, vitality and vibrancy of the Town Centre,
 - (ii) the promotion of the use of public transport if it is available;
 - (iii) the efficient use of land;
 - (iv) the creation of a pleasant, pedestrian friendly environment;
 - (v) the need to adequately provide for the demands that the proposed development will create.

Note: The Council would not normally approve an amount of car parking that substantially exceeds the car parking standards for developments prior to 10,000m² of retail floor space being developed.

- (n) The Council will normally expect short term **bicycle parking** to be provided along the mainstreet footpath at a rate of 1 to 2 bicycle stands every 50 metres and that these be designed and located so as to not block the footpath and to adhere to any Bicycle Parking Standards adopted by the Council.
- (o) Whether sites are designed so that **buildings and/or landscaping** are the dominant features visible from streets and open spaces.
- (p) With respect to Outline Development Plans prior to the retail thresholds being met (as per 12.26.7.4 (g) above), whether the indicative layout demonstrates elements of attractive pedestrian-orientated development and indications that these elements will become increasingly apparent **over time** as the Commercial Core develops into an attractive, pedestrian-orientated 'mainstreet' commercial core. The Council expects this to be facilitated through:
 - (i) Establishing a pedestrian-friendly block size (including showing any future roading and pedestrian links) and providing pedestrian space;
 - (ii) A mix of appropriately located uses (with the greatest intensity at the core, and the lowest at edge), which will reinforce an eventual retail mainstreet with employment and other uses around it;
 - (iii) Providing for land use intensification through, amongst other techniques, setting large format retail buildings back from the mainstreet in order to provide for smaller buildings to be built along the street edge in the future or ensuring that the large format buildings present a small scale character to the street or can be retrofitted to establish a specialty retail character. The Council expects the applicant to propose mechanisms (such as consent notices or restrictive covenants) in order to ensure such intensification occurs within a reasonable timeframe. The Council also expects the applicant to demonstrate how a

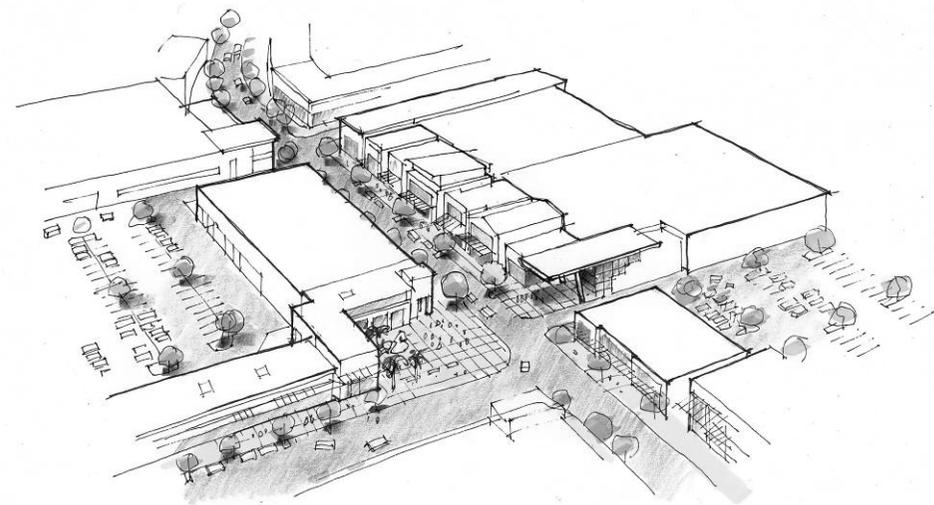
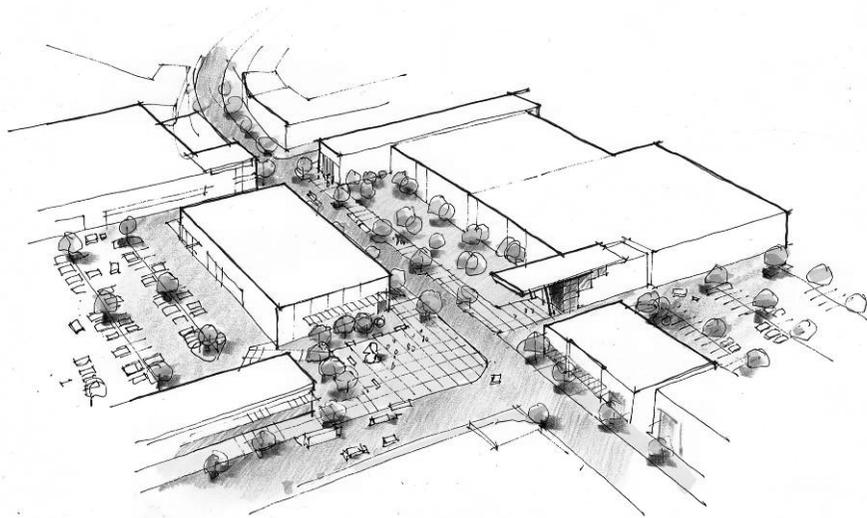
future intensified urban environment can function appropriately and achieve the outcomes sought by this Plan.

Note 1: The Council will not approve a street layout, streetscape, or building platforms that prevent this transition from occurring.

Note 2: A limited amount of large format retail development may be expected to front the main street provided that it presents an attractive human-scale appearance and provided that the long term outcomes consist primarily of specialty retail fronting the street. A manner in which a more human scale may be achieved is through articulating the built form so as to break down the scale of the external appearance of the buildings.

Note 3: While it is accepted that the short term outcomes will not be as attractive or pedestrian-orientated as outcomes resulting from later stages of development, this shall not be seen as a reason to propose or approve unattractive buildings in the short term.

Example of built form that would be expected to eventuate at early stages of development:



Example of built form that would be expected to eventuate over the long term:

Note 1: This scenario would be expected to be achieved after substantial population growth in Wanaka and in the Three Parks Zone and would be subject to satisfying the tests for future Outline Development Plan approvals in the Commercial Core such as the Town Centre Health Check.

Note 2: The above diagrams are indicative of concepts only. There is no guarantee the design shown would prove appropriate to the applicant or satisfy all requirements to gain consent.

(q) In considering the **Wanaka Town Centre Health Check**, the Council will not normally approve the Outline Development Plans unless it is satisfied that the development will not undermine the vitality of the Wanaka Town Centre. An assessment of the vitality of the Town Centre shall be based on the following indicators:

- i The pedestrian activity at key locations at a variety of times and days of the week and during various seasons.
- ii The rental values in various parts of the Town Centre , and how they have changed over time and how they compare with other comparable provincial towns
- iii The land values in various parts of the Town Centre, and how they have changed over time and how they compare with other comparable provincial towns.

Note: whether land and rent values are notably low or high are both relevant considerations.

- iv The yields being achieved (i.e. the return (from rent) on the land) and how they have changed over time and how they compare with other comparable provincial towns.
- v The feasibility of sites in the Town Centre to otherwise accommodate the development proposed in the Commercial Core including the consideration of
 - a. site constraints (such as access, topography, hazards and designations);
 - b. the development aspirations of owners of potential development sites (if known);
 - c. the possibility that ownership patterns may be concentrated with few owners with the potential to constrain competition;
 - d. site sizes;
 - e. the feasibility of amalgamating sites (having particular regard to fragmented ownership).

- f. the likelihood that the sites could be developed in a timeframe that would satisfy demand in a reasonable time period
- g. the land value of potential sites and whether the proposed uses (if known) or building formats would in fact realistically locate on such sites given the likely development costs relative to fair market rents.
- vi Vacancy rates in the Town Centre (in terms of the number of units and floorspace as a percentage of the Town Centre total) and the time taken to re-let vacant properties.
- vii The percentage of turnover that tenants spend on rent and how they have changed over time and how they compare with other comparable provincial towns..
- viii The extent of ‘retail leakage’ outside of the Upper Clutha area and how this has changed over time. The Council will be looking to understand whether the increase in retail choice (provided by previous retail development at 3 parks and potentially elsewhere in the Upper Clutha) is resulting in residents spending more locally and less in other centres; and whether the additional proposed retail is be expected to further reduce retail leakage outside of the area.
- ix The number of independent specialty retailers, excluding “multiples” or “chain stores”.
- x The presence and number of charity shops or premises used for election offices, community projects, or other temporary uses as an indicator of underutilised land or buildings.
- xi How amenable the Wanaka Town Centre is to pedestrians, cyclists, public transport, taxis, and cars; acknowledging:

- a. that convenience, safety and accessibility are important to maintaining its attractiveness and, hence, its viability and
- b. that development can effect such matters.

xii The environmental quality and amenity offered by the Wanaka Town Centre (including safety levels, the streetscape and open spaces, traffic impacts, pedestrian amenity, and the buildings themselves), and the extent to which the amount and type of development and redevelopment occurring might be contributing to or detracting from these (including through encouraging or discouraging public or private investment).

xiii A comparison to the document entitled “Wanaka Town Centre Health Check 2010 - Baseline Information” and the additional documents referenced in that report.

Note: These indicators shall be considered in combination, acknowledging that taking them in isolation could enable trade competitors to skew the outcome.

- (r) Whether the **Retail Needs Assessment** adequately demonstrates a demand for the additional retail floorspace proposed and that the Three Parks Zone is an appropriate location for these building types and anticipated uses.
- (s) In assessing the appropriateness of the **Gross Floor Area** of each unit proposed, consider whether the proposed retail formats/ layouts will result in an appropriate mix and scale of retail, commercial and residential uses, which will incrementally result in a main street character and pedestrian environment within the Commercial Core.
- (t) Consideration of whether since the Council Decision was issued on the Plan Change that created the Three Parks Zone, there has been any fundamental change in the strategic planning by the Council such that the vitality of other commercial areas need to be given regard. This may include future iterations of the

Wanaka Structure Plan or other community planning exercises carried out in the wider Wanaka region in accordance with the Local Government Act 2002 and adopted by Council.

(u) In considering **the extent of the Outline Development Plan and staging**, the council will consider whether a Land Management Plan has been provided, outlining what the interim use of land will be on adjoining Commercial Core land and how this will be managed until it is developed.

(v) In regard to **open space areas**, in addition to those Assessment Matters listed in 12.26.4.5, a number of public and semi-public open spaces should be provided within the Commercial Core; the number, type and location of which should be commensurate with the amount of development and the anticipated number of employees and residents working and living within the Commercial Core. These spaces are expected to include:

- (i) A public square of approximately 30m x 30m in size;
- (ii) A village green of approximately 30m x 40m in size;
- (iii) A number of pocket parks which provide a mix of experiences, including hardscape, active, urban spaces surrounded by commercial uses as well as softer space which offer an escape from the commercial atmosphere and traffic. In regard to the latter, these may not necessarily be located on busy intersections.

iii Matters of discretion – For Comprehensive Development Plans, discretion is reserved in respect of:

Those matters listed in rule 12.26.7.4 (i) in regard to the Outline Development Plan plus those listed in rule 12.26.7.4 (v) in regard to controlled and RDIS buildings, as appropriate to the application.

iv Comprehensive Development Plans – Assessment Matters

Those Assessment Matters listed in 12.26.7.4 (ii) in regard to the Outline Development Plan plus those listed in 12.26.7.4 (vi) in regard to controlled and restricted discretionary buildings.

v Matters of discretion – For Variations to Outline Development Plans seeking to uplift more retail space beyond the initial release allowed by Rule 12.26.7.2(6), discretion is reserved in respect of:

- (a) The outcomes of a Wanaka Town Centre Health Check.
- (b) The outcomes of a Retail Needs Assessment.
- (c) The maximum Gross Floor Area of each unit proposed.
- (d) Evidence that the development proposed will more clearly give effect to the desired pedestrian-orientated ‘mainstreet’ urban core and facilitate later stages to also achieve this outcome.
- (e) The extent to which the 3 Parks Zone, as a whole, is working toward becoming an integrated mixed use area, including residential, retail, and employment land.
- (f) Where relevant, the amount of parking to be provided and how this is appropriate will be a consideration once the total amount of retail development exceeds 20,000m² GFA. Note: The Council will reserve the right to impose a maximum or minimum amount of parking as a condition.

vi Variations to Outline Development Plans seeking to uplift more retail space beyond the initial release allowed by Rule 12.26.7.2(6) – Assessment matters

In considering those matters of discretion, the Council will consider but not be limited to Assessment Matters 12.26.7.4(ii)(l),(p),(q),(r), and (s) in regard to the Outline Development Plan

vii Matters of discretion – For all buildings, discretion is reserved in respect of:

- (a) Design and external appearance, including signage and the provision of signage platforms, the colour of the building and, in particular, the extent of corporate colours used).
- (b) Setbacks from internal boundaries,
- (c) Setback from roads
- (d) Access
- (e) Landscaping
- (f) The provision for and screening of outdoor storage
- (g) The design and landscaping of associated parking areas
- (h) The ability to service the building(s), in terms of roading, water supply, and waste water.
- (i) The inclusion of initiatives which help reduce private car use and encourage alternative modes of transport (i.e. Travel Demand Management).

viii All Buildings – Assessment matters

In considering whether or not to grant consent or impose conditions, the Council shall have regard to, but not be limited by, the following assessment matters:

- (a) Where the use of buildings or the land adjoining the building is identified in the ODP to change over time (such as large format retail later in-filled with finer grained retail), buildings should be designed to clearly show how this transition will occur as easily as possible.
- (b) Whether there is a clear connection between front entrances and the street. The Council will not normally approve applications

- where entrances are located along the side or rear of a building, or not clearly visible from the street.
- (c) Sites should be designed so that buildings and/or landscaping are the dominant features visible from streets and open spaces; with car parking areas located to the side or rear of buildings and the carparks themselves should be landscaped.
 - (d) Buildings should be orientated to enable vehicle access points and carparking to be shared.
 - (e) Buildings for large format retail or similar use are designed so that service needs will not interfere with the quality of the public footpath or public entrances into the building.
 - (f) The Council will not normally approve large format retail buildings which have frontage to the mainstreet Collector road to be built up to the road boundaries but, instead:
 - (i) Expects the building to be setback for the majority of the length of the façade an appropriate depth to enable smaller buildings to infill this space in the future; or
 - (ii) Expects the design of the large format building to be able to be converted in the future so as to provide a specialty retail shopping frontage unless the building presents an appearance reminiscent of smaller built forms suited to specialty retail buildings as discussed in note 3 following 12.26.7.4 (p). While some large format retail presenting the appearance of human-scale specialty retail buildings will be acceptable, Council will not normally approve Outline Development Plans that provide for a predominance of this building form fronting the main street. The predominant manner in which an attractive main street frontage shall be achieved shall be through the use of sleeving by specialty retail stores.
 - (g) Whether servicing and waste storage areas are located to the side or rear of buildings, wherever possible. This needs to be accessed separately from the public entrance.
 - (h) Whether the external appearance of the building contributes to an integrated built form.
 - (i) Whether bright or highly visible colours are proposed for the exterior of the building, noting that the excessive use of highly visible and recognisable colours (particularly corporate colours) on a building will be considered to be fulfilling the function of a sign and is considered to be inappropriate
 - (j) Whether the external appearance of the building is complementary to adjacent buildings, having regard to:
 - (i) Building materials
 - (ii) Glazing treatment
 - (iii) Symmetry
 - (iv) External appearance
 - (v) Vertical and horizontal emphasis
 - (k) Whether main customer entrances are located directly off the street. The Council will not normally approve a building that backs onto the street and only has its entrances facing inwards to on-site parking areas.
 - (l) Whether and to what extent glazing dominates the façade facing the street. The Council will not normally approve buildings which do not include significant glazing, except that where it is proposed that the building be sleeved with smaller buildings at a later stage, the glazing need not dominate the façade.
 - (m) Where buildings are located adjacent to open space, they should 'front' that space with openings and extensive glazing and the design should provide clear cues as to what is private, semi-public, and public space and should ensure good passive surveillance of the space.

- (n) Whether any increased or reduced setback or lowered or increased facade height has a positive or adverse effect on:
 - (i) The streetscape; noting, in regard to height, that it is not considered appropriate that surrounding parapet walls be added to large format buildings in order to create a visual presence well in excess of what is required to contain their internal volumes.
 - (ii) The adequacy or provision of space for pedestrian movement;
 - (iii) The treatment (e.g. landscaping) in the proposed set-back.
 - (o) Whether the views along a street or of surrounding landscape features, including Mt Iron, have been preserved and enhanced through good design and, in particular, through variations in height and the placement of the building and orientation of view shafts.
 - (p) Whether the external appearance of the roof top of the building has been designed such that it is not unattractive when viewed from public places such as Mt Iron. The Council will normally expect to see all servicing (e.g. air conditioning units) well screened and, interesting/ varied rooftops where the building is highly visible from public places, including Mt Iron.
 - (q) Whether the building, if within the mainstreet precinct, provides a continuous veranda along its road frontages, in a manner which is complementary to those of adjacent buildings, and contributes to pedestrians' use and enjoyment of the street. In considering whether a veranda is appropriate for a particular building, the Council will consider:
 - (i) whether the adjacent buildings have or will have verandas and therefore whether a veranda is contributing to continuous pedestrian cover,
 - (ii) the volume of existing or anticipated pedestrian movement in the vicinity,
 - (iii) Whether the veranda complements or detracts from the architectural design of the building.
 - (iv) Whether the design of the veranda provides an attractive pedestrian environment which does not have a feeling of darkness and an unpleasant sense of enclosure. The Council will not normally approve a veranda design that does not have some form of transparency, such as glass.
 - (v) The Council will not normally require buildings that are setback from the mainstreet (in order to enable smaller buildings to infill the space in the future) to provide verandas and in the initial phases of development, may impose conditions that verandas be added to buildings by a specified later date.
 - (vi) Whether and to what extent initiatives are proposed, which help reduce private car use and encourage other alternatives modes of transport. The Council would normally expect the following to have been provided:
 - a. Cycle and motorcycle parking in a manner which encourages people to travel by these modes. Depending on the development, mobility scooter parking may also be appropriate.
 - b. Shower and locker facilities for work places, so employees who choose to walk, run, cycle to work can shower and store clothing.
 - c. Effective lighting and signage aimed at assisting someone entering the site or building by foot or bike.
- ix Matters of discretion – For the sale of liquor, for on-site consumption, between the hours of 11pm and 7am, discretion is reserved in respect of:**
- (a) Hours of operation; and
 - (b) The effects on residential subzones and residential activities within the Commercial Core subzone that are either existing or

have been approved as part of an Outline Development Plan resource consent.

x The sale of liquor, for on-site consumption, between the hours of 11pm and 7am – Assessment Matters

In considering whether or not to grant consent or impose conditions, the Council shall have regard to, but not be limited by, the following assessment matters:

- (a) The character, scale and intensity of the proposed use (including the hours, frequency of use) and its compatibility in relation to surrounding and/or adjoining uses.
- (b) The topography of the site and neighbouring area and how this will affect noise emissions beyond the site.
- (c) The nature of existing and permitted or controlled future uses on nearby sites.
- (d) The location of car parking for the site.
- (e) The adequacy of noise insulation, screening and buffer areas between the site and residential uses.
- (f) The previous history of the site and the relative impact of adverse effects caused by activities associated with sale of liquor.
- (g) Any proposed noise management plan and the ability to mitigate noise effects.

12.26.7.5 Assessment matters relating to performance standards

i Height – Assessment Matters

In considering whether or not to grant consent or impose conditions in regard to height, the Council shall have regard to, but not be limited by, the following assessment matters:

- (a) The character, scale and intensity of the proposed use and its compatibility in relation to surrounding and/or adjoining residential neighbourhoods.
- (b) The effect on the existing and foreseeable future amenities of the neighbourhood, particularly in relation to noise and traffic generation.
- (c) The topography of the site and neighbouring areas.
- (d) The nature of existing and permitted future uses on nearby sites.
- (e) The adequacy and location of car parking for the site.
- (f) The adequacy of screening and buffer areas between the site and other uses.
- (g) The previous history of the site and the relative impact of adverse effects caused by activities associated with sale of liquor.

ii Setbacks from roads – Assessment Matters

- (a) The effect of buildings being set back from the road boundary on the quality of the streetscape, particularly in terms of a) the ability to achieve a sense of enclosure, b) to provide pleasant spaces and footpaths for pedestrian movement, and c) to provide verandas over such areas.
- (b) The treatment (e.g. landscaping) of any proposed set-back

iii Loading and Outdoor Storage – Assessment Matters

- (a) The effect of any off-street loading or outdoor storage area on the visual amenity and public enjoyment of the street
- (b) The form, nature, type and servicing of any loading area and the effects of these on the immediate and surrounding locality.

iv Setback from Internal Boundaries and Sunlight and Outlook of adjoining residential subzones – Assessment Matters

- (a) Any adverse impacts on the use and enjoyment of residential properties, particularly outdoor living spaces or main living areas of dwellings;
- (b) The effect on adjoining land from increased shadowing and the number of properties involved;
- (c) The visual effects of building height, scale and appearance, in terms of dominance and loss of privacy on adjoining properties;
- (d) Any proposed landscaping adjacent to the boundary, and the extent to which it would adversely effect or improve the outlook from any affected residential property;

v Building coverage – Assessment Matters

Whether retaining part of the site as unbuilt space will serve a useful function in terms of:

- (a) Providing a pedestrian linkage; or
- (b) Reducing congestion along the footpath; or
- (c) Providing for on-site storage, loading, and unloading of goods

Note: The Council's expectation is that unless there is a need for the unbuilt space then the building should cover the entire site.

12.26.7.6 Non-notification of Applications

- i Except as provided for by the Act, all applications for **controlled activities** will be considered without public notification or the need to obtain the written approval of or serve notice on affected persons and will be assessed according to matters the Council has reserved control over in the Plan.

- ii Except as provided for by the Act, the following restricted discretionary activities will be considered without public notification or the need to obtain the written approval of or serve notice on affected persons. The Council will restrict the exercise of its discretion for those matters specified in the Plan for each particular activity:

- (a) All applications for **restricted discretionary buildings**, provided they are in accordance with an approved ODP.
- (b) Any restricted discretionary application for **Outline Development Plans or Comprehensive Development Plans** where the effects of additional retail activity are not required to be considered pursuant to Rule 12.26.7.4(i)(g) (due to the maximum thresholds relating to the amount and type of retail not being exceeded); except as specifically provided for in 12.26.7.6 (iii)(a) below.

Note 1: The effects of any “indicative future retail space” shown on an Outline Development Plan need not be considered pursuant to rule 12.26.7.4(i)(g) and shall not be considered in terms of whether notification is required.

Note 2: If the Outline Development Plan or Comprehensive Development Plan is non complying due to the fact it is not in accordance with the Three Parks Structure Plan (refer Rule 12.26.3.1 (10),for example) then it may be notified.

- (c) Applications for the exercise of the Council's discretion in respect of the following **performance standards**:
 - (i) Internal residential amenity standards
 - (ii) outdoor living
 - (iii) Building coverage

- iii Except as provided for by the Act, the following restricted discretionary activities will be considered without public notification. Service of notice will not be required if all persons who may be adversely affected have given their written approval. The Council will restrict the exercise of its

discretion for those matters specified in the Plan for each particular activity.

- (a) All restricted discretionary applications for **Outline Development Plans or Comprehensive Development Plans** which either:
 - (i) Adjoin land beyond the Three Parks Zone, in respect of utilities and servicing and the mitigation of any conflict between land uses on the boundary of the 3 Parks and adjoining zone); or
 - (ii) Proposes that a collector road connect to adjoining land (including roads) beyond the Three Parks Zone, in respect of roading and intersection design.

12.26.8 Deferred Urban subzone - Rules

12.26.8.1 Purpose

The **Deferred Urban Subzone** provides for an area which can be rezoned for urban development in the future, once those areas already zoned within the 3 Parks have been largely developed and there is a clear need for more land to be released. In the interim, this area is able to be farmed or used as open space and outdoor recreation.

12.26.8.2 Activity Table – Deferred Urban Subzone

Key and notes

CON	Controlled Activity	N-C	Non-Complying Activity
PERM	Permitted Activity	DIS	Discretionary Activity
RDIS	Restricted discretionary Activity		
PRO	Prohibited Activity		
N/A	Performance standard not applicable in the particular subzone.		

Note: Where a proposed activity could possibly be captured by more than one activity/ classification, the most specifically defined activity shall override any other. For example, where both retail and commercial activities are both listed, the classification for retail over-rides that for commercial as it is more specifically defined.

Ref	Activity – Deferred Urban Subzone	Activity status (provided the performance standards are met)
1	Any Activity which is not listed as a Permitted, Controlled, Discretionary or Prohibited Activity	N-C
2	Farming activities	PERM
3	Commercial recreation activities	PERM
	Airports limited to the use of land for:	PERM
	(a) emergency landings, rescues and fire fighting;	

Ref	Activity – Deferred Urban Subzone	Activity status (provided the performance standards are met)
	(b) activities ancillary to farming activities within the subzone.	
4	Farm buildings on any holdings (as defined) less than 100 hectares in area and at a density of no more than one farm building per 50 hectares;	CON
5	Mining, limited to mineral exploration, which does not involve more than 20m ³ in volume in any one hectare	CON
6	Earthworks, as per Rule 5.3.3.2 of the Rural General Zone	CON
7	Comprehensive Development Plan or a variation to an approved CDP. Note: Where any element of an application for a Comprehensive Development Plan is a non-complying activity (for example, an over height building is proposed), then the Comprehensive Development Plan application becomes non-complying.	RDIS
8	Forestry and Shelterbelt Planting within 20m of the boundary of the boundary with another site beyond the subzone	RDIS
9	Mining Activities, except for: (a) Mineral prospecting; (b) Mineral exploration which does not involve bulk sampling exceeding 20m ³ in volume in any one hectare; (c) Mining by means of hand-held, non-motorised equipment and suction dredging, where the total motive power of any dredge does not exceed 10 horsepower (7.5 kilowatt); and (d) The mining of aggregate for farming activities provided the total volume does not exceed 1000m ³ in any one year.	RDIS
10	Outline Development Plan or a variation to an approved ODP. Note: Where any element of an application for an Outline Development Plan is a non-complying activity (for example, more than 5% of sites are 'rear sites'), then the Outline Development Plan application becomes non-complying.	N-C
11	Forestry Activities	RDIS

Ref	Activity – Deferred Urban Subzone	Activity status (provided the performance standards are met)
12	Airports, other than the use of land for: <ul style="list-style-type: none"> (a) emergency landings, rescues and fire fighting; (a) activities ancillary to farming activities. 	N-C
13	Factory Farming	N-C
14	The Planting of the following wilding tree species: <ul style="list-style-type: none"> • Contorta or lodgepole pine (Pinus contorta) • Scots pine (Pinus sylestris) • Douglas fir (Pseudotsuga menziesii) • European larch (Larix decidua) • Corsican pine (Pinus nigra) • Radiata Pine (Pinus Radiata) 	N-C
15	Any activity not listed in this table	N-C
16	Buildings except for controlled farm buildings	PRO

12.26.8.3 Performance Standards

Failure to comply with a standard will result in the need to obtain either a restricted discretionary or non complying resource consent, as specified in this table. Where failure to comply with a performance standard results in a restricted discretionary consent being required, the Council's discretion is restricted only to that or those standards that are not complied with.

Refer also to the zone-wide standards relating to:

- (a) Lighting and Glare (RDIS)
- (b) Waste and Recycling Storage Space (RDIS)

- (c) The creation of Rear Sites (N-C)
- (d) Compliance with an approved Outline Development Plans and Comprehensive Development Plans (N-C)
- (e) Compliance with the Three Parks Structure Plan (N-C)
- (f) Staging of development (N-C)
- (g) Access (N-C)

Ref	Standard – Deferred Urban Subzone	Resource consent status if standard not met
1	<p>Commercial Recreation Activities</p> <p>No commercial recreational activities shall be undertaken except where:</p> <ul style="list-style-type: none"> (a) The recreation activity is outdoors; (b) The scale of the recreation activity is limited to five people in any one group. 	RDIS
2	<p>Farm Buildings</p> <ul style="list-style-type: none"> (a) No farm building shall be replaced, extended or constructed: <ul style="list-style-type: none"> (i) On any holdings (as defined) less than 100 hectares in area; or (ii) At a density of more than one farm building per 50 hectares; (b) The existence of a farm building approved under Rule 12.26.8.2(2) shall not be considered the permitted baseline for development. 	N-C
3	<p>Noise</p> <p>Non-residential activities shall be conducted such that the following noise levels are not exceeded, neither at, nor within, the notional boundary of any residential unit, other than residential units on the same site as the activity:</p>	

Ref	Standard – Deferred Urban Subzone	Resource consent status if standard not met
	<p>(a) during daytime (0800 to 2000 hrs) L10 50dBA.</p> <p>(b) during night time (2000 to 0800 hrs) L10 40dBA and Lmax 70dBA. except:</p> <p>(i) When associated with farming and forestry activities, this standard shall only apply to noise from stationary motors and stationary equipment.</p> <p>(ii) Noise from aircraft operations at Queenstown Airport is exempt from the above standards.</p> <p>Construction noise shall comply with and be measured and assessed in accordance with the relevant New Zealand Standard.</p>	
4	Earthworks, as per Site Standard 5.3.5.1(viii) of the Rural General Zone	RDIS

12.26.8.4 Controlled Activities – Matters over which the Council has reserved control and Assessment Matters

i Commercial Recreation Activities - Assessment Matters

In considering whether or not to impose conditions, the Council shall have regard to, but not be limited by, the following assessment matters:

- (a) Whether the materials and colour to be used are consistent with the rural landscape of which the tow or lift or building will form a part.
- (b) Balancing environmental considerations with operational characteristics.
- (c) Potential effect on surrounding environment.
- (d) Impact of lighting on the enjoyment of an adjoining property.

ii Matters of Control - Mining, limited to mineral exploration, in respect of:

- (a) Terrain disturbance including vegetation clearance and volumes of material to be removed;
- (b) Rehabilitation of a site;
- (c) Siting of roads or any buildings; and
- (d) Dust and noise.

iii Mining, limited to mineral exploration – Assessment Matters

In considering whether or not to impose conditions, conditions may be imposed on mineral exploration in order that:

- (a) the amount of vegetation cleared and volumes of material removed will be minimal and the adverse effects to landscape and nature conservation values and water quality are minimised;
- (b) rehabilitation of the site is completed which ensures:
 - (i) the long term stability of the site;
 - (ii) that the landforms or vegetation on finished areas are visually integrated into the landscape;
 - (iii) that the land is returned to its original productive capacity, where appropriate.
- (c) roads or buildings are located in such a way as to minimise impacts to landscape, conservation, and amenity values;
- (d) dust is minimised where amenity values are at risk. Methods may include wetting down of tracks or heaped overburden;
- (e) noise is minimised where amenity values are at risk. Methods may include restricted hours of operation or appropriate mufflers on machinery.

iv Earthworks – Assessment Matters

In considering whether or not to grant consent or impose conditions, the Council shall have regard to, but not be limited by, those matters listed in 5.4.2.3(xxviii) of the Rural General Zone.

12.26.8.5 Restricted Discretionary Activities – Matters over which discretion is reserved and Assessment Matters

i Commercial Recreational Activities – Assessment Matters

In considering whether or not to grant consent or impose conditions, the Council shall have regard to, but not be limited by, the following assessment matters:

- (a) The extent to which the recreational activity will result in levels of traffic or pedestrian activity which are incompatible with the adjacent residential and commercial areas
- (b) Any adverse effects of the proposed activity in terms of:
 - (i) noise, vibration and lighting, which is incompatible with the levels acceptable in the adjacent residential subzone
 - (ii) loss of privacy or a sense of remoteness or isolation for those living in the residential subzone.
 - (iii) levels of traffic congestion or reduction in levels of traffic safety which are inconsistent with the classification of the adjoining road.
 - (iv) pedestrian safety in the vicinity of the activity.
 - (i) litter and waste.
 - (ii) any cumulative effect from the activity in conjunction with other activities in the vicinity.
- (c) The extent to which the nature and character of the activity would be compatible with the character of the surrounding environment.
- (d) The extent to which the proposed activity will result in a loss of privacy, amenity values or sense of security for residents within the rural environment.
- (e) The extent to which the recreational activity will positively or adversely affect the range of recreational opportunities available in the District or the quality of experience of the people partaking of those opportunities.
- (f) The extent to which the use of the land for the recreational activity will compromise levels of public safety, particularly where

conflict between operators may make a reasonable level of public safety impossible or difficult to achieve.

ii Forestry - Assessment Matters

- (a) In considering whether the proposed forestry has the potential to cause wilding spread, the following matters shall be taken into account:
 - (i) The species of trees proposed, and their potential to naturalise and spread;
 - (ii) The location of the site, having particular regard to the slope and the exposure to wind;
 - (iii) The surrounding land use, having particular regard to land downwind from the site;
 - (iv) Whether a risk assessment has been completed by the applicant;
 - (v) Whether management plans are proposed for the eradication and/or control of wilding spread.
- (b) In considering whether the forestry activity will adversely affect landscape values of the surrounding environment, the following matters shall be taken into account:
 - (i) The existing character of the surrounding landscape, having particular regard to whether it has an open character at present;
 - (ii) The potential to block important views from roads and other public places;
 - (iii) The proximity to neighbouring properties, and the potential to shade and/or block views from neighbouring residences.

- (c) In considering whether the forestry activity will adversely affect the ecological values of the surrounding environment, the following matters shall be taken into account:
 - (i) The existing ecological values of the subject land and the surrounding environment, having particular regard to the potential effects on existing indigenous ecosystems;
 - (ii) Current and future demand on water resources.
- (d) In considering the effects associated with the maintenance and harvesting of forestry activities, the following matters shall be taken into account:
 - (i) Traffic Generation
 - (ii) Volume and disposal of hazardous waste, and hazardous substances
 - (iii) Production of noise and odour;
 - (iv) Associated earthworks, and potential effects on water quality
- (v) historical, cultural or known archaeological artefacts or sites.
- (vi) life supporting capacity of soils, water and air.
- (vii) public access to and along the lake, river or waterway.
- (b) The ability of the proposal to rehabilitate the site during and after mining.
- (c) The ability of the company to:
 - (i) provide a contingency plan for early mine closure.
 - (ii) adequately monitor operations and the effects on the receiving environment.
- (d) The necessity of the company to provide a bond to Council reviewed annually, for the purpose of rehabilitating operation areas in the event of non-compliance with terms and conditions of any consent, premature closure or abandonment of the mine.

iii Mining – Assessment Matters

In considering whether or not to grant consent or impose conditions, the Council shall have regard to, but not be limited by, the following assessment matters:

- (a) The extent to which mining activities will adversely affect:
 - (i) amenity values.
 - (ii) recreational values.
 - (iii) nature conservation values.
 - (iv) landscape and visual amenity values.

iv Earthworks – Assessment Matters

In considering whether or not to grant consent or impose conditions, the Council shall have regard to, but not be limited by, those matters listed in 5.4.2.3(xxviii) of the Rural General Zone.

12.26.8.6 Non-notification of Applications

- i Except as provided for by the Act, all applications for controlled activities will be considered without public notification or the need to obtain the written approval of or serve notice on affected persons and will be assessed according to matters the Council has reserved control over in the Plan.

NB: All notified changes are shown as double underlined or double struck out and where further changes are recommended in response to submissions these are shown as single underlined and/ or single struck out

circumstances and that, whilst such activities will be inappropriate in many circumstances those uses that preserve or enhance residential amenity and sustainability are likely to be acceptable.

1 Introduction

1.5 Legal Framework

...

1.5.3 Status of Activities

...

(iii) **Discretionary activities** require a resource consent, and may be subject to standards specified in the Plan. Activities have been afforded such status ~~where~~:

- i Where there is a potential that they may not be suitable in all locations in a zone; or
- ii Where the effects of the activity on the environment are so variable that it is not possible to prescribe appropriate standards to cover all circumstances in advance of an application; or
- iii because in or on outstanding natural landscapes and features the relevant activities are inappropriate in almost all locations within the zone, particularly within the Wakatipu basin or in the Inner Upper Clutha area; or
- iv because in visual amenity landscapes the relevant activities are inappropriate in many locations; or
- v because in other rural landscapes the relevant activities may be inappropriate because the amenities of neighbours will be significantly affected; or
- vi because, in the residential subzones of the Three Parks Zone, the potential effects of non-residential activities are so variable that it is not appropriate to prescribe standards to cover all

NB: All notified changes are shown as double underlined or double struck out and where further changes are recommended in response to submissions these are shown as single underlined and/ or single struck out

10 Town Centre Objectives and Policies

10.1.3 Objectives and Policies

Objective 1 - Maintenance and Consolidation of the existing Town Centres and Activities Therein

Viable Town Centres which respond to new challenges and initiatives but which are compatible with the natural and physical environment.

Policies:

- 1.1 *To maintain and enhance patterns of land use, development and character which promote and reinforce close proximity and good accessibility within the business areas and between the business areas and living areas.*
- 1.2 *To enable town centres to become the principal foci for commercial, administration, employment, cultural and visitor activities.*
- 1.3 *To provide for and encourage the integration of a range of activities within town centres, including residential activity.*
- 1.4 *To enable retail activities within town centres.*
- 1.5 *To provide for town centres to be densely developed centres of activity with maximum consolidation of space, commensurate with the essential amenity, environmental and image outcomes sought for each centre.*
- 1.6 *To provide for the staged development of a commercial and mixed use commercial core within the 3 Parks Zone ~~development in areas that do not form or surround the Wanaka Town Centre provided its development does not undermine the role, function, vitality and vibrancy of the Town Centre.~~*

~~they do not whilst recognising that there may be some extensions to the Town Centre zone that may also be appropriate over time.~~

Explanation and Principal Reasons for Adoption

A key element of urban growth is the relationship between residential and business activity areas. The way in which business and residential activities are distributed within the District will have a major influence on travel demand and energy consumption. The Council cannot expect to determine where people choose to live in relation to their employment but the opportunities for providing a convenient link between employment and living environments does have a number of advantages including:

- convenient access for those with limited access to private transport.
- reducing the cost of private transport.
- providing a choice of transport mode.

The main town centres provide a variety of retail, service, entertainment and visitor facilities which contribute to the identity of the major towns. The Council recognises that some new commercial activities will establish away from the main town centres but is determined to ensure that these town centres continue to develop and enhance their role as the principal business environments.

The town centres are important for visitor activity. However, the Council is concerned about the effects of large scale vehicle orientated activities on the amenity values of the Arrowtown, ~~and~~ Queenstown ~~and~~ Wanaka town centres. In addition, these Town Centres are confined by topography and existing buildings and could have difficulty coping with anticipated business growth which will flow from increased visitor numbers. In Wanaka, the establishment of such large scale activities beyond the Town Centre is considered necessary in order to preserve the amenity, scale, character, and consolidated form of the Town Centre.

NB: All notified changes are shown as double underlined or double struck out and where further changes are recommended in response to submissions these are shown as single underlined and/ or single struck out

14 TRANSPORT

14.1.3 Objectives and Policies

...
Objective 9

In the Three Parks Zone, an urban structure, well-considered building design, and other initiatives which, together, help to reduce car use and provide practical alternatives.

Policies (Three Parks Zone)

9.1 To require that the urban structure (including road layout, cycle and walking networks, land use densities, and block sizes) is well-connected and specifically designed to:

9.1.1 Enable public transport to efficiently service the area, now or in the future (which may, in the future, also include the provision of a significant transport hub/inter-change); and

9.1.2 Ensure that on-street carparking is provided; and

9.1.3 Reduce travel distances through well-connected streets; and

9.1.4 Provide safe, attractive, and practical routes for walking and cycling, which are well-linked to existing or proposed passenger transport and local facilities and amenities within the zone, and which are well-connected to other areas beyond the zone, particularly the Wanaka Town Centre.

9.2 To require applications for Outline Development Plans, Comprehensive Development Plans, and larger scale commercial developments to show how they will help reduce private car travel and encourage realistic alternative modes of transport, including through avoiding the excessive provision of car parking

9.3 To recognise that constraining the provision of car parks may be one appropriate method of managing single occupancy car trips, particularly in later stages of development as the Commercial Core becomes more established

9.4 To encourage large scale developments (i.e. those with at least 150 employees) to prepare voluntary travel plans through the Council providing advocacy and assistance, and considering reductions in parking requirements where travel plans are proposed.

Refer to Council guidelines relating to Travel Plans.

14.2.4 Site Standards

...

Table 1C - Three Parks Zone: Minimum Car Parking Space Requirements

Note: Where an activity is not specifically listed below, the requirements in Table 1 shall apply.

<u>ACTIVITY</u>	<u>RESIDENTS/VISITOR CARPARKS</u>	<u>STAFF/GUEST CARPARKS</u>
Residential units: In the LDR subzones	2 per unit; and 1 per residential flat 2 per unit except that where the site is within 400 m of an existing, regular, public	None, None, except that where the resident/ visitor parking provision has been

PLAN CHANGE 16 – THREE PARKS ZONE

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ACTIVITY	RESIDENTS/VISITOR CARPARKS	STAFF/GUEST CARPARKS
<u>In all other subzones</u>	transport stop which is regularly serviced this may be reduced to 1.25 per unit. ; and 1 per residential flat	reduced to 1.25 per unit a further 0.25 per unit shall also be provided NB: Such parking may be clustered.
<u>Visitor Accommodation- unit type construction, (includes all units containing a kitchen facility, e.g. motels, cabins):</u> <u>In the LDR subzone</u>	2 per unit; and On sites containing more than 30 units, the site's access and three of the spaces must be arranged so that a design tour coach can enter and park on or near these spaces. These three spaces may be allocated for coach parking. 2 per unit, except that where the site is within 400 m of an existing public transport stop, which is regularly serviced this may be reduced to 1.25 per unit; and	None
<u>In the MDR, Tourism and Community Facilities, and the Commercial Core subzones</u>	On sites containing more than 30 units, the site's access and three of the spaces must be arranged so that a design tour coach can enter and park on or near these spaces. These three spaces may be allocated for coach parking	None, except that where the resident/ visitor parking provision has been reduced to 1.25 per unit a further 0.25 per unit shall also be provided NB: Such parking may be clustered.

ACTIVITY	RESIDENTS/VISITOR CARPARKS	STAFF/GUEST CARPARKS
<u>Visitor Accommodation (Backpacker Hostels) – In all subzones</u> NB – Refer Table 1 for other types of Visitor Accommodation.	1 per 5 guest beds. In addition 1 coach park per 50 guest rooms	1 per 20 beds NB: Such parking may be clustered.
<u>Large format retail, except supermarkets</u>	2.3 per 100 m ² GFA; Except that once retail space in the commercial core subzone exceeds 20,000m ² GFA, there shall be no minimum standard provided the provision of carparking is in accordance with an approved Outline Development Plan or Comprehensive Development Plan.	1 per 10 full time equivalent staff or 1 per 300m ² GFA, whichever is the greater; Except that once retail space in the commercial core subzone exceeds 20,000m ² GFA, there shall be no minimum standard provided the provision of carparking is in accordance with an approved Outline Development Plan or Comprehensive Development Plan.
<u>Supermarkets</u>	5 per 100 m ² GFA	1 per 10 full time equivalent staff or 1 per 300m ² GFA, whichever is the greater; Except that once retail space in the commercial core subzone exceeds 20,000m ² GFA, there shall be no minimum standard provided the provision of carparking is in accordance with an

PLAN CHANGE 16 – THREE PARKS ZONE

ACTIVITY	RESIDENTS/VISITOR CARPARKS	STAFF/GUEST CARPARKS
<p>Specialty retail and commercial activities not otherwise listed in Table 1 or this table</p>	<p>1 per 25 m² GFA; except that :</p> <p>(i) <u>Once retail space in the commercial core subzone exceeds 20,000m² GFA, there shall be no minimum standard provided the provision of carparking is in accordance with an approved Outline Development Plan or Comprehensive Development Plan</u></p> <p>(ii) <u>In the MDR (deferred mixed use) subzone, the provision of 90° parking on the street immediately in front of the site shall be included in the calculation of on-site carparking requirements.</u></p>	<p>approved Outline Development Plan or Comprehensive Development Plan.</p> <p>1 per 10 full time equivalent staff or 1 per 300m² GFA, whichever is the greater;</p> <p><u>Except that once retail space in the commercial core subzone exceeds 20,000m² GFA, there shall be no minimum standard provided the provision of carparking is in accordance with an approved Outline Development Plan or Comprehensive Development Plan.</u></p>
<p>Service Activities</p>	<p>1 per 100m² of GFA, except that <u>there is no residential/ visitor parking requirement for that area used for the maintenance and repairing of goods.</u></p>	<p>1 per 25m² of area used for <u>the maintenance and repairing of goods</u></p> <p>1 per 100m² of area used for <u>any other form of service activity.</u></p>

Clarification of Tables 1- & , 1A and 1C

...

iv Parking Area and Access Design

... (including changes resulting from Plan Change 6)

In the LDR and MDR subzones of the Three Parks Zone, all back lanes serving residential units shall be in accordance with the standards set out in NZS4404:2004 except as identified in the table below:

<u>The actual number of units serviced or the potential number of units serviced by the back lane as a permitted or restricted discretionary activity, whichever is the greater.</u>	<u>Minimum legal width</u>	<u>Maximum legal width</u>
Back lanes servicing 1 to 16 residential units	5 metres	6 metres

Provided that:

- (a) Where any back lane adjoins a local distributor or higher road in the hierarchy, including a State Highway, it shall have a 6m legal width for a minimum length of 6m as measured from the legal road boundary.
- (b) No back lane shall serve sites with a potential to accommodate more than 16 residential units on the site and adjoining sites.
- (c) Back lanes shall have legally enforceable arrangements for maintenance put in place at the time they are created.

14.2.4.2 Three Parks Zone - Bicycle Parking Standards

i Table 1D - Minimum bicycle parking space requirements.

PLAN CHANGE 16 – THREE PARKS ZONE

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ACTIVITY	Type 1	Type 2	Type 4
<u>Commercial Activities, other than those which are more specifically defined elsewhere in this table.</u>	<u>2 bike spaces (i.e. 1 stand) for the first 125m² of GFA used for retail and 1 space for every 125m² of GFA used for retail, thereafter</u>	<u>Nil</u>	<u>1 bike space per 10 on-site workers</u>
<u>Offices</u>	<u>2 bike spaces (i.e. 1 stand) for the first 500 m² GFA and 1 space for every 500m² GFA, thereafter</u>	<u>Nil</u>	<u>1 bike space per 10 on-site workers</u>
<u>Industrial and service activities</u>	<u>Nil</u>	<u>Nil</u>	<u>1 bike space per 10 on-site workers</u>
<u>Restaurants, Cafes, Taverns and Bars</u>	<u>2 bike spaces (i.e. 1 stand) for the 125 m² PFA and 1 space for every 125m² GFA, thereafter</u>	<u>Nil</u>	<u>1 bike space per 10 on-site workers</u>
<u>Hospitals</u>	<u>1 bike space per 25 beds</u>	<u>Nil</u>	<u>1 bike space per 10 on-site workers</u>
<u>Daycare Facilities</u>	<u>2 bike spaces per centre</u>	<u>Nil</u>	<u>1 bike space per 10 on-site workers</u>
<u>Places of assembly, community activities, and places of entertainment.</u>	<u>2 bike spaces per 500 m² located directly outside the main entrance or ticket office.</u>	<u>1 per 50m² PFA or 50 seats, whichever is greater</u>	<u>1 bike space per 10 on-site workers</u>
<u>Educational facilities</u>	<u>2 bike spaces per office</u>	<u>Nil</u>	<u>1 bike space per 8 students and</u>

ACTIVITY	Type 1	Type 2	Type 4
			<u>on-site workers</u>
<u>Sports fields</u>	<u>2 bike spaces per hectare of playing area</u>	<u>Nil</u>	

Clarification of the Table

- Refer below for the design standards and definitions for the various types of cycle parking
- PFA = Public Floor Area. This shall be taken to mean the GFA of all public areas. Refer to Section D for the definition of 'public area'.
- Refer to Section D for a definition of 'on site workers'.
- Where an assessment of the required parking standards results in a fractional space, any fraction shall be counted as one space.
- Definitions of the various types of bicycle parking are as follows:

<u>Customer/Visitor Short-Term Bicycle Parking (Type One)</u>	<u>Means bicycle parking provided outside destinations where visitors are only expected to stay for five to 30 minutes.</u>
<u>Customer/Visitor Short to Medium-Term Bicycle Parking (Type Two)</u>	<u>Means bicycle parking provided outside destinations where customers/ visitors are expected to stay for 30 minutes to three hours.</u>
<u>Private Long-Term Bicycle Parking (Type Four)</u>	<u>Means bicycle parking that is high security and limited access parking provided by private companies or organisations for use by employees or students who work/study on the site.</u>

ii Design standards for Type One cycle parking – Customer/Visitor Short-Term Bicycle Parking.

Type 1 bicycle parking shall be located within 10 metres of the main pedestrian entrance(s) to the building(s), except:

- (a) In relation to the Commercial Core, Type One bicycle parking shall consist of at least one bicycle stand (2 bicycle parks) located every 50 metres within the road reserve and public space and this shall be identified at the ODP approval stage.

Note: This rule does not apply where the development does not include a building (as in the case of some sportsfields or some community facilities, for example),

iii Design standards for Type 2 Customer/Visitor Short to Medium Term Bicycle Parking

Type 2 bicycle parking shall be located within 25m of the destination, or so that it is closer than the nearest carpark (excluding disabled carparks), whichever is the lesser, except:

- (a) Within any pedestrian-only mall within the Commercial Core, Type Two bicycle parking shall be provided in clusters near the different entrances to the pedestrian mall.

iv Design standards for Type Four – Private Long-Term Bicycle Parking

Type 4 bicycle parking shall be provided at all employment centres and schools within the zone, in the following manner:

- (a) Large developments with more than 30 on-site workers shall provide their own separate facilities on site. Note: Refer to the interpretation of “on site worker
- (b) Smaller businesses with less than 30 on-site workers may utilise a centralised facility, provided it is located within 50 metres of the business.

Note: Type 4 parking will normally take the form of a bike locker, limited access enclosure, or bike station.

14.3.2 Assessment Matters

- ...
viii In the Three Parks zone, whether proposed initiatives which discourage private car use and encourage alternative modes of transport justify a reduction in the minimum parking requirements.

NB: All changes are shown as double underlined or struck out.

15 Subdivision, Development and Financial Contributions

15.25 Subdivision, Development and Financial Contributions Rules

Add the following objectives and Policies:

Three Parks zone objectives and policies

...

Objective 8

Three Parks Zone - A layout and design of development that demonstrates best practice in terms of achieving environmental sustainability

- 8.1 To ensure, through well-planned layouts, that buildings and open spaces are located and orientated in a way that achieves good solar access
- 8.2 To encourage energy efficiency in the design, location, and orientation of buildings.
- 8.3 To require development and subdivision to demonstrate best practice in regard to managing the quantity and quality of stormwater runoff.

- 8.4 To encourage the creation or restoration of wetlands where opportunities exist

Objective 9

Three Parks Zone - An urban structure, well-considered building design, and other initiatives which, together, help to reduce car use and provide practical alternatives.

Policies

- 9.1 To require that the urban structure (including road layout, cycle and walking networks, land use densities, and block sizes) is well-connected and specifically designed to:
 - 9.1.1 Enable public transport to efficiently service the area, now or in the future (which may, in the future, also include the provision of a transport node); and
 - 9.1.2 Ensure that on-street carparking is provided; and
 - 9.1.3 Reduce travel distances through well-connected streets; and
 - 9.1.4 Provide safe, attractive, and practical routes for walking and cycling, which are well-linked to existing or proposed passenger transport and local facilities and amenities within the zone, and which are well-connected to other areas beyond the zone, particularly the Wanaka Town Centre.

Objective 10

Three Parks Zone - Staged development which keeps pace with the growth of Wanaka and results in a high quality urban area containing a network of open spaces and a mix of compatible uses.

Policies

- 10.1 To ensure that development is consistent with the Wanaka Structure Plan (2007) and the Wanaka Transport Study (2007).
- 10.2 To avoid development that is not in accordance with the Three Parks Structure Plan or approved Outline Development Plans or Comprehensive Development Plans.
- 10.3 To ensure development is staged in a manner which results in a logical progression of development, the cost effective provision of infrastructure, an appropriate mix of uses, and a consolidated urban form.
- 10.4 To ensure that development and subdivision does not occur unless appropriate infrastructure is in place to service it.
- 10.5 To ensure that the open space network includes those open spaces shown on the Three Parks Structure Plan in order to provide landscaped buffers along SH84 and Riverbank Rd , to protect key landscape features, and to provide for passive and active outdoor recreation activities.
- 10.6 To avoid buildings within the fixed open space areas shown on the Three Parks Structure Plan, other than small buildings that are ancillary to the infrastructure or recreation function of the area.
- 10.7 To require high quality landscape design of the Open Space areas
- 10.8 To recognise that pastoral and arable farming may be suitable in early stages of development while also acknowledging that it may become unsuitable as surrounding areas become more urbanised.
- 10.9 To avoid any subdivision or development or the Deferred Urban Zone in order to preserve it for future urban use and so as to not pre-empt what that use may be.

Objective 11

Three Parks Zone - A high level of residential amenity and a range of housing types which promote strong, healthy, and inclusive communities.

Policies

- 11.1 A mixture of residential densities is encouraged in order to provide greater housing choice, a greater range of affordability, and a more diverse resident community.
- 11.2 Residential densities are required to be consistent with those specified in the assessment matters for Outline Development Plans in order to ensure that the various subzones are distinctly different from one another and that desired level of consolidation and open space is achieved in the respective areas.
- 11.3 Neighbourhoods are required to be laid out in a manner which encourages residences to address the street by avoiding long, thin lots with narrow frontages.
- 11.4 Small clusters of higher density housing is appropriate in the Low Density Residential subzone provided it is identified in an approved Outline Development Plan, is well designed, and is located such that it provides a high level of residential amenity.
- 11.5 Some variation in densities is required in the Low Density Residential subzone in order to achieve a more diverse streetscape and resident community.
- 11.6 The multi unit developments within the LDR subzone are comprehensively designed to ensure a quality residential living environment and attractive streetscape.

Objective 12

Three Parks Zone - Establishment of a high quality, functional business area which provides for a wide range of light industrial, service and trade-related activities whilst protecting it from residential and inappropriate retail uses.

Policies

- 12.1 Small lot subdivision shall be avoided unless combined with a land use Resource Consent, which illustrates how a complying business development can occur on the site(s).

Objective 13

Three Parks Zone - A high quality urban fabric, which is consistent with the vision set out in the Wanaka Structure Plan and the subsequent Structure Plan for the Three Parks Zone.

Policies

- 13.1 To require street layouts and design to:
- 13.1.1 Have an informal character in the Low Density residential subzone, including elements such as open swales where appropriate.
 - 13.1.2 Be well-connected, with cul-de-sacs being avoided wherever connected streets would offer greater efficiency and amenity
 - 13.1.3 Minimise the creation of rear sites.
 - 13.1.4 Be safe for vehicles, cyclists, and pedestrians.
 - 13.1.5 Minimise opportunities for criminal activity through incorporating Crime Prevention Through Environmental Design (CPTED) principles as appropriate in the design of lot configuration and the street network, carparking areas, public and semi-public spaces, accessways, landscaping, and the location of compatible uses.
- 13.2 To encourage pedestrian and cycle links to be located within the public street, whilst acknowledging that off-street links are also appropriate provided they offer a good level of safety and amenity for users.

- 13.3 To encourage pedestrian and cycle links to provide for both the commuter and recreational needs of residents within the zone and the wider community.
- 13.4 To require well-located and well-designed open spaces that encourage high levels of usage and which are generally consistent with the Indicative Open Space Plan which forms part of the Three Parks Structure Plan
- 13.5 To require a number of public spaces to be developed in the Commercial Core; the scale and purpose of which shall be commensurate with the design capacity of the ODP (in terms of the GFA proposed and the number of employees and residents), including:
- 13.5.1 An appropriately scaled public square in the Commercial Core, which provides a focal point for social interaction and contributes to a sense of place;
 - 13.5.2 An appropriately scaled village green, which provides a relaxed distinctly non-commercial atmosphere
 - 13.5.3 A number of small public spaces, which provide a range of different environments in which to congregate and/ or relax, such that there is one within a 5 minute walk from all parts of the Commercial Core.
- 13.6 To require a network of well connected, usable, and safe open spaces.
- 13.7 To encourage, where feasible, local reserves to be located and designed such that they can provide for stormwater disposal as well as providing for open space and/ or recreational needs.
- 13.8 To recognise that the relocation of a collector road by more than 50 metres (from that shown on the Three Parks Structure Plan) is likely to significantly affect the integrity of the Three Parks Structure Plan and should be avoided.

Objective 14 – Deferred Urban Subzone

The preservation of an area of land adjacent to the Commercial Core for future urban development once those zoned areas within 3 Parks have been largely developed and there is a clear need for more land to be released.

- 14.1 To prevent development and subdivision of the deferred subzone until a future plan change demonstrates a need and purpose for the urban development of the land
- 14.2 To acknowledge that the Deferred Urban Zone may be suitable for either commercial, business, or residential use or a combination of these but that this decision is best deferred until the existing zoned areas have been developed.
- 14.3 To enable this area to continue to be farmed or to be used as open space and outdoor recreation until such a time as it is required for urban growth.

Objective 15 The establishment of a green network including parks, areas for community facilities, cycleways, and pedestrian linkages that permeate all parts of the zone and links seamlessly into the more urbanised public realm in the commercial core.

- 15.1 To ensure open space is created as part of a comprehensively planned hierarchy of spaces (including those for ecological and nature conservation purposes, active and passive recreation, soft and hard surface spaces, and those which contribute to the cycle and walking network).
- 15.2 To encourage community reserves and facilities to be in easily accessible, sunny, and flat locations.
- 15.3 To encourage spaces to be provided in the Commercial Core where the public can congregate.
- 15.4 To avoid residential development from being located under the main transmission lines, identified on the Three Parks Structure Plan and encourage this corridor to contribute to the green network.

- 15.5 To avoid residential development in close proximity to riverbank Road.
- 15.6 To consider the possibility of providing additional playing fields that service the wider Wanaka catchment as part of assessing each Outline Development Plan.
- 15.7 To ensure good visual connection between the private and public realm by avoiding high fences and walls between the private allotment and public open space.

Add to 15.2.3.2 Controlled Subdivision Activities:

- iii Any rear site created in the Three Parks Zone following or combined with a comprehensive commercial development or multi unit development shall be a controlled activity

Add to 15.2.3.4 Non complying Subdivision Activities

- x **The Three Parks Zone** - Any subdivision which is not in accordance with an approved Outline Development Plan or Comprehensive Development Plan.

Note: The intention of this rule is to ensure that an Outline Development Plan or Comprehensive Development Plan is submitted and approved prior to a subdivision consent being applied for.

- xi **The Three Parks Zone** – Any subdivision which is not in accordance with the Three Parks Structure Plan, unless a variation has been expressly approved as part of a subsequent, more detailed ODP or CDP, except that:
 - i All, subzone boundaries, and key connection points shown as 'fixed' on the Three Parks Structure Plan may be moved up to 20 metres and all collector roads shown on the Three Parks Structure Plan may be moved up to 50 metres in any direction in

- order to enable more practical construction or improved layouts and/ or to allow for minor inaccuracies in the plan drafting; and
- ii All roads and other elements shown as 'indicative' on the Three Parks Structure Plan may be moved or varied provided they are generally in accordance with and achieve the Three Parks Structure Plan and the relevant objectives and policies.
- iii All Open Spaces shown on the Three Parks Structure Plan may be moved or varied provided they are generally in the same location; are of the same or greater scale; provide the same or an improved level of landscape mitigation (particularly in respect of ensuring a green buffer from SH 84); and provide the same or an improved level of functionality.

Note: For the avoidance of doubt, an Outline Development Plan or Comprehensive Development Plan which in any way obstructs or does not specifically provide for the roading connections to land or roads adjoining the zone, in the manner shown on the Three Parks Structure Plan will be processed as a non complying activity.

- xii **The Three Parks Zone** – Any subdivision of the Open Space areas shown on the Three Parks Structure Plan or approved by an Outline Development Plan or Comprehensive Development Plan.
- xiii **The Three Parks Zone** – Any subdivision within the Deferred Urban subzone.

15.2.6.3 Zone Subdivision Standards – Lot Sizes and Dimensions

Any subdivision of land which does not comply with any one or more of the following Zone Standards shall be a **Non-Complying Subdivision Activity**.

...

i Lot Sizes

- (a) No lots to be created by subdivision, including balance lots, shall have a net area less than the minimum specified for each zone in the Table below, **except** as provided for in (c), (d) and (e) below.

Add the following table immediately following the existing tables:

Zone	Minimum Lot Area
Three Parks	
<u>LDR (Three Parks)</u>	<u>No minimum – controlled activity</u>
<u>MDR subzone (Three Parks)</u>	<u>No minimum – controlled activity</u>
<u>Commercial Core (Three Parks) –</u>	<u>No minimum – controlled activity</u>
<u>Business (Three Parks) –</u>	<u>1000 m²;</u> <u>Except that the minimum lot size shall be 200m² where the subdivision is part of a complying combined land use/ subdivision consent application or where each lot to be created, and the original lot, all contain at least one business unit.</u>
<u>Tourism and Community Facilities subzone (Three Parks)</u>	<u>2000 m²</u> <u>The purpose of this rule is to encourage comprehensive, large lot developments.</u>

No minimum allotment size shall apply in the Low and High Density Residential Zones where each allotment to be created, and the original allotment, all contain at least one residential unit.

...

Add the following:

...

vii The creation of rear sites in the Three Parks Zone

- (a) In any subzone other than the MDR subzone, no more than 10% of all sites shown on a subdivision scheme plan may be “rear sites”; and
- (b) In the MDR subzone, there shall be no rear sites shown on a subdivision scheme plan; provided that
- (c) Any rear sites resulting from the subdivision of an existing building shall not be deemed to be ‘rear sites’ for the purpose of either standard 15.2.6.3 (vii)(a) or 15.2.6.3 (vii)(b).

Note: Refer Section D for a definition of ‘rear site’.

PLAN CHANGE 16 – THREE PARKS ZONE

NB: All changes are shown as double underlined or struck out.

8.2 Signs - Rules

18.2.5 Zone Standards

All activities that do not meet the zone standards shall be Non-Complying Activities.

TOWNSHIP, TOWN CENTRE, (EXCEPT WITHIN THE TOWN CENTRE TRANSITION SUB-ZONE), CORNER SHOPPING CENTRE, AIRPORT MIXED USE, BUSINESS & INDUSTRIAL ZONES, BUSINESS SUBZONE (THREE PARKS ZONE), COMMERCIAL CORE SUBZONE (THREE PARKS ZONE), AND REMARKABLES PARK ZONE ACTIVITY AREAS 3 AND 5

(i) Ground Floor Signs

- (a) Ground floor areas with frontage to a road, footpath, service lane or access way: signs on the ground floor areas of each face of a building shall not exceed 5m² in total area or 15% of the ground floor area of that face of the building, whichever is less.

Provided that if the building also has frontage to a road the signs on the face of the building adjacent to the service lane or access way shall not exceed 2% of the ground floor area of the face of the building adjacent to the service lane or access way.

b) Standards:

Sign Type	Maximum Area	Additional Standards
Wall Signs	2m ²	
Verandah Face Signs	Shall not together with other ground floor signs exceed the area specified in 18.2.4(i)(a) above	Shall not exceed 600mm in depth
Under Verandah Signs	Shall not together with other ground floor signs exceed the area specified in	Shall be at 2.5m above the surface of the road, footpath, service lane or access way

	18.2.4(i)(a) above	
Free-standing Signs	2m ²	Shall not project over and any road or service lane. Shall not project over a footpath unless it is 2.5m above the level of the footpath and does not project more than a metre over the footpath.
Flatboards	1m ²	Shall be located on the site maximum of two flatboards or one sandwich board per site.

(ii) Other Signs

(a) Standards:

Sign Type	Maximum Area	Additional
Above Ground Floor Signs	2 m ²	
Arcade Directory Sign	3 m ²	Shall list only the names of the occupiers of the arcade. Shall be displayed at the entrances to the arcade only.
Upstairs Entrance Sign	1.5m ²	Shall contain only the name of the activity of the occupier using that entrance.
Above Verandah Signs	2 m ²	

LOW DENSITY RESIDENTIAL, LOW DENSITY AND MEDIUM DENSITY RESIDENTIAL SUBZONES (THREE PARKS ZONE), HIGH DENSITY RESIDENTIAL, THE TOWN CENTRE TRANSITION SUB-ZONE, RESIDENTIAL ARROWTOWN HISTORIC MANAGEMENT, RURAL RESIDENTIAL ZONES, AND REMARKABLES PARK ZONE (except Activity Areas 3, 5 and 8)

(i) On any site signage shall:

- have a maximum area of 0.5 m²
- either be attached to a building or be free-standing

- (ii) If the sign is located at the front of the site it shall:
 - not project over any road or service lane
 - not extend over any footpath unless
- (b) it is at least 2.5 m above the footpath
- (c) it does not extend more than 1m over a footpath
- (iii) Notwithstanding (i) above signage for recreation grounds, churches, medical facilities, nursing homes, educational institutions and community buildings shall have a maximum of 2m² per site and either by attached or by free-standing
- (iv) Notwithstanding (i) above, visitor accommodation in Residential Zones may have two signs at each separate entrance/exit:
 - One sign which identifies the site and has a maximum area of 2m²
 - One sign which contains the words ‘vacancy’ and ‘no vacancy’ and does not exceed 1m x 0.15m in dimension.

RURAL AREAS, HYDRO GENERATION ZONE, RESORT, RURAL VISITOR, BENDEMEER, TOURISM AND COMMUNITY FACILITIES SUBZONE (THREE PARKS ZONE), PENRITH PARK AND RURAL LIFESTYLE ZONES, AND REMARKABLES PARK EXCEPT ACTIVITY AREA 3, 8.

- (i) On any site signage shall:
 - have a maximum area of 2 m²
 - be located on the site

Definitions

NB - Additions are shown as double underlined.

<u>AUTOMOTIVE AND MARINE SUPPLIER (Three Parks Zone)</u>	<p>Means a business primarily engaged in selling automotive vehicles, marine craft, accessories to and parts for such vehicles and craft, and without limiting the generality of this term, includes suppliers of:</p> <ul style="list-style-type: none"> • <u>boats and boating accessories;</u> • <u>cars and motor cycles;</u> • <u>auto parts and accessories;</u> • <u>trailers and caravans; and</u> • <u>tyres and batteries.</u>
<u>BACK LANE SITE (Three Parks Zone)</u>	<p>Means a site that gains vehicular access via a private back lane, as opposed to directly off the street, where the back lane is between 5m and 6m in width.</p>
<u>BLOCK PLANS (Three Parks Zone)</u>	<p>A comprehensive plan covering at least one street block which shows how all the land will be developed and which includes fixed lot boundaries and building platforms, building typologies including elevations, the outdoor living spaces, and the location, design, and dimensions of carparking, driveways, and accessways</p>
<u>BUILDING SUPPLIER (Three Parks Zone)</u>	<p>Means a business primarily engaged in selling goods for consumption or use in the construction, modification, cladding, fixed decoration or outfitting of buildings and without limiting the generality of this term, includes:</p> <ul style="list-style-type: none"> • <u>glaziers;</u> • <u>locksmiths; and</u> • <u>suppliers of:</u> <ul style="list-style-type: none"> • <u>awnings and window coverings;</u> • <u>bathroom, toilet and sauna installations;</u>

PLAN CHANGE 16 – THREE PARKS ZONE

- electrical materials and plumbing supplies;
- heating, cooling and ventilation installations;
- kitchen and laundry installations, excluding standalone appliances;
- paint, varnish and wall coverings;
- permanent floor coverings;
- power tools and equipment;
- safes and security installations; and
- timber and building materials.

- fencing, gates and trellises;
- firewood;
- garden machinery;
- outdoor recreational fixtures and installations;
- monumental masonry;
- patio furniture and appliances;
- paving and paving aggregates;
- statuary and ornamental garden features; and
- swimming and spa pools

FARMING AND AGRICULTURAL SUPPLIER (Three Parks Zone)

Means a business primarily engaged in selling goods for consumption or use in the business operations of primary producers or in animal husbandry and without limiting the generality of this term, includes:

- equestrian and veterinary suppliers;
- farming and horticultural equipment suppliers;
- seed and grain merchants; and
- stock and station outlets;

HABITABLE SPACE (Three Parks Zone)

Means any internal space within a building, other than garages, bathrooms, laundries, or storage (including wardrobes).

FOOD AND BEVERAGE OUTLET (Three Parks Zone)

Means the use of land or buildings primarily for the sale of food and/or beverages prepared for immediate consumption on or off the premises to the general public. It includes restaurants, taverns, cafes and takeaway bars, and excludes supermarkets.

GARDEN AND PATIO SUPPLIER (Three Parks Zone)

means a business primarily engaged in selling goods for permanent exterior installation or planting and without limiting the generality of this term, includes:

- garden centres;
- landscape suppliers; and
- suppliers of:
 - bark and compost;
 - clothes hoists and lines;
 - conservatories, sheds and other outbuildings;

HEIGHT

In relation to a building means the vertical distance between ground level at any point and the highest part of the building immediately above that point, except that this measurement is not relevant when assessing the number of storeys in the Three Parks Zone. For the purpose of calculating height in all zones, other than in relation to assessing the number of storeys in the Three Parks Zone as specified above, account shall be taken of parapets, but not of:

- aerials and/or antennas, mounting fixtures, mast caps, lightning rods or similar appendages for the purpose of telecommunications but not including dish antennae which are attached to a mast or building, provided that the maximum height normally permitted by the rules is not exceeded by more than 2.5m; and
- chimneys or finials (not exceeding 1.1m in any direction); provided that the maximum height normally permitted by the rules is not exceeded by more than 1.5m.

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HOME OCCUPATION
Means the use of a site for an occupation, business, trade or profession in addition to the use of that site for a residential activity and which is undertaken by person(s) living permanently on the site, but excludes homestay. This definition does not apply in the Three Parks Zone.

HOME OCCUPATION (Three Parks Zone)
Means the use of a site for a non-residential activity (trade, occupation, profession, or business) in addition to the use of that site for a residential activity, where the non-residential activity occupies no more than 40m² of the GFA of all buildings on the site and where at least one person engaged in the non-residential activity resides permanently on the site and no more than one full-time equivalent person engaged in the activity resides permanently off-site. Home occupations exclude the operation of any visitor accommodation activity or homestay.

LARGE FORMAT RETAIL (Three Parks Zone)
Any single retail tenancy which occupies more than 400m² of GFA. Refer definition of GFA

MULTI UNIT DEVELOPMENT
Relates to any residential development in the Three Parks Zone, that results in three or more residential units either on a site or across a number of sites; and

Relates to any development in Activity Area 3 of the Peninsula Bay Zone and that involves three or more residential units within a single building. Does not include additions, alterations or accessory buildings.

OFFICE FURNITURE, EQUIPMENT AND SYSTEMS SUPPLIERS (Three Parks Zone)
Means a business primarily engaged in selling goods for office-type use or consumption and without limiting the generality of this term, includes suppliers of:

- computers and related equipment;
- copiers, printers and facsimile machines;
- integrated telephone systems and equipment; and
- office furniture, equipment and utensils.

ON-SITE WORKERS (Three Parks Zone)
Means the maximum number of workers that the building has been designed to accommodate at any one time. This may include consultants as well as employees.

SECONDHAND GOODS OUTLET (Three Parks Zone)
Means a business primarily engaged in selling pre-used merchandise and without limiting the generality of this term, includes:

- antique dealers;
- auctioneers;
- charity shops;
- pawnbrokers;
- secondhand shops; and
- suppliers of:
 - demolition goods and materials; and
 - trade-in goods.

SPECIALTY RETAIL (Three Parks Zone)
Any single retail tenancy which occupies less than or equal to 400m² of GFA. Refer definition of GFA

STOREY (Three Parks Zone)
Means a habitable floor level and includes mezzanine levels, garages, bathrooms, and semi-basements. The following are not deemed to be a separate 'storey':

- Full basements/ cellars of no more than 40% of the total floor plate of the residential unit (excluding accessory buildings) and which have no external access;
- A change in level of up to 0.75m within a storey (as in the case of split level dwellings);
- Wholly underground car parks in the Commercial Core Subzone where the only visible frontage when viewed from ground level is the vehicle access.

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TEMPORARY WORKER HOUSEHOLD – IN THE THREE PARKS ZONE	<u>Means a household whose members are employed in the District but maintain a primary residence outside of the District.</u>
TENANCY (Three Parks Zone)	<u>Means one retail activity occupancy created by freehold, leasehold, licence, or any other arrangement to occupy.</u>

WHOLESALE (Three Parks Zone)	<u>Means a business engaged in the storage and distribution of goods to businesses (including retail activities) and institutional customers</u>
YARD BASED SUPPLIER (Three Parks Zone)	<u>means any retail activity selling or hiring products for construction or external use (which, for the avoidance of doubt, includes activities such as sale of vehicles and garden supplies), where more than 50% of the area devoted to sales or display is located in covered or uncovered external yard or forecourt space as distinct from within a secured and weatherproofed building. For the purpose of this definition, areas of a site providing rear access and all other areas devoted to customer, staff and service vehicle access and parking (including parking driveways) are not to be included in the extent of yard area devoted to sales or display. Drive-in or drive-through covered areas devoted to storage and display of construction materials (including covered vehicle lanes) will be deemed yardspace for the purpose of this definition.</u>

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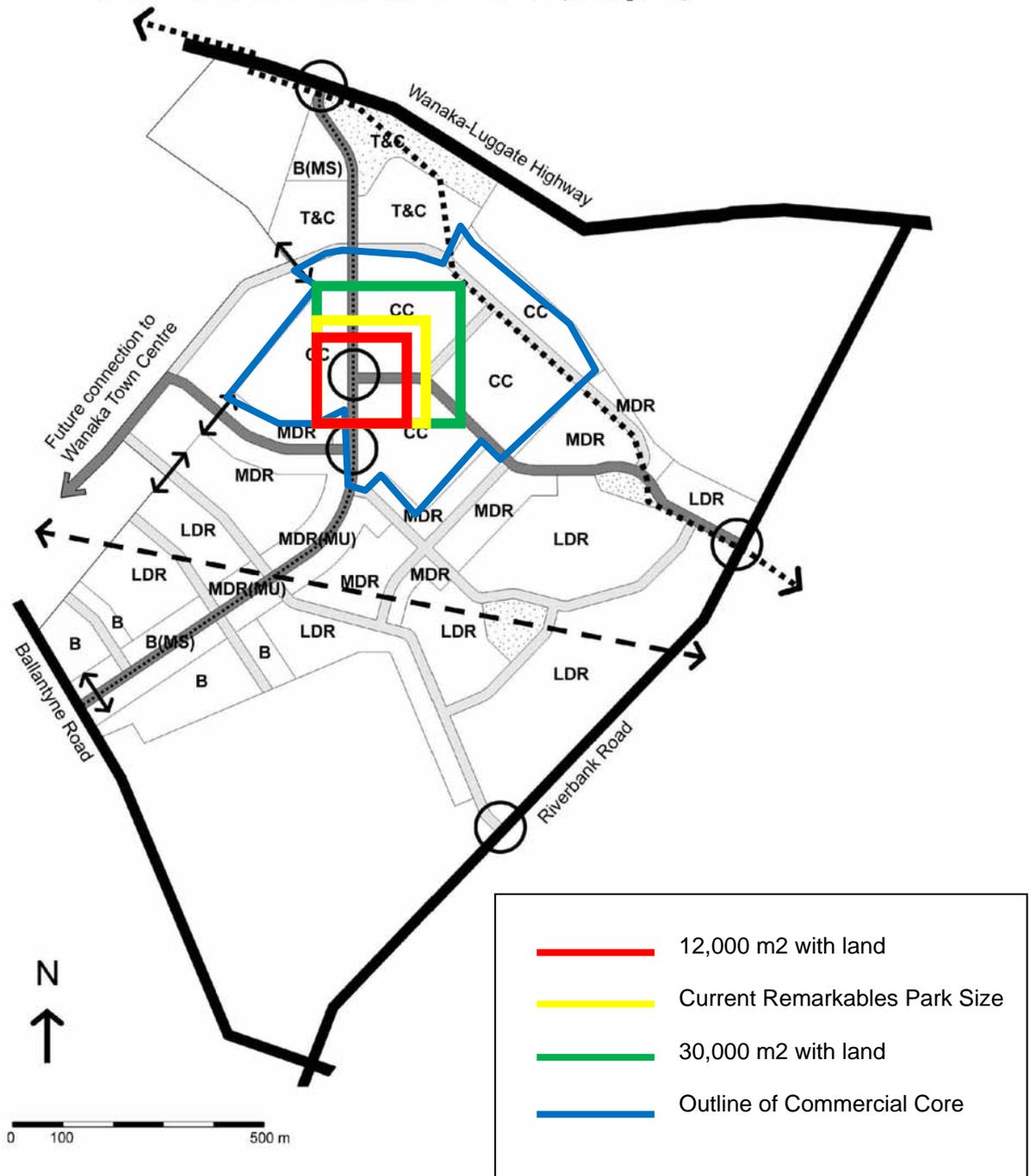
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APPENDIX 3

PLAN COMPARING THE PROJECTED RETAIL DEMANDS FOR THREE PARKS WITH THE AREA OF LAND DEVELOPED AT REMARKABLES PARK AREA, AS AT DECEMBER 2009.

Three Parks Structure Plan (Map 1)



APPENDIX 4

FRAMEWORK FOR THE PENDING REPORT ENTITLED "WANAKA TOWN CENTRE HEALTH CHECK 2010 - BASELINE INFORMATION".

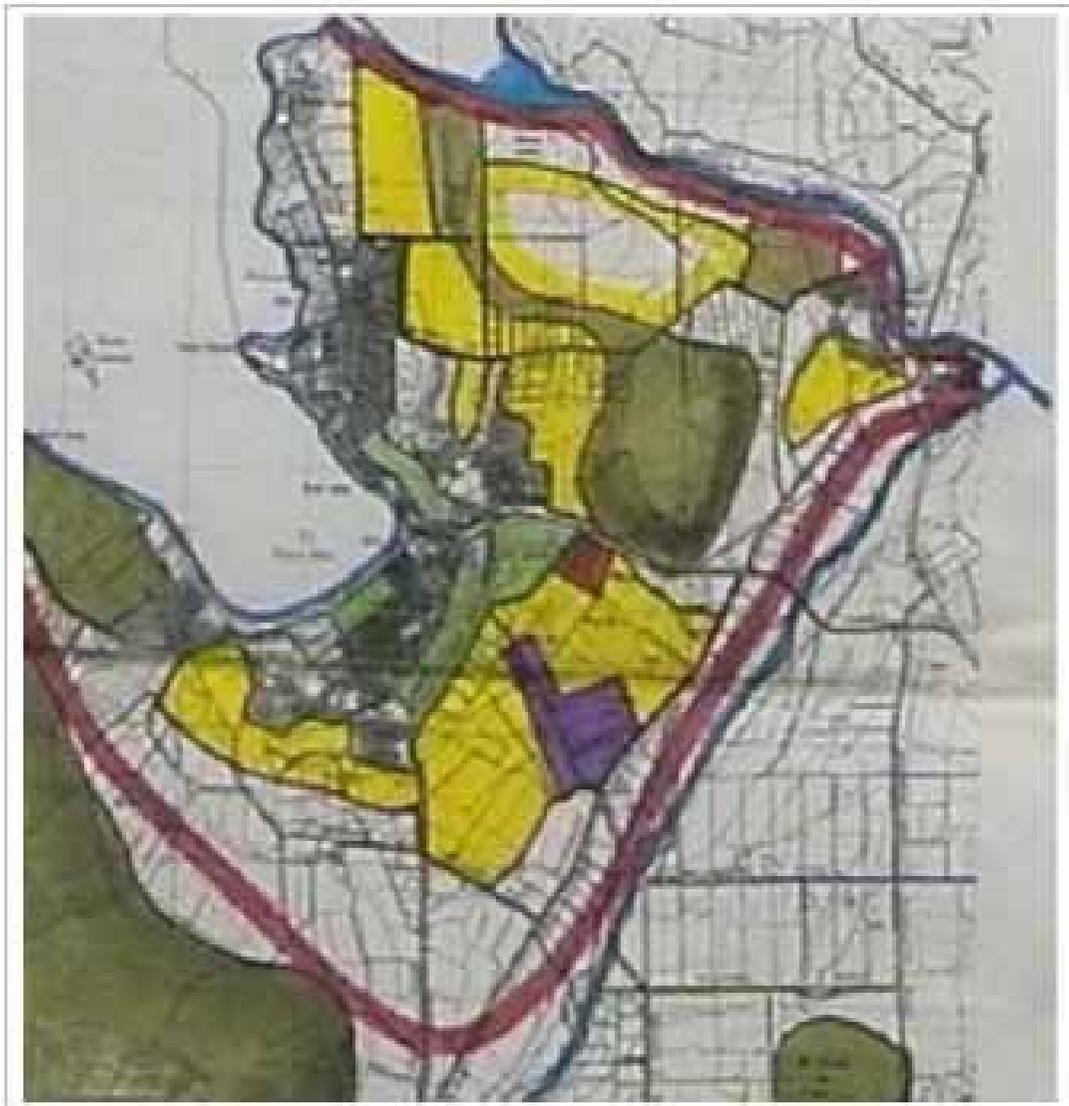
Indicator	Source(s)	Status	Environmental Results Anticipated (i.e. what we expect to see happen over time)
Pedestrian Counts	Results from counts undertaken in sample locations at different times in the day November 2009 and January 2010	Will be reported in Feb 2010 to committee	an increase in foot traffic from 2009/2010 in both peak and off peak times
Land Values	Maps and tables to be created by Council staff. These maps and tables will show land values in the town centre per m ² for all lots.	Will be reported in Feb 2010 to committee	A change in the value of land for undeveloped or underdeveloped sites that is not out of step with the changes in values of the commercial properties in comparable towns
Yields <i>Being the relation between rent and property values</i>	See the information on yields from Central Property (2006) Ltd, a report prepared for RCG Ltd. It is noted that this information is of selected properties rather than reflecting a detailed survey.	Complete.	Evidence of improving yields (from subsequent independent report). A more balanced market would be expected to see rents higher in proportion to land values in the future
The proportion of turnover spent on rent	See the table on 'business turnover & rental profiles' from the report by Central Property (2006) Ltd, a report prepared for RCG Ltd	Complete.	An independent report would not be expected to show an increase in the proportion of turnovers spent on rent (as an overall trend for the town centre). Rents in excess of 16% of turnover would be an indicator of an unhealthy market whereas around 10% is considered a more appropriate proportion.
Vacancies and underutilised space	There is written commentary in the attached Central Property report on vacancy levels.	Complete. Will be reported in	Some vacancy increases may be acceptable but any increase should be modest at most. There should not be an increase in the number of

	An analysis is also being undertaken November 2009 to January 2010 of the ground floor vacancies of non-residential properties in the town centre. This analysis will also record the numbers of properties that are determined to have 'underutilised space'. 'Underutilised space' is defined as 'charity shops or premises used for election offices, community projects, or other temporary uses'.	Feb 2010 to committee	'underutilised spaces'.
Development opportunities	capacity for large format retail development in the town centre	Complete – (as attached to the Planning Officers report to the hearing on Plan Change 16 – Three Parks).	Development of large format retail may not be appropriate outside of the town centre if it can be demonstrated that development proposed elsewhere could feasibly and appropriately locate in the town centre. It was concluded that this was unlikely in the decision on Three Parks (December 2009). It is anticipated that this situation will remain the same.
Diversity of uses (in terms of retail category)	Number and location of businesses in accordance with	Complete. To be verified by site visits in 2009-2010	There is not expected to be a reduction in diversity in the Wanaka Town Centre in terms of categories of retail type. In particular, it is anticipated that the mix of uses will <u>not</u> reflect a situation where the town is becoming less relevant to retail needs of Wanaka residents and more tourist orientated.
Photos of environmental quality	photos taken 2009-2010	Will be reported in Feb 2010 to committee	an improvement of the appearance both of buildings and the public realm
Retail leakage assessments	Main indicator: Analysis of the amount of money on retail spent on activities outside of Wanaka by residents of the Wanaka ward.	Report from Market View coming late 2009	Less 'leakage' should occur. This means that proportionately more money should be spent in Wanaka on retail activities by residents of the Wanaka ward.

	Secondary indicator (may not need to be reported on again): Survey of Wanaka residents shopping patterns	QLDC 2008 Residents Survey	Wanaka residents should report travelling out of Wanaka for the purpose of shopping less frequently.
Retail expenditure in the town centre	Increased overall expenditure in the Wanaka town centre on retail activities (by residents and visitors alike).	Report from Market View coming late 2009	More money should be being spent in the Wanaka town centre on retail activities in total, and in terms of residents and visitors.

APPENDIX 5

WANAKA 2020 PROPOSED ZONING/ GROWTH AREAS



(A) PROPOSED ZONING



(II) NEW GROWTH AREAS (SOUTH)