

**QLDC Council
14 December 2017**

Report for Agenda Item: 9

Department: Planning & Development

Request for Private Plan Change 53: Northlake Special Zone

Purpose

- 1 The purpose of this report is to recommend that Council accept for processing a private plan change request by Northlake Investments Limited (**NIL**) to alter the structure plan and text of Chapter 12.34 Northlake Special Zone in the Operative District Plan (**ODP**).

Executive Summary

- 2 The private plan change request seeks to amend the boundaries of existing activity areas identified on the Northlake Special Zone Structure Plan in Chapter 12.34 of the ODP. The key reasons for the change to the boundaries of the activity areas is to facilitate a retirement village and a supermarket. The specific changes sought by NIL to the ODP are:
 - a. Alter the Northlake Special Zone Structure Plan boundaries. This will increase the size of the zone (Activity Area D1) where retirement villages and commercial activities are provided for;
 - b. Modify the size of Activity Area B3 to reflect what is considered by the applicant as more efficient subdivision and land development patterns. The modifications will enable more intensive housing on flatter areas of the Northlake Special Zone;
 - c. Amend the rule limiting retail floor area from 200m² per activity with a maximum floor area of 1000m². It is sought to allow up to 2,500m² total retail floor area within the zone, a single retail activity of up to 1,250m² gross floor area to facilitate a supermarket, while retaining the 200m² cap for other commercial and retail activities;
 - d. Undertake amendments to rules controlling landscaping and the bulk and location of development to recognise the extension to Activity Area D1, with regard to the setback of buildings, building height, access, and landscaping adjacent to Outlet Road;
 - e. Amend existing Rule 12.34.2.6 that states that fish and meat processing is prohibited. It is sought to add an exemption to this rule that would permit fish and meat processing that is ancillary to a retail activity such as a supermarket;

- f. Delete a rule in the Subdivision, Development and Financial Contributions Chapter 15 that requires a minimum amount of house lots to be approved prior to permitting community facilities; and
 - g. Amend the sign rules in Chapter 18 Signs where they relate to the Northlake Special Zone;
- 3 The information supporting the application is considered adequate to enable persons who are interested in the private plan change request to understand the proposals and make a submission.
- 4 Council officers have not yet formed a view as to the merits of the private plan change request, or whether or not it is appropriate to be granted. However, the proposal satisfies the relevant matters of consideration set out in the Resource Management Act (**Act**)¹ for the Council to consider when determining whether to accept private plan changes for processing.
- 5 It is considered appropriate to accept the proposal for processing as a private plan change, rather than for instance, rejecting the request and processing it as a resource consent, or adopting the proposal as a Council-led plan change or as a variation to the Proposed District Plan. The reasons for this recommendation are set out in the body of this report.

Recommendation

That Council:

- a) **Note** the contents of this report.
- b) **Authorise** private plan change request 53 Northlake Special Zone for processing by the Council and proceed to notification.

Prepared by:



Craig Barr
Senior Planner
29/11/17

Reviewed and Authorised by:



Tony Avery
General Manager Planning and
Development
29/11/17

¹ Refer to Clauses 23(6) and 25(4) of Schedule 1 of the Act.

Background

Northlake Special Zone

- 6 The Northlake Special zone was confirmed and incorporated into the Operative District Plan on 17 December 2015, following a private plan change (Plan Change 45) process.
- 7 Plan Change 45 was notified on 1 August 2013. Following submissions, a hearing and recommendation from the Hearing Commissioners, the Council resolved to accept the plan change at a Council meeting on 30 July 2014. The decision was appealed to the Environment Court by Appealing Wanaka, a group of individual submitters who made a single appeal. The Environment Court dismissed the appeal and the Northlake Special Zone was made operative by the Council on 17 December 2015.
- 8 The Operative Northlake Special Zone applies to 220 hectares of land located in-between Wanaka and Albert Town (refer to **Figure 1**). The Northlake Special Zone enables the development of approximately 1,520 residential homes within several different neighbourhoods which promote a range of different densities of development. The zone includes a small commercial and community facilities 'node' located alongside the main street, known as Northlake Drive.

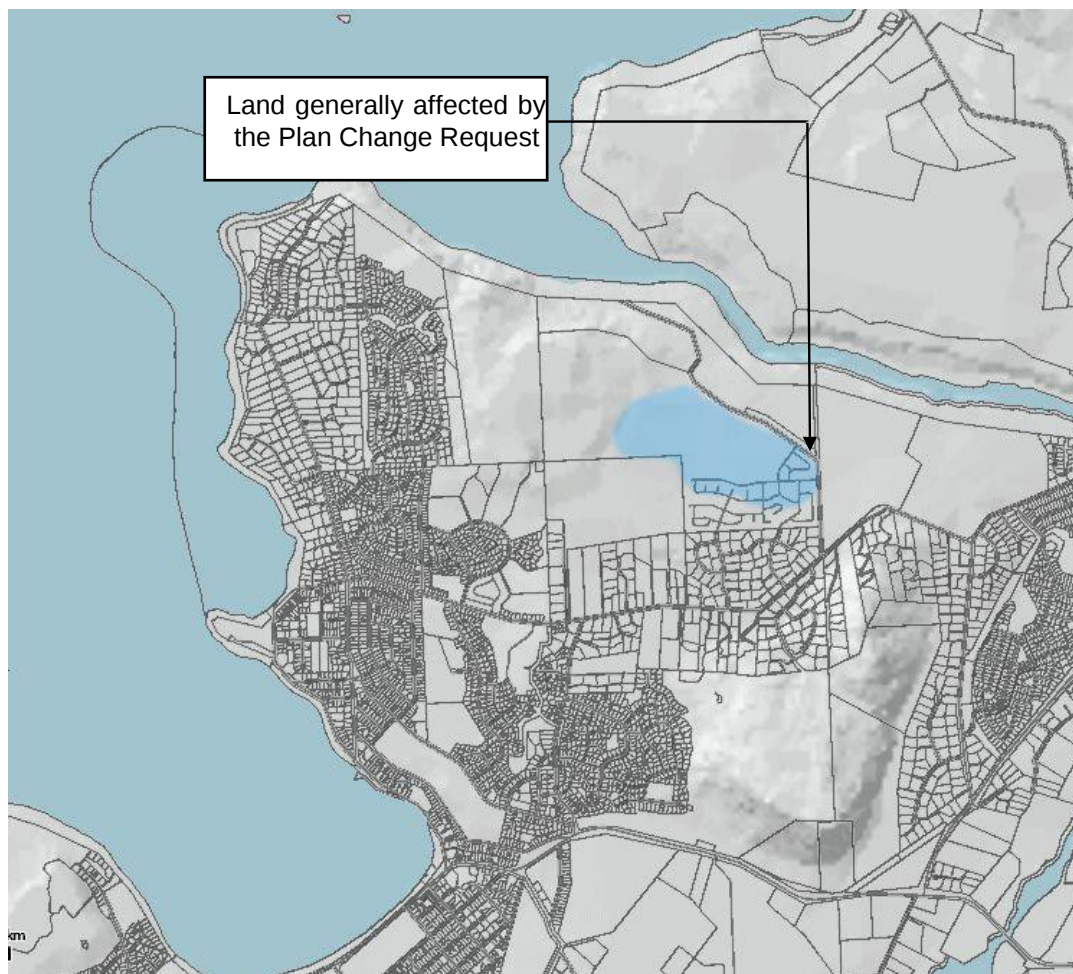


Figure 1. Location of the Northlake Special Zone, the general area subject to the private plan change request is annotated by the blue circle.

- 9 Resource consents have been granted within the NIL owned part of the Northlake Special Zone that enable:
- a. Outline Plan Approval for Stages 1 to 9;
 - b. Earthworks and subdivision stages 1 to 9;
 - c. Bulk earthworks;
 - d. Health centre;
 - e. Early Childhood Centre; and
 - f. Café / restaurant.
- 10 This private plan change request relates primarily to the land located centrally within the Northlake Special Zone that is owned by the applicant (NIL). The remainder of the undeveloped portion of the Northlake Special Zone is held in ownership by three separate landowners.
- 11 The fundamental changes relating to the extension of Activity Area D1 to facilitate a retirement village and supermarket will occur on land owned by the applicant. The changes sought to the rules and community facilities will affect the entire zone. The application document does not identify whether consultation has been undertaken with the other land owners within the Northlake Special Zone. These persons, along with any other member of the public will be able to make a submission, providing it is not related to trade competition.

The application and reasons for the plan change

- 12 The application is supported by an assessment of effects on the environment and section 32 planning evaluation, landscape and urban design, infrastructure, transportation and retail assessments. The following is a summary of the reasons for the plan and specific modifications that are sought to the operative Northlake Special Zone.

Increased zoned land for a retirement village and a supermarket

- 13 NIL seek to better utilise the flat land within the Northlake Special Zone by providing for a retirement village and supermarket. The applicant considers that land zoned for retail activities is undersupplied in the Wanaka area and in particular, that there is an undersupply of supermarkets at the present time. The applicant considers that there is a sufficient demand for an additional supermarket and for retirement style living to justify the change to the existing zone. The specific changes sought to the Operative Northlake Special Zone are to facilitate these activities are:
- a. Alter the Northlake Special Zone Structure Plan boundaries. This will reduce the size of Activity Areas B3, E1 and C2 to increase the size of the zone (Activity Area D1) where retirement villages and commercial activities are provided for;
 - b. Within Activity Area D1, it is sought to amend the rule limiting retail floor area from 200m² per activity with a maximum floor area of 1000m². It is

sought to allow up to 2,500m² retail floor area and retaining the existing 200m² cap for each activity. Except one activity will be allowed a retail floor area of 1250m² to facilitate a supermarket;

- c. The overall increase in the size of Activity Area D1 will be 4.1 hectares;
- d. Undertake amendments to rules controlling landscaping and the bulk and location of development to recognise the extension to Activity Area D1 with regard to the setback of buildings, building height, access, and landscaping adjacent to Outlet Road; and
- e. Amend existing Rule 12.34.2.6 that states that fish and meat processing is prohibited. It is sought to add an exemption to this rule that would permit fish and meat processing that is ancillary to a retail activity such as a supermarket.

Modify the Structure Plan boundaries for different types of residential development

- 14 Changes are also sought to reduce the size of Activity Areas C1 and B2 where these adjoin Activity Area B3. This would occur within the central part of the Northlake Special Zone, to the west of the proposed location of the retirement village in proposed Activity Area D1.
- 15 These modifications would result in an increase in the size of Activity Area B3 by an additional 1 hectare. The reason for this change is to realise a more efficient subdivision and land development pattern. Activity Areas C1, B2 and B3 provide for residential development at varying densities. The change would enable increased densities of residential activities.

Other Changes to improve the administration of the Northlake Special Zone

- 16 The applicant seeks to delete a rule specific to the Northlake Special Zone that is located within the Subdivision, Development and Financial Contributions Chapter 15. The rule requires that a minimum of 50 residential lots are created prior to permitting community facilities.
- 17 The applicant considers that this rule has been implemented as part of the stages of development already approved within the Northlake Special Zone and that this rule is no longer necessary. The applicant also considers that the rule is problematic in its administration in that the Council still consider it applicable. Retaining the rule would mean that any further non-residential activity is non-complying, irrespective of the implementation of community facilities.
- 18 The applicant also seeks that the Operative Signs Chapter 18 is amended to provide for rules that are more specific to the site and provide for different types of signs in the different activity areas.

Implications for the Proposed District Plan

- 19 Stage 1 of the Proposed District Plan was notified on 26 August 2015. On 29 September 2016 the Council approved the commencement of Stage 2 of the review of the Operative District Plan. As part of the 29 September 2016 resolutions, the Council addressed what the plan outcome would be at the end of

the partial review, and approved the separation of the District Plan into two volumes, Volume A and Volume B. Volume A consists of the Proposed District Plan chapters notified in Stages 1 and 2 of the proposed District Plan.

- 20 All other land currently forms Volume B of the District Plan. This includes the Northlake Special Zone, and other zones that have not yet been reviewed and notified (i.e. Township Zone, Industrial A and B Zones, Rural Visitor Zone), land that has been withdrawn from the district plan review (i.e. the land subject to Plan changes).
- 21 A report to the Council's Planning and Strategy Committee presented at the March 16 2017 meeting, confirmed that the land subject to the Northlake Special Zone was to be excluded from the Proposed District Plan. The initial private plan change 45 for the Northlake Special Zone was still being processed at the time the Proposed District Plan was notified on 26 August 2015.
- 22 Land that was subject to a plan change at the time of notification has been excluded from the PDP to eliminate the potential for these plan changes to be submitted upon and re-litigated through the Proposed District Plan hearings and appeal processes.
- 23 For these reasons, the Northlake Special Zone is not intended to be notified as part of the Proposed District Plan at this point in time. The matter of whether this request should be used as an opportunity to include the Northlake Special Zone in the Proposed District Plan is discussed below.

Options

- 24 The Act provides the Council with a range of options to consider private plan change requests. The Council may either:
 - a. Adopt the request as if it were a proposed plan prepared by the local authority itself²; or
 - b. Accept the request (in whole or in part) and proceed to notify it³; or
 - c. Deal with the request as it were an application for resource consent⁴; or
 - d. Reject the request (in whole or in part), but only on the grounds that⁵:
 - i. The request is frivolous or vexatious
 - ii. The substance of the request has been considered or given effect to (or rejected) by the Council or the Environment Court within the past 2 years; or
 - iii. The request is not in accordance with sound resource management practice; or

² Clause 25(2)(a) of the first Schedule of Act.

³ Ibid Clause 25(2)(b).

⁴ Ibid Clause 25(3).

⁵ Ibid Clause 25(4).

- iv. The request would make the policy statement or plan inconsistent with Part 5; or
- v. The policy statement or plan has been operative for less than 2 years.

25 These options are considered below.

Assessment of Options

a. Adopt the request as if it were a proposed plan prepared by the local authority itself.

- 26 The request for the plan change presents a potential opportunity for the Council to adopt the plan change and instead of retaining the Northlake Special Zone in the Operative District Plan, include the Northlake Special Zone in the proposed District Plan as a variation.
- 27 From the Council's perspective, this would have the benefit of reducing the amount of land, and in turn, the amount of future residents that will need to deal with the Operative District Plan. This would reduce complexity in the medium to long term by only having the single district plan volume and benefitting from updated district wide chapters and rules located in the Proposed District Plan that are more efficient than the equivalent rules in the Operative District Plan.
- 28 An opposing perspective is that the Northlake Special Zone has only relatively recently been made operative, there are not any significant deficiencies or inefficiencies identified in the Northlake Special Zone provisions. From this perspective there is not a strong incentive for the Council to adopt the plan change.
- 29 Another reason this option is not preferred is that the key components of the private plan change request involving the extension of Activity Area D1 applies to a confined area of the site and not on the parts of the Northlake Special Zone owned by other persons, including the many separate residents within the part of Northlake that has already been developed within Activity Area A (Northburn Drive and surrounds).
- 30 Adopting the request will require the costs of progressing the plan change to be met by the Council whereas the costs of processing a private plan change are payable by the applicant.
- 31 Overall, it is considered appropriate to retain the Northlake Special Zone within the Operative District Plan. There are not any other reasons identified for the Council to adopt the plan change.

b. Accept the request (in whole or in part) and proceed to notify it

- 32 This option is preferred by the applicant. This option would also enable the Council to process the application as a private request by a third party and recover actual and reasonable costs associated with the processing of the plan change, up to the release of the Council's decision.

- 33 Accepting the request allows it proceed for notification, submissions and potentially a hearing but it does not imply that the Council supports the merits of the plan change as a whole, in part, or in principle.
- 34 Council can submit on a private plan change through a corporate submission but this would have to be a wholly separate matter to any section 42A evidence report provided to assist decision making.

c. Deal with the request as it were an application for resource consent

- 35 Under this scenario the plan change request is converted to a resource consent application and is processed by the Council as a resource consent. This would mean:
- The requestor bears all the costs associated with a resource consent including any appeals.
 - The Council has no influence over what is publicly notified, whereas if it accepts a plan change, it is common for the applicant to agree to modifications to the application prior to notification as a result of a consultation with the council at this stage.
 - The resource consent does not have effect until it is beyond challenge.
- 36 Although the changes sought are of a relatively confined nature, processing the plan change as if it were a resource consent is not considered the most appropriate option because the activities do not accord with the existing arrangement of the Northlake Special Zone Structure Plans. In addition, there is a rule that prohibits fish and meat processing, which would have implications for a butcher that is ancillary to a supermarket. The rule is intended to disqualify objectionable activities from residential and light commercial zones, however it would be likely to have implications for any butcher or deli components of the supermarket.
- 37 It is therefore considered not the most appropriate option to process the plan change request as if it were a resource consent application.

d. Reject the request (in whole or in part), but only on the grounds that

- i. The request is frivolous or vexatious*
- ii. The substance of the request has been considered or given effect to (or rejected) by the Council or the Environment Court within the past 2 years; or*
- iii. The request is not in accordance with sound resource management practice; or*
- iv. The request would make the policy statement or plan inconsistent with Part 5; or*
- v. The policy statement or plan has been operative for less than 2 years.*

- 38 This request is not considered to be frivolous or vexatious. It does not lack seriousness or set out to annoy others. It is understood that the proposed location of the retirement village and supermarket are new concepts and this request does not seek to re-litigate components that were proposed but refused in the initial Plan Change 45 litigation.
- 39 While the 'substance' of the request has been dealt with by the Council or the Environment Court in the last two years, the December 17 timeframe is so close to considering the new request it is not considered reasonable to withhold accepting the plan change request for this reason.
- 40 The change is not contrary to sound resource management practice. The Courts have confirmed that 'sound resource management practice' is tied to the purpose and principles of the Act and should be based on a high level assessment of the merits. At a high level, the plan change is not considered to be contrary to sound resource management.
- 41 While the specific merits of the change have not been determined, from a broad perspective the change would not make the District Plan inconsistent with Part 5 of the Act (relating to National Environmental Standards and other policies and plans).
- 42 The Operative District Plan has been operative since 2007 and therefore this time period is greater than two years.

Recommendation

- 43 It is considered appropriate to accept the plan change request for the following reasons:
- It is appropriate to retain the Northlake Special Zone within the Operative District Plan.
 - There is sufficient information to notify the plan change. For instance, a person could read the plan change and understand what is proposed and determine any potential effects.
 - The Council will have the opportunity to obtain further advice and information through the submission process and the planner's report.
 - The Council is able to make a submission on the merits of the plan change, and to give Commissioners scope to make changes, if this is considered necessary.
 - The Council does not bear the costs of processing the plan change, except those costs that it might incur as a result of having to defend its decision in the Environment Court, should it be appealed.
 - The plan change would have no weight until decisions on submissions are released and limited weight until it is made operative, removing the risk of resource consent decisions pre-empting the outcome.

Significance and Engagement

44 This matter is of low level of significance, as determined by reference to the Council's Significance and Engagement Policy because:

- Its impact on the community and environment is able to be considered and the effects avoided or mitigated through the RMA process.
- While there is likely to be public interest in the matter, the RMA process can adequately accommodate this.
- It will not adversely affect Council's capacity to carry out, or the cost to the Council in carrying out, any activity identified in the Long-Term Council Community Plan as the cost of processing the plan change will be borne by the Requestor.

45 The level of significance determines the level of compliance necessary with the decision making requirements in sections 76-78 of the Local Government Act 2002. A higher level of compliance must be achieved for a significant decision.

Risk

46 This matter does not have significant risk. Assuming the Council adopts the recommendation to *accept* the plan change request for processing, the risk is classed as low. Accepting the plan change request for processing does not predetermine any outcome, as the RMA process needs to be followed.

Financial Implications

47 There are no direct operational and capital expenditure requirements or other budget or cost implications resulting from the decision recommended in this report. The Council are able to recover actual and reasonable costs of processing the plan change up to the issue of the decision.

Council Policies, Strategies and Bylaws

48 The following Council policies, strategies and bylaws were considered:

- Queenstown Lakes District Plan Volume A (Proposed District Plan) and Volume B (Operative District Plan)
- Wanaka 2020 (2002) and Wanaka Structure Plan (2007)
- Growth Management Strategy (2007)
- Long Term Council Community Plan (2015-2025)

49 The recommended option is consistent with the principles set out in the above policies.

50 This matter is included in the 10-Year Plan to the extent there is a small contingency for the processing of private plan changes and there is not anticipated to be any costs to Council at least in the 2016-17 period.

Local Government Act 2002 Purpose Provisions

51 The recommended option:

- Can be implemented through current funding under the 10-Year Plan and Annual Plan; and
- Fulfills the need for good-quality performance of regulatory functions
- Is consistent with the Council's plans and policies in that it is enabling a private party to pursue their interests through an established RMA process.

Consultation: Community Views and Preferences

- 52 Those affected by or interested in this matter are statutory bodies such as the Ministries for the Environment and Conservation and Otago Regional Council; residents and ratepayers of the Queenstown Lakes district community (particularly those in the Wanaka community generally); iwi; and those individuals and groups who could potentially be directly affected by the zone change.
- 53 The Council has not, itself, undertaken any consultation in relation to this plan change request but, rather, will rely on the formal consultation process as stipulated by the RMA.
- 54 Should the recommendation be adopted by Council, the formal consultation provisions of the RMA will ensure that parties will have the opportunity to comment on the application and speak to their submission at a public hearing.

Legal Considerations and Statutory Responsibilities

- 55 The processes set out in the First Schedule of the RMA must be complied with in the processing of this plan change. It has not been necessary to obtain any legal advice on any matter thus far.

Attachment

Northlake Investments Limited. Private Plan Change Request October 2017. Northlake Special Zone, Outlet Road Wanaka, comprising:

- A Cover letter dated 25 October 2017
- B Letter by Northlake Investments Ltd dated 27 November 2017 addressing points raised by email from QLDC dated 22 November 2017
- C Section 32 evaluation November 2017 and supporting information:
 - o Computer freehold register;
 - o Landscape and Urban Design Assessment;
 - o Feasibility of services and infrastructure report;
 - o Traffic impact assessment;
 - o Economic assessment;
 - o Northlake Wanaka Proposed Structure Plan.



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Level 2, 36 Shotover Street, PO Box 95, Queenstown 9300

25 October 2017

Ian Bayliss
Policy Manager
Queenstown Lakes District Council
Shotover Street
Queenstown

Dear Ian

Northlake Investments Limited

Private Plan Change Request to Queenstown Lakes District Council

The attached request has been prepared on behalf of Northlake Investments Limited for a private plan change.

This private plan change request proposes to:

- Adjust the Northlake Special Zone Structure Plan boundaries; and
- Amend the retail floor area rule in the Northlake Special Zone; and
- Delete the Northlake Special Zone community facility rule in Chapter 15 of the Operative District Plan; and
- Amend the signage rules in Chapter 18 of the Operative District Plan for commercial buildings in Activity Area D1 of the Northlake Special Zone

Information

The attached documentation includes:

- An evaluation under Section 32 of RMA
- Identification of any actual or potential effects and an “Assessment of Environmental Effects” as per the Fourth Schedule, including all necessary specialist reports
- Details of consultation undertaken to date and/ or proposed and the outcomes of this.
- Specification as to when each of the affected parts of the District Plan were made operative.
- An assessment of the Request in relation to the Council’s relevant strategic documents.
- All necessary supporting technical reports

Fees

A deposit fee of \$10,000 for processing this application has been lodged via the Council’s on-line payment portal, using the payment reference NLPPC.

Correspondence Details

Please refer all correspondence to:

John Edmonds
John Edmonds and Associates Limited
PO Box 95
Queenstown

john@jea.co.nz
021-409-075

Invoicing Details

Please forward all invoicing to:

Marc Bretherton
Northlake Investments Limited
PO Box 818
Wanaka

marc.bretherton@wintonpartners.co.nz
027 696 9550

Declaration

Northlake Investments Limited:

- Certifies that, to the best of its knowledge and belief, the information given in this Request is complete, true and correct; and
- Undertakes to pay all actual and reasonable costs incurred by Queenstown Lakes District Council in the processing of this Request; and
- Accepts that should it default, it agrees to pay all costs of collection, including agency fees, court costs and disbursements made in the collection of debt and reasonable solicitors fees regardless of judgement.

Please contact me if you require further information or clarification of any point.

Yours sincerely



John Edmonds
John Edmonds & Associates Limited



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Level 2, 36 Shotover Street, PO Box 95, Queenstown 9300

27 November 2017

Craig Barr
Senior Planner: Planning Policy
Planning and Development
Queenstown Lakes District Council
Shotover Street
Queenstown

Dear Craig

Northlake Investments Limited

Private Plan Change Request to Queenstown Lakes District Council – Further Information

The letter provides a response to the matters raised by your e-mail dated 22 November 2017.

I have responded to the matters you have raised in the same order

1. *It would be helpful if a structure plan was provided with the application to illustrate the requested final location of the activity areas (if not the entire structure plan, at least the area affected by the plan change). The application only shows excerpts in the body of the text as each area is discussed.*

The proposed Structure Plan is now included as Attachment F to the Request (refer 2 below).

2. *Part 7.7 of the landscape/urban design report makes some recommendations that appear to require to involve new rules. In the applicants view, are these intended to become new rules? or are the issues already managed within the rules/provisions. Are any new provisions required to be identified as part of the application?*

Correct, the recommendations in the Baxter Design Group report are most appropriately addressed as consequential rule amendments. An amended Request is attached, that incorporates these recommendations together with additional assessment in terms of Section 32 of the Act (refer part 7 of the Request from page 48).

3. *Although unrelated to the application, Rule 12.34.2.5 x specifies that the removal and/or felling of trees in a 'tree protection area' requires a resource consent. Would it also be helpful to add works within the root protection zone and significant trimming? If the intent of the rule is to protect vegetation? (PDP Chapter 32 contains definitions of these activities that might be useful).*

It is considered that the existing Tree Protection Area rule is appropriate, and does not need to be changed or altered.

The Tree Protection Area is located on land that is outside of the Plan Change area, and not within the ownership of Northlake Investments Limited. The Tree Protection Area notation occurs on land owned by: Allenby Farms Limited, Exclusive Developments Limited, and Callum Urquhart.

Northlake Investments Limited does not wish to propose changes to rules that affect other people's land.

4. *The Northlake Chapter does not appear to include any rules to manage hazardous substances. Do you consider this to be an opportunity to include rules, or do you consider this issue to be managed by other legislation?*

The operative Northlake Zone does not include any rules that manage the effects of hazardous substances. The current Operative District Plan is structured to manage hazardous substances through district-wide chapter 16 (Hazardous Substances)

It is considered that the existing framework is the most appropriate and consistent method of managing this issue.

5. *Rule 12.34.2.6 states that Fish and meat processing is prohibited. This could have implications for a supermarket if it includes a butchers, or any other boutique butchery that is probably a reasonable expectation to occur in AA-D1. On the basis that effects such as odour and noise can be managed by other rules, does this rule need to be modified to enable these activities within Area D1, at least? Perhaps an advice note or exception could also be helpful setting out these prohibited activities do not apply to permitted residential activities?*

Having reviewed other chapters in the operative District Plan it is considered appropriate to provide an exemption to the Prohibited Activity status of 'fish and meat processing' where such processing is related to food retail premises (refer part 7 of the Request at page 48).

This amendment to the Northlake Special zone rule is consistent with and uses the same wording as the Remarkables Park Special zone.

Please contact me if you require further information or clarification of any point.

Yours sincerely



John Edmonds
John Edmonds & Associates Limited

Encl. Private Plan Change Request – Northlake Special Zone
November 2017
(including Attachment F – Northlake Structure Plan – Amended)

Private Plan Change Request

Northlake Special Zone
Outlet Road, Wanaka

November 2017

November 2017

The Requester and Property Details

Requester

Northlake Investments Limited

Address for Service

John Edmonds & Associates Limited
PO Box 95
Queenstown

Site Address

Outlet Road, Wanaka

Site Area

106.88 hectares

Legal Description

Lot 90, 2000 DP 510104 and Lot 66 DP 371470 (CFR 781044)

Zoning

Northlake Special Zone

Request

This private plan change request proposes to:

- a. Adjust the Northlake Special Zone Structure Plan boundaries; and
- b. Amend the retail floor area rule in the Northlake Special Zone; and
- c. Delete the Northlake Special Zone community facility rule in Chapter 15 of the Operative District Plan; and
- d. Amend the signage rules in Chapter 18 of the Operative District Plan for commercial buildings in Activity Area D1 of the Northlake Special Zone
- e. Make consequential amendments to specific rules

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1.0 Introduction

1.1 Executive Summary

This Evaluation Report has been prepared to support a private plan change request to by Northlake Investments Limited (Requester) in respect of provisions of the Operative District Plan (ODP) which apply to the Northlake Special Zone (NSZ). The Request seeks to:

- Amend the boundaries of particular Activity Areas to enable more efficient use of urban zoned land, and to provide flexibility to develop a retirement village; and
- Increase the retail floor area restriction to enable a small supermarket to be established; and
- Amend the signage rules to recognise that increased signage is appropriate for commercial buildings in Activity Area D1; and
- Remove Subdivision Rule 15.2.16.3 relating to Community Facilities from Part 15 of the ODP for future administrative certainty.
- Make consequential changes to specific rules in response to expert reports.

1.2 The First Schedule of the Resource Management Act 1991 (Act)

The procedure for requests to change a District Plan are set out in the Part 2 of Schedule 1 of the Act.

This Request is made in accordance with those requirements, and the assessment required by Section 32 of the Act.

Clause 25 sets out the processing options for a local authority which are:

- a. *Adopt the request as if it were a proposed plan prepared by the local authority itself; or*
- b. *Accept the request (in whole or in part) and proceed to notify it; or*
- c. *Deal with the request as it were an application for resource consent; or*
- d. *Reject the request (in whole or in part), but only on the grounds that:*
 - i. *The request is frivolous or vexatious*
 - ii. *The substance of the request has been considered or given effect to (or rejected) by the Council or the Environment Court within the past 2 years; or*
 - iii. *The request is not in accordance with sound resource management practice; or*
 - iv. *The request would make the policy statement or plan inconsistent with Part 5; or*
 - v. *The policy statement or plan has been operative for less than 2 years.*

The Requester seeks that the Queenstown Lakes District Council (Council) accept the request in whole in accordance with clause 25(2)(b) of Schedule 1.

This Evaluation Report confirms that the request is:

- a. neither frivolous nor vexatious (cl. 25 (4)(a)), and
- b. in accordance with sound resource management practice (cl. 25 (4)(c)); and
- c. consistent with Part 5 of the Act (cl. 25 (4)(d)).

In terms of Clause 25(4)(b)(i) and 25(4)(e); the substance of the request has been considered by the Environment Court within the 2 years prior to 17 December 2017. The Environment Court's decision confirmed the re-zoning of the land on 17 November 2015, and the Council adopted that decision at its meeting in November 2015. The Northlake Plan Change 45 was made operative by the Council by public notice on 17 December 2015.

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The Northlake Zone has been operative for 22 months (as of September 2017), and will be close to the 2-year period by the time that the Council has received and reviewed this request.

By the time the Council gets to consider its processing options for this request, it will be only a matter of weeks at the most before the 2-year period referred to in clause 25 (a)V) is reached on 17 December 2017.

1.3 Scope of the Plan Change

The proposed change relates to part of the land owned by Northlake Investments Limited, located entirely within the NSZ.

More specifically, the request involves five components:

- Amend the boundaries of particular Activity Areas to enable more efficient use of urban zoned land, and to provide flexibility to develop a retirement village; and
- Increase the retail floor area restriction to enable a small grocery store to be established; and
- Amend the signage rules to recognise that increased signage is appropriate for commercial buildings in Activity Area D1; and
- Remove the Part 15 subdivision rule relating to Community Facilities, for future administrative certainty.
- Consequential rule changes that address matters raised in expert reports.

1.3.1 Amend the Structure Plan

The adjustment of the Activity Area boundaries occurs within that part of the site involving Activity Areas D1, C2, B3, B2 and E1, which is generally located to the north of Northlake Drive and west of Outlet Road.

The adjustments include relatively small movements of the Activity Area boundaries to ensure that land proposed for residential development is fully contained within the appropriate urban Activity Area.

The primary adjustment provides for 4.2 hectares of land (cumulatively) to be changed from B3, C2 and E1 to D1, for the purpose of enabling a retirement village to be established, in a location, that is appropriate for that activity.

1.3.2 Retail

The second part of the Request relates to the Zone Standard 12.34.4.2 (viii) (b) and (c) regarding the gross floor area of retail activity individually and cumulatively. The change proposes enable the provision of a single retail activity of up to 1,250m² gross floor area (gfa), and increase the total retail floor area enabled within the zone to 2,500m².

The purpose of this change is to enable a small supermarket to be established within the NSZ that can provide local residents with a local grocery shopping alternative.

1.3.3 Signage

The third aspect of the Request is to amend the Sign rule in Chapter 18 of the ODP, to ensure that commercial signage rules are applied to buildings and activities within the D1 area. The operative sign rules apply the residential standards across the whole of the NSZ, and do not differentiate the D1 area where commercial buildings up to 10m high are anticipated to occur. The Zone Statement describes a small commercial precinct developing that serves local needs, and as part of developing that activity it is important that adequate provision is made for commercial signage.

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1.3.4 Community Facilities

The fourth aspect to the Request is to delete Zone Standard 15.2.16.3, which is titled ‘Northlake Special Zone – Community Facilities’. This intent of this rule is to ensure particular ‘community activities’ are provided during early stages of subdivision of land in the zone. Those subdivision stages have occurred, and the facilities either provided or alternative facilities approved and completed or under construction. The Council has interpreted this rule as applying to all subsequent subdivision activity within the zone; beyond the point at which the facilities have been provided. This is inappropriate and unnecessarily administratively cumbersome. To avoid any future complications over the status of subdivision applications it is considered that it will be most efficient to delete this rule.

1.3.5 Consequential Changes

The fifth aspect to the Request is to make consequential changes to specific rules to address the recommendations made in the Landscape/ Urban design report, and in response to requests for information/ clarification from Council staff. These changes relate to:

- Amending the *Prohibited Activity* rule to clarify that ‘fish and meat processing’ can occur within a food retail premises;
- Amending the *Setbacks from Roads* rule, so that buildings with AA-D1 tot hr north of Mt. Burke road are setback a minimum of 7.0m
- Amending the *Access* rule to restrict vehicle access from AA-D1 directly onto Outlet Road;
- Amending the *Landscaping and Planting* rule to ensure that a consistent landscaped edge develops along the western side of Outlet Road;
- Amending the *Building Height* rule to limit buildings within 40m of Outlet Road that are within that part of AA-D1 to the north of Mt. Burke Road to 2 levels;

1.4 Structure of this Report

This Evaluation Report has been prepared to fulfil the statutory requirements for a private plan change request. Expert reports were commissioned to assess specific aspects of the proposal in support of the request:

Landscape/ Urban Design:	Baxter Design Group Ltd
Report Title:	Northlake Investments Limited – Private Plan Change Request
Date:	September 2017
<u>Attachment B</u>	

Infrastructure:	Paterson Pitts Group Ltd
Report Title:	Feasibility of Utility Services & infrastructure Report
Date:	September 2017
<u>Attachment C</u>	

Transportation:	Carriageway Consultants Ltd
Report Title:	Northlake subdivision – Proposed Plan Change
Date:	September 2017
<u>Attachment D</u>	

Economics:	RCG Limited
Report title:	Northlake Special Zone- Assessment of Economic Effects

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Date: September 2017
Attachment E

Structure Plan: Baxter Design Group Ltd
Date: 22 September 2017
Attachment F

This Evaluation Report is structured in the following manner:

- Part 1 Introduction, scope, purpose and features of the plan change;
- Part 2 Location and existing environment;
- Part 3 A detailed description of the proposed changes in the context of the operative NSZ purpose, objectives, policies and rules;
- Part 4 Identification and assessment of the most appropriate objectives, policies and methods to address the issues raised in the request in the context of the NSZ (section 32(1));
- Part 5 Assessment of the effects on the environment;
- Part 6 An outline of the statutory framework, and an assessment of all of the relevant issues and documents; and
- Part 7 The proposed amendments to the ODP.

2.0 Location and Existing Environment

2.1 Location

The request relates to land contained within the northern half of the NSZ, which is located on the western side of Outlet Road, Wanaka as indicated in Figure 2 below:



Figure 1: Location Plan

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2.2 Land Owner and Legal Description

The land to which the request applies is described as Lot 90 and 2000 DP 510104 and Lot 66 DP371470 (CT781044). The land is held in the ownership of the applicant; Northlake Investments Limited.

A copy of the title is included as Attachment A. The total area of this title is 106.88 hectares.

Legal Description	Computer Freehold Register	Landowner	Parcel Area
Lot 90, 2000 DP 510104 and Lot 66 DP 371470	781044	Northlake Investments Limited	104.6499 hectares

Table 1: Land Subject to the Plan Change Request

2.3 Zoning

The NSZ was incorporated into the ODP by resolution of the Council on 17 December 2015, following a privately initiated plan change process.

The zone is included as Chapter 12-33 & 12-34 in the ODP.

The zoning applies to 220 hectares of land located in between Wanaka and Albert Town, with the intention of enabling the development of approximately 1,520 residential homes within several different neighbourhoods that are based upon a range of density. The zone includes a small commercial and community facilities node located alongside the main street, known as Northlake Drive.

The purpose of the Zone is described at page 12-358:

The purpose of the Northlake Zone is to provide for a predominantly residential mixed use neighbourhood. The area will offer a range of housing choices and lot sizes ranging from predominantly low to medium density residential sections, with larger residential sections on the southern and northern edges. The zone enables development of the land resource in a manner that reflects the zone's landscape and amenity values.

The Northlake Special Zones includes a Structure Plan showing existing and proposed roads, the position of Activity Areas, the Building Restriction areas and Tree Protection Areas. Subsequent provisions refer to these terms. An important component of the zone is the need to submit an Outline Development Plan as part of an application for consent to specified activities prior to development, to ensure the zone is developed in an integrated manner.

The Zone includes six objectives and associated policies that inform the development of the land, and they include:

Objective 1 – Residential Development

A range of medium to low density and larger lot residential development in close proximity to the wider Wanaka amenities.

Objective 2 – Urban Design

Development demonstrates best practice in urban design and results in a range of high quality residential environments.

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*Objective 3 – Connectivity**Development that is well-connected internally and to networks outside the zone.**Objective 4 – Landscape and Ecology**Development that takes into account the landscape, visual amenity, and conservation values of the zone.**Objective 5 – Recreation**The establishment of areas for passive and active recreation.**Objective 6 – Infrastructure**Provision of servicing infrastructure to cater for demands of development within the zone in an environmentally sustainable manner and to enhance wider utility network systems where appropriate.*

The objectives and policies are implemented through a Structure Plan (refer Page 12-383) which identifies the various Activity Areas. The Structure Plan also defines:

- the general layout of the zone;
- the primary internal road network;
- external road intersections,
- pedestrian linkages and routes through the zone;
- areas to be protected from any development;
- tree protection and building restriction areas and
- the developable areas.

Activity Area A is a 30-hectare block of land that has been subdivided and developed for Rural Residential purposes. This land is located at the corner of Aubrey and Outlet Roads.

Activity Area B1 to B5 is the largest area (88.4 hectares), and is intended for low density residential development. Rather than a minimum lot size, a target density has been introduced for this area, to provide landowners with flexibility and encourage better urban design outcomes. The target density is 10 dwellings per hectare, with a range of plus or minus 15%. The density calculation includes land held as reserve, open space, access or roading.

Activity Area C (C1 – C4) is located toward the northern and eastern edges of the zone, and includes the more elevated areas. The target density is 4.5 dwellings per hectare to recognise the topography of these areas.

Activity Area D1 (15 hectares) is the central node which enables a higher density of 15 dwellings per hectare, while also including an area for commercial and community activities. That part of AA-D1 that is used for non-residential activities is excluded from the density targets.

There is scope (Rule 12.X.6.2 (i)) for the boundary of Activity Area D1 to be expanded by up to 50m into the adjoining AA-B areas. The movement of the AA-D1 boundary was approved as part of the Council approval of the initial Outline Development Plan decision – RM160152.

Activity Area E (E1 – E4) applies to those areas within the northern parts of the zone, the margins of the Clutha River and the ephemeral stream that runs through the Exclusive Developments Limited land east of Outlet Road towards the Hikuwau Conservation area.

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2.4 Receiving Environment

The receiving environment is defined by the urban zoning of the NSZ, which contemplates a mixed density residential neighbourhood that will be progressively developed.

The first stage of development within this zone involved implementing a pre-existing subdivision consent for 67 rural-residential sized lots within the southern-most part of the zone (adjoining Aubrey Road) from 2012 to 2015. Over half of the sites have been built upon in this part of the zone.

Resource consent (RM160152) for an integrated Outline Development Plan for Stages 1 to 9 of the Northlake Investments Limited (NIL) land was approved by the Council for the creation of 421 lots in June 2016. Significant earthworks have occurred throughout Activity Area B4 and all but the northern part of Activity Area D1 in conjunction with recently approved subdivisions (RM160509, RM161292). New roads have been constructed, infrastructure installed, and residential sites established. This has included a new 'low impact design' stormwater network. Telephone and power reticulation has been substantially upgraded to service these new lots; ultra-fast broadband has been brought to the site from the town centre. Outlet Road has been sealed from the intersection of Aubrey Road for a distance of 730 metres. A playground, tennis court and public reserves have been completed, with construction about to commence on the medical centre, early childhood centre, restaurant and café.

The northern more elevated land owned by NIL (mostly Activity Areas C and E) remain in pasture.

The other land within the NSZ is owned by Allenby Farms Limited, Exclusive Developments Limited (both 38 hectares each) and Callum Urquhart (21 hectares) and all blocks remain undeveloped at this time, with no resource consent approvals to enable development. The Allenby Farms Limited block is mostly included within Activity Area B4 (34.5 hectares) and likely to result in approximately 345 dwellings, whilst the Exclusive Developments Limited land on the eastern side of Outlet Road may yield approximately 200 dwellings. The Urquhart land will result in approximately 20 residential units

The recent consent history for the zone, since the NSZ was made operative, is as follows:

RM160152	Outline Plan approval for stages 1 - 9 QLDC 9 June 2016
16-078	Certificate of Compliance for Stormwater disposal Otago Regional Council 26 April 2016
RM160186	Land Use: Bulk earthworks for Stages 1 - 7 QLDC 9 May 2016
RM160509	Subdivision: Stages 1 – 3 QLDC 10 October 2016
RM161292	Subdivision: Stages 4 – 6 QLDC 5 May 2017

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RM161127	Land Use: QLDC 14 February 2017	Bulk earthworks for Stages 8 & 9
RM170361	Subdivision: QLDC 30 June 2017	Stages 8 – 9
RM161230	Land Use: QLDC 5 May 2017	Health Centre
RM170418	Land Use: QLDC 6 July 2017	Restaurant
RM170368	Land Use: Early Childcare Centre QLDC 14 July 2017	

2.5 Consultation

Consultation has occurred with senior Council staff (Monday 28 August) when the scope of the proposed plan change was raised and discussed.

Feedback was received highlighting information requirements that Council staff would anticipate reviewing as part of the change including:

- Economic effects on the vitality of the town centre and other areas
- The relevance of the National Policy Statement- Urban Development Capacity
- Whether an integrated traffic management assessment is necessary at the plan change stage
- Assessment of consistency with current objectives and policies for the zone
- Future connectivity

3.0 The Issues that the Plan Change Seeks to Address

3.1 Introduction

In order to undertake the evaluation required by section 32 of the Act it is necessary to understand the context of the plan change – the issues that it seeks to address.

This part of the report provides the context of this proposed plan change.

3.2 Identification of Issues

The key resource management issues that NIL faces are related to improving the efficiency of the zone provisions to ensure that appropriate land uses can occur that will most appropriately achieve the intentions of the zone which are to provide a predominately mixed use residential neighbourhood that offers a range of housing choices and necessary services that enable an integrated residential community to properly function.

As NIL has progressed through the first development phase, it has recognised that there is a need to enable more efficient utilisation of its zoned land; which includes making better use of the lower lying land to the west of Outlet Road. This includes the opportunity to establish a retirement village within that same area. A retirement village does require an adequate provision of predominantly flat land that is located within an established residential community, close to essential services such as shops, medical and community facilities.

Initial consenting of the Activity Area D1 precinct has occurred, and construction is about to commence on the medical centre, childcare facilities and also the café/ restaurant. NIL has reviewed the various commercial and community facilities for this area, and recognised that, with general growth that has occurred in Wanaka in recent years, combined with the residential potential of Northlake and the surrounding urban area, a suitably sized retail food outlet and additional retail facilities should be established within the D1 area.

Secondary issues include recognition that signage within the D1 area is more appropriately managed under most relevant/ similar commercial precinct rules; which are the 'Corner Shopping Centre Zone' signage rules.

It is also recognised that the required community facilities have either been provided or alternate facilities consented and being constructed; and as a result, the retention of those rules is no longer appropriate or necessary.

The land within this northern part of the NSZ comprised a series of low rolling hummocks that were used to define Activity Area boundaries. However, as master-planning and detailed street design has occurred, the appropriateness of these boundaries has been reassessed and re-evaluated. The Baxter Design Group landscape report recognises that as earthworks have progressed over the site the boundaries of those Activity Areas have become less well defined. The landscape values of the northern part of the NSZ will not be adversely affected by adjusting these activity area boundaries.

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3.2.1 Integrated Master Planning the NSZ

The development of the NIL land has logically progressed from the southern corner of the site, with a focus on initially creating residential lots within AA-A, B3 and D1.

More recently consents have been obtained for a range of commercial buildings adjoining Northlake Drive; including a health centre (including doctor's surgery, pharmacy, dentist, and health and fitness facility), a childcare centre (up to 80 children) and a café/restaurant.

Providing for urban development at Northlake has required some re-shaping of the land to provide affordable sections supported by a safe and efficient roading and infrastructure network. An important design factor has also been to align the roading network within the landform; minimising the need for excessive cut and fill.

Detailed design work and the layout of the residential neighbourhoods has been occurring for the past two years. These designs include the necessary cut and fill to create practical developable residential sections and neighbourhoods throughout the lower slopes of the NIL land. The land to the north of Northlake Drive, and to the west of Outlet Road will be developed in a series of north-facing elevated terraces with a high residential amenity. The remaining land to the west (B2 and B3) will be separated by a more significant high terrace – that will become the more defining landscape element and will more appropriately signal a change in character and density between the Activity Areas. The proposed amended boundary between Activity Areas D1 and B3 is based upon this new terrace feature.

The recent designs for Activity Areas B2, B3 and C1 ensure they form part of a well-connected urban environment (Objective 3). These neighbourhoods are located on those plateaus to the north and west of the D1 area. There is a need to slightly adjust the boundaries of those Activity Areas to better suit the updated master plan for these areas. These changes are very minor and are supported by the landscape analysis.

3.2.2 Developing a Cohesive Community

The NSZ provides the opportunity for approximately 1,520 residential units to be developed. The zone is structured around the central village area that is aligned either side of Northlake Drive within the D1 area.

The zoning in Activity Area D1 enables a wide range of activities including medium density residential, retirement living, commercial, community and retail activities.

As the Wanaka community continues to expand there is an opportunity to provide a local food retail offering within the NSZ. Such an offering significantly reduces travel distances for consumers and adds to the convenience of living at Northlake and north Wanaka.

Work on the establishing the NSZ commenced in 2011, when background reports were first prepared. Almost 7 years has passed, and during that time Wanaka has experienced significant growth. It will take approximately 2 years for this proposed plan change process to be complete and for any grocery offering to be constructed and trading for business. Those reports have been updated to reflect the current and future commercial retail floor space requirements.

Wanaka is currently served by a single supermarket located in the centre of the CBD. That location is highly inefficient from a consumer and traffic management perspective, as it requires all shopping to occur in the one location, and places strain on the local roading and parking networks.

The RCG Report assesses the existing retail and commercial floor space in Wanaka as well as future zoning for retail (including Large Format Retail) and concludes that Wanaka is “currently under-supplied with retail

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space” and that it will “...be able to support substantial increases in its retail offering - indeed it could accommodate substantial increases already”.

3.2.3 Ensuring Efficient and Predictable Consent Processes

The NSZ was made operative in December 2015. Since that time a series of land use and subdivision applications have been submitted and approved for development (refer 2.4).

These consents have given effect to the purpose and intent of the underlying zoning, and all of the applications have been processed on a non-notified basis.

Plan provisions are not always perfect, and as land development occurs it is appropriate to identify any issues in those provisions and rectify them where possible.

The subdivision chapter contains a particular rule that only applies to the NSZ, and requires the provision of ‘Community Facilities’ in connection with approval of the 51st residential lot. Non-complying activity status applies to all subdivision in the NSZ where these facilities are not all provided in that first instance.

Some of those facilities were provided at the first instance, whilst other alternative facilities were provided in connection with subsequent subdivision or land use applications. As a result of not providing all of those facilities in the first instance, all subsequent applications for subdivision anywhere in the NSZ inherit a non-complying consent status. In a residentially zoned neighbourhood that consent status carries an inappropriately high risk, and is administratively inefficient.

Given these facilities have now all been provided or are under construction, it is more efficient that this rule be removed from the Plan, for the benefit of NIL and other landowners in the zone.

In a similar context, the rules that manage signage on buildings is contained within Chapter 18 of the ODP. These rule categorise similar zones together and apply a standard set of rules. All of the Activity Areas of the NSZ are currently grouped together with the other residential zones.

The D1 area anticipates a wide range of commercial, retail and community activities and it is important that adequate and appropriate signage is available to the various business that will want to establish in this area.

3.3 Consideration of Options to Address the Issue

The Council notified a partial Proposed District Plan (PDP) in September 2015. That notification did not include any of the zones or issues that had been recently considered by the Council through plan change processes, including the Northlake Zone.

The available resource management options to address the issues identified above include:

1. Do nothing, and instead rely upon the operative zoning. This approach relies upon addressing the issues through separate resource consent applications.
2. Address these issues through the private plan change process.
3. Address these issues through a future stage of the Proposed District Plan

Whether option (3) of addressing these issues through the Proposed District would be available is uncertain and, if available, the timing is unknown. The current inefficient and costly situation

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would continue for an unknown period of time. This option is not considered further in this Report.

Each of the four components of this request have been assessed under options (1) and (2):

3.3.1 Adjusting Activity Area Boundaries

This option includes amending the Structure Plan for the NSZ to increase the size of the D1 area as described below:

3.3.1.1 Adjusting the boundaries of AA-B2, B3 and C1.

These adjustments are based upon efficient earthworks and subdivision plans being developed to a much higher level of detail. An actual street layout underpins the necessary boundary adjustments.

On the western boundary between Activity Areas B2 and E1, there are small areas of refinement.

The boundary between B2 and C1 (and E1) extends to the north by up to 20m (increasing the size of the B2 area by 2,460m²), whilst the boundary between B3 and C1 extends to the north-west by 40-50m (increasing the size of the B3 area by 7,571m²).

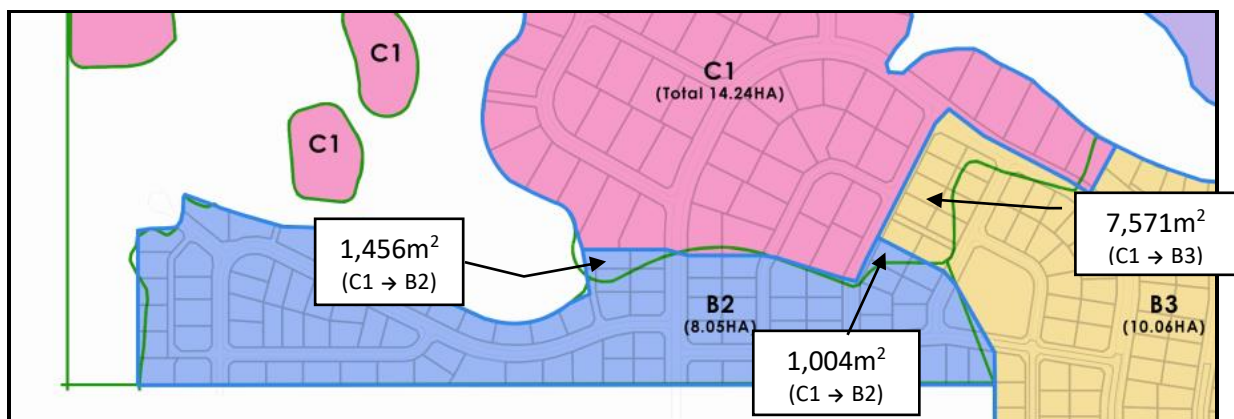


Figure 2: Activity Area Boundary Adjustments – C1

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3.3.1.2 Adjusting the boundaries of AA-B3, E1, C2 and D1

Adjustments occur to expand the D1 area to the west and north by 4.2 hectares, incorporating parts of the western slopes of B3, a small area of E1, and that part of the C2 area that adjoins Outlet Road.

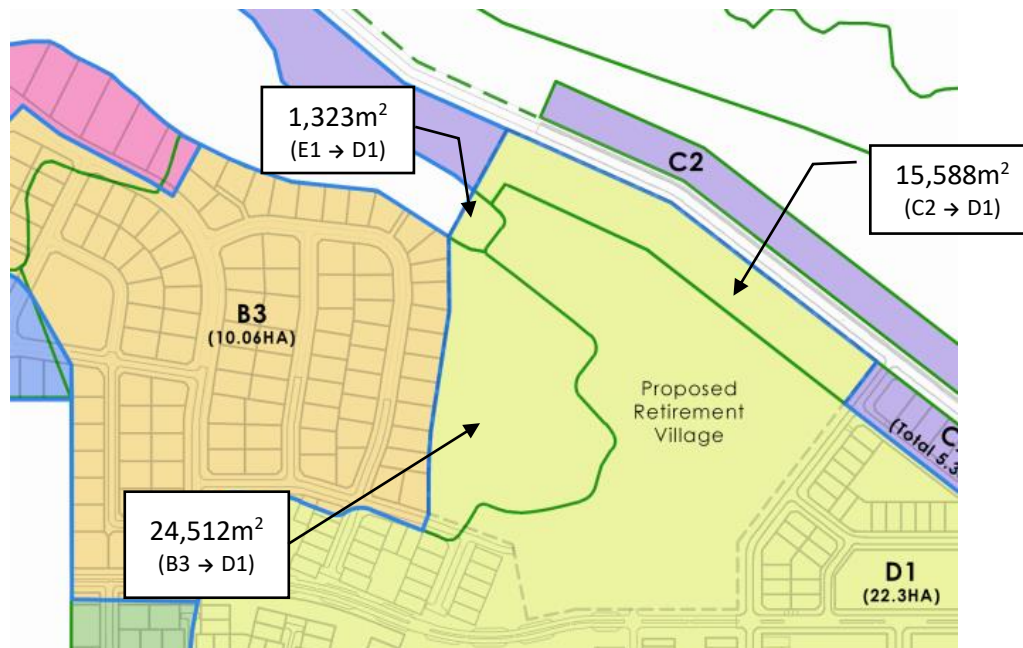


Figure 3: Activity Area Boundary Adjustments – D1

Option 1: Status Quo – Maintain current zoning and rely on resource consent processes	
Benefits	- Allows full details of application to be assessed. - Costs of process are met by the applicant.
Costs	- Inconsistent with the current planning framework; does not enable a retirement village (provided for in AA-D1, but listed non-complying activity in the operative Plan in Activity Areas B3, C2 and E1). - A resource consent (RC) application for a retirement village, in the location planned, will require an extensive set of very detailed plans of each structure to be prepared. - A resource consent is an approval for a specific set of plans that are required to be implemented. - Resource consent process is uncertain, costly and time consuming. - Inconsistent with the target densities for these areas – unlikely to gain Council support through RC process. - Lost opportunity to provide a retirement village at the appropriate scale in the northern part of Wanaka.
Efficiency & Effectiveness	- The RC process is inefficient because a retirement village requires significant investment to prepare necessary documentation – whilst there is a high level of risk/ uncertainty of outcome, after a long duration consent process. - Ineffective method due to the time and cost required to prepare and process an application, with the inherent uncertainty that involves.
Risk of acting (or not acting)	- Risk of consent applications being refused given operative rule framework of the ODP (refer to costs section above). - Land suitable for higher density housing would be used for low-density housing purposes which would be comparatively inefficient.

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Option 2: Private Plan Change	
Benefits	- Clearly identify intended outcomes. - Provides certainty to Council and community on intended use of the land. - More efficient use of network infrastructure. - Simplicity for future District Plan administration. - Provides for variety and diversity within the residential community. - Specific detail on a supermarket proposal can still be assessed through a subsequent RC application. - Costs of process are met by the applicant.
Costs	RC will still be required for specific retirement village development proposal after the re-zoning occurs.
Efficiency & Effectiveness	- Efficient use of existing infrastructure as zoning responds to growth. - Efficient pattern of development in terms of transport and pedestrian linkages. - Efficient use of land in enabling housing choice. - PC can be a very effective tool to respond to growth, allowing development to make efficient use of infrastructure and meet community needs.
Risk of acting (or not acting)	- Risk of Acting: site-specific zoning may be refused. - Risk of Not Acting: Risk of series of RC's for preferred development outcome, resulting in environmental and administrative costs and uncertain outcomes.

Table 2: Amending Activity Area Boundaries: RC v PC

3.3.2 Amending the Retail Rule

The ODP rule is Zone Standard 12.34.4.2 (viii) which states:

Retail

- (a) No retail activity shall occur within the Northlake Special Zone except in Activity Area D1.
- (b) No retail activity shall have a gross floor area exceeding 200m².
- (c) The total amount of retail floor area within the Northlake Special Zone shall not exceed 1000m².

The operative zoning does not enable the development of a local supermarket facility due to the individual and cumulative floor area restrictions listed above.

This retail rule is associated with a (Restricted Discretionary) consent requirement for all commercial and community buildings – to ensure that they are appropriately designed as part of the local neighbourhood.

Site development will be subject to the bulk and location requirements of Activity Area D, which include:

- Road setback of 3m; and
- Internal boundary setbacks of 1.5m; and
- Building height of up to 10m; and
- Building coverage of up to 65%
- Modulated building forms (continuous building)

These bulk and location standards continue to be appropriate.

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The adjusted retail rule provides:

Retail

- (a) *No retail activity shall occur within the Northlake Special Zone except in Activity Area D1.*
- (b) *No retail activity shall have a gross floor area exceeding 200m², except for one activity with a maximum gross floor area of 1,250m².*
- (c) *The total amount of retail floor area within the Northlake Special Zone shall not exceed 2,500m².*

Option 1: Status Quo – Maintain current zoning and rely on resource consent processes	
Benefits	Allows a full proposal/ application to be assessed.
Costs	- Inconsistent with the current rule framework. - Any application would be publicly notified. - Current rules impose a non-complying consent status to exceed the retail footprint. Section 104D threshold for approving a non-complying activity is a high risk. - Resource consent process under the current zoning is uncertain and time consuming, and the outcome is uncertain. - Potential lost opportunity to provide local community with an improved range of necessary retail and community services. - If consent is refused, then potential for increased use of roading network/ travel times and associated network impacts and costs by local residents to access other supermarkets.
Efficiency & Effectiveness	The RC process is an inefficient and ineffective process for assessing the suitability of an increased retail floor area in the NSZ.
Risk of acting (or not acting)	High risk of consent applications being refused given current rule framework of the District Plan (refer to costs section above).

Option 2: Private Plan Change	
Benefits	- Clearly identify intended outcomes. - Provides certainty to Council and community on intended use of the land. - Simplicity for future District Plan administration. - Enables appropriate food retail offering to be centrally located within a residential area. - Ensures that specific details can still be assessed through subsequent RC applications for a supermarket.
Costs	PC process takes to time/ cost to work through issues.
Efficiency & Effectiveness	Efficient process to allow all issues to be assessed.
Risk of acting (or not acting)	High risk of RC application being refused given policy framework of the District Plan and zoning requirements (refer to costs section above).

Table 3: Amending the Retail Rule: RC v PC

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3.3.3 Amending the Signage Rule

In the case of Signage – the ODP was updated via Plan Change 48 in 2015, to provide a comprehensive set of district-wide rules. The rules affecting Northlake do not distinguish between activity areas, and as a result the D1 area has been included with the general sign rules for residential activity. The D1 zoning enables and anticipates a village centre area that includes a range of commercial, retail and community buildings.

The current signage restrictions are set out in *Activity Table 2 – Residential Areas*, at page 18-6 of the ODP. Those rules allow:

Activity	Signage Area
Residential	up to 0.5m ² .
Recreation grounds, churches, medical facilities, nursing homes, educational institutions and community buildings	2m ² .
Visitor accommodation	2m ² + 0.15m ² for vacancy signage.

Table 4: Existing Signage Rules

Any sign that exceeds these standards requires discretionary activity consent, and particular assessment matters apply (18.3.1 (iii)) that are limited to only considering the effects of additional signage from a residential context.

It is proposed to amend the *Activity Table 1 – Commercial Areas* rules as set out at page 18-4 in the ODP, by adding 'Activity Area D1' to the Corner Shopping Centre Zone column. Additional text is also included to *Activity Table 2 – Residential Areas* to clearly reference the exclusion of AA-D1.

Option 1: Status Quo – Maintain current zoning and rely on resource consent processes	
Benefits	All commercial signage assessed by separate consents.
Costs	- Resource consent process is uncertain and time consuming. - Potential for ad hoc outcome. - Potential for tenancies to suffer from lack of reasonable commercial exposure – due to enforcement of residential sign rules.
Efficiency & Effectiveness	Inefficient and ineffective method to managing signage within the village centre.
Risk of acting (or not acting)	(risk of not acting) upcoming tenants faced with extra costs of RC, and uncertainty of obtaining adequate commercial exposure. - Potential for publicly notified resource consents for signage – whilst activities are permitted, and buildings are consented. - High risk of consent applications either being refused or minimal signage allowed given operative rule framework of the District Plan and zoning requirements (refer to costs section above).

Option 2: Private Plan Change	
Benefits	- Provides tenants with certainty that commercial premises can be appropriately signed/ advertised. - Consistent approach to the local shopping nodes across the district in the District Plan. - Existing set of rules – will be more likely to secure consistent outcomes.
Costs	No apparent costs.

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Efficiency & Effectiveness	More efficient to adopt existing signage rules from other existing small commercial precincts.
Risk of acting (or not acting)	No apparent risk of acting.

Table 5: Amending the Signage Rule: RC v PC

3.3.4 Deleting the Community Facilities Rule

The subdivision of land in the NSZ is generally a Restricted Discretionary consent process, with discretion restricted to ensuring that the subdivision plan is consistent with any previously approved Outline Development Plan. Such applications are listed as being ‘non-notified’ (rule 15.2.2.6 (i)), which provides landowners in the zone with a high level of certainty.

In respect of the Community Facilities requirements, subdivision rule 15.2.16.3 requires that particular ‘community facilities’ are provided by the subdivider. The requirement to provide these facilities occurs after consent has been granted for more than 50 residential lots within the zone (except for AA-A). These facilities include a 20 – 25m long indoor swimming pool, a fitness/ gym facility, a children’s play area and at least one tennis court.

NIL has constructed a children’s play area, a tennis court, and will provide a gym fitness facility within the new health centre building. The Council has recognised that the 25m indoor swimming pool requirement is appropriately substituted by the provision of the health centre, and in particular the medical centre that will provide for up to six doctors and specialists and support staff.

This rule applies across all land zoned NSZ (including Allenby Farms Limited and Exclusive Developments Limited). The plan stipulates a non-complying consent status if this rule is breached.

NIL has been the first landowner within the NSZ to undertake subdivision. Through the course of subdivision approvals RM160509 and RM161292, NIL has built/ is building over 250 residential lots. Both consents have been assessed as non-complying, because not all of the facilities were provided in the first subdivision application. However, Council has accepted the provision of a health centre as an alternative to the pool.

Council consent staff now maintain that, even though the community facilities issue has now been addressed by compliance or consent, every subsequent application for subdivision will also be assessed as non-complying. That interpretation affects NIL and the other land-owners in the zone into the future.

Non-complying subdivision consent status is highly inefficient for urban zoned land and places unnecessary costs and risks on landowners. It is not in the Council’s interests to maintain this consent status. It is proposed to delete this rule to avoid this administrative uncertainty and associated process costs.

Option 1: Status Quo – Maintain current zoning and rely on resource consent processes	
Benefits	No apparent benefits.
Costs	- Non-Complying resource consent required for every subdivision in the NSZ. - Complicated, costly and time-consuming process.
Efficiency & Effectiveness	Inefficient and ineffective method of responding to the issue.
Risk of acting (or not acting)	- Risk of consent applications being refused. - Deferred development of urban zoned land for housing purposes; increasing land costs for consumers.

Option 2: Private Plan Change	
Benefits	- Removes uncertainty. - Costs of process are met by the applicant.
Costs	No apparent costs.
Efficiency & Effectiveness	Most efficient and effective method – as the removed rule is no longer required.
Risk of acting (or not acting)	Risk of not acting: Retains inappropriate rule (refer 'costs' above).

Table 6: Deleting the Community Facilities Rule: RC v PC

3.4 Appropriateness of Options

In each of the four issues identified above; Option 1 (Resource Consent) is considered inappropriate because the operative NSZ rules do not anticipate these outcomes and subsequent resource consent processes would involve a high level of risk and cost and a lack of certainty. Option 1 would result in unpredictable outcomes.

Option 2 (Plan Change) is considered the most appropriate, and enables the issues to be properly assessed and scrutinized at a strategic level. The plan change still ensures that specific development proposals are assessed through a consent process, whilst removing the uncertainties such as unnecessarily complicated consent processes for activities that are generally anticipated to occur.

4.0 Section 32 Assessment

4.1 Introduction to Section 32

The format of this part of the report is guided by section 32 of the Resource Management Act 1991, as amended by the Resource Legislation Amendments Act 2017. Section 32(1) requires an evaluation report to:

- (a) examine the extent to which the objectives of the proposal being evaluated are the most appropriate way to achieve the purpose of this Act; and*
- (b) examine whether the provisions in the proposal are the most appropriate way to achieve the objectives by—*
 - (i) identifying other reasonably practicable options for achieving the objectives; and*
 - (ii) assessing the efficiency and effectiveness of the provisions in achieving the objectives; and*
 - (iii) summarising the reasons for deciding on the provisions; and*
- (c) contain a level of detail that corresponds to the scale and significance of the environmental, economic, social, and cultural effects that are anticipated from the implementation of the proposal.*

When assessing the ‘efficiency’ and ‘effectiveness’ of the provisions in achieving the objectives the report must:

- (a) identify and assess the benefits and costs of the environmental, economic, social, and cultural effects that are anticipated from the implementation of the provisions, including the opportunities for—*
 - (i) economic growth that are anticipated to be provided or reduced; and*
 - (ii) employment that are anticipated to be provided or reduced; and*
- (b) if practicable, quantify the benefits and costs referred to in paragraph (a); and*
- (c) assess the risk of acting or not acting if there is uncertain or insufficient information about the subject matter of the provisions.*

This plan change request is defined as an ‘Amending Proposal’ for the purposes of section 32(3), and therefore any examination under section 32(1)(b) must relate to:

- (a) the provisions and objectives of the amending proposal; and*
- (b) the objectives of the existing proposal to the extent that those objectives—*
 - (i) are relevant to the objectives of the amending proposal; and*
 - (ii) would remain if the amending proposal were to take effect.*

The following sections sets out the relevant operative objectives, and provides a corresponding assessment under section 32(1)(a).

The four elements to this plan change request are then assessed under section 32(1)(b), taking into account those matters referred to above.

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4.2 Examining the Appropriateness of the Objectives

This section of the Evaluation Report addresses section 32(1)(a), and assesses the four components of the Plan Change Request against the operative NSZ objectives, and other relevant operative plan objectives.

Given that this is an amending proposal, it is also necessary to provide an assessment of the NSZ operative policies, as they provide clarification on the scope of the objective.

Objective – Northlake Special Zone	Relevant Component of the Plan Change Request	Is the objective the most appropriate way to achieve the purpose of the Act?
<i>Objective 1 – Residential Development</i> <i>A range of medium to low density and larger lot residential development in close proximity to the wider Wanaka amenities.</i> <i>1.1 To establish a mix of residential densities that will provide a residential environment appealing to a range of people.</i> <i>1.2 To enable medium density living within the less sensitive parts of the zone in order to give Northlake a sense of place and to support a neighbourhood commercial and retail precinct.</i> <i>1.7 To provide for small scale neighbourhood retail activities to serve the needs of the local community within Activity Area D1 and to avoid visitor accommodation, commercial, retail and community activities and retirement villages within Activity Areas other than within Activity Area D1.</i>	The first objective is an enabling objective that facilitates the creation of a residential zone, which meets the expectations of the community for the site. A range of housing choice is promoted to enable future residents to meet their social and economic needs. This objective is the most appropriate way to achieve the purpose of the Act.	
	Amend the Structure Plan	The proposed amendments to the Structure Plan do not constrain or undermine the objective. There will remain a mix of residential densities across the zone. The expansion of the D1 area enables a necessary and adequate area of land to be made available for the purpose of a retirement village at an appropriate location. A retirement village is an important component to establishing an integrated community that provides a range of densities and typologies.
	Amend Retail Rule	The provision of a small supermarket and additional retail floor space (Policy 1.7) remains consistent with the relevant policy. The 1,250m² supermarket and the remainder of the 1,250m² of other retail floorspace (at no more than 200m² tenancies) remains as “small scale” to serve local community needs. The objective and policy can remain unchanged and still be relevant and consistent.
	Amend Sign Rule	N/A

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1.8 To provide for community activities, including educational facilities, to serve the needs of the Northlake community and to be available for use by the wider Wanaka community. 1.9 To enable affordable housing by providing for cost effective development and by requiring a range of lot sizes and housing typologies, including 20 affordable lots (as defined in Rule 15.2.20.1).	Delete Community Activity Rule	The community activities required by the operative plan have been provided through previous resource consent approval processes. The objective and Policy 1.8 can remain unchanged. Construction is about to commence on a childcare facility.
<u>Summary</u>	Objective 1 (and the associated policies) can remain without change – and is the most appropriate way of achieving the purpose of the Act.	

<i>Objective 2 – Urban Design</i> <i>Development demonstrates best practice in urban design and results in a range of high quality residential environments.</i>	The objective provides for well-designed residential development that enables future residents to meet their social, economic and culture needs through good urban design practice.	
	Amend the Structure Plan	An appropriate urban design outcome can be achieved through methods that remain a priority
	Amend Retail Rule	Enabling additional retail floor space will ensure that residents within the Northlake community can improve access and convenience for daily shopping needs; avoiding unnecessary vehicle trips.
	Amend Sign Rule	Commercial signage within AA-D1 will contribute to a focal point for this community, allowing commercial tenants to successfully advertise their premises
	Delete Community Activity Rule	N/A
<u>Summary</u>	Objective 2 can remain without change – and is the most appropriate way of achieving the purpose of the Act.	

<i>Objective 3 – Connectivity</i>	The zone will be connected to the rest of Wanaka, and internal connections will enhance the amenities of future residents.	
	Amend the Structure Plan	The adjustment to the boundaries will not alter existing pedestrian, cycling and road

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<i>Development that is well-connected internally and to networks outside the zone.</i>		connectivity routes that are shown in the Structure Plan.
	Amend Retail Rule	Additional retail floorspace is proposed to be located in AA-D1 – which is centrally located within the NSZ.
	Amend Sign Rule	N/A
	Delete Community Activity Rule	Community facilities have been provided within AA-D1 where they are accessible to the community.
Summary	Objective 3 can remain without change – and is the most appropriate way of achieving the purpose of the Act.	

<i>Objective 4 – Landscape and Ecology</i> <i>Development takes into account the landscape, visual amenity, and conservation values of the zone.</i>	The more visually prominent areas within the zone will be protected from development, and remnants of native flora will be protected.	
	Amend the Structure Plan	The adjusted Activity Area boundaries have no impact upon the areas of vegetation identified on the Structure Plan and only minor impacts on the areas of landscape protection.
	Amend Retail Rule	N/A
	Amend Sign Rule	N/A
	Delete Community Activity Rule	N/A
Summary	Objective 4 can remain without change – and is the most appropriate way of achieving the purpose of the Act.	

<i>Objective 5 – Recreation</i> <i>The establishment of areas for passive and active recreation.</i>	The Structure Plan identifies areas that are to be retained in open space. Outline Development Plans will ensure that trails and connections are established.	
	Amend the Structure Plan	The amendments to the Structure Plan do not compromise the ability to establish suitable areas of passive and active recreation.
	Amend Retail Rule	N/A
	Amend Sign Rule	N/A
	Delete Community Activity Rule	The required Community facilities have already been provided or alternative facilities approved by consent.

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<u>Summary</u>	Objective 5 can remain without change – and is the most appropriate way of achieving the purpose of the Act.
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<i>Objective 6 – Infrastructure</i> <i>Provision of servicing infrastructure to cater for demands of development within and outside the zone in an environmentally sustainable manner and to enhance wider utility network systems where appropriate.</i>	The objective ensures infrastructure within the zone connects to existing networks and responds to requirements for upgrades.	
	Amend the Structure Plan	The net increase of residential units can be adequately serviced by existing and proposed infrastructure. Existing roading can accommodate supermarket traffic.
	Amend Retail Rule	Enabling a grocery store in AA-D1 can be adequately serviced by existing and proposed infrastructure. Existing roading can accommodate additional residential units or retirement village.
	Amend Sign Rule	N/A
	Delete Community Activity Rule	N/A
<u>Summary</u>	Objective 6 can remain without change – and is the most appropriate way of achieving the purpose of the Act.	

Table 7 – Assessing the Appropriateness of the Operative Northlake Zone Objectives

The operative Northlake zone objectives remain the most appropriate way to achieve the purpose of the Act, and do not require change.

Objective – Subdivision Chapter	In what way is the objective the most appropriate way to achieve the purpose of the Act?
<i>Objective 1 – Servicing</i> <i>The provision of necessary services to subdivided lots and developments in anticipation of the likely effects of land use activities on those lots and within the developments.</i>	The PPG report confirms that all infrastructure can adequately service the plan change area.
<i>Objective 2 - Cost of Services to be Met by Subdividers</i> <i>The costs of the provision of services to and within subdivisions and developments, or the upgrading of services made necessary by that subdivision and development, to the extent that any of those things are necessitated by the subdivision or development to be met by subdividers.</i>	The objective provides for well-designed residential development that enables future residents to meet their social, economic and culture needs through good urban design practice.

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Objective 5 - Amenity Protection	
<i>The maintenance or enhancement of the amenities of the built environment through the subdivision and development process.</i>	The amenity of the NSZ and the amenity within the Outlet Road environment will remain largely unchanged as a result of the change. The objective does not require change.
Summary	The relevant Subdivision objectives can remain without change – and is the most appropriate way of achieving the purpose of the Act.

Table 8 – Assessing the Appropriateness of the Operative Signage Objectives

Objective – Signs Chapter	In what way is the objective the most appropriate way to achieve the purpose of the Act?
Objective 1 – Signs	
<i>Signs which convey necessary information and assist in creating a sustainable and vibrant community, while avoiding or mitigating any adverse effects on public safety, convenience and access and on the District's important landscape, streetscape, cultural heritage and water area visual amenity values.</i>	Amending the Signs chapter to enable the D1 area to utilise commercial signage provisions is the most appropriate way to achieve the purpose of the Act. Amending the signs rule provides a consistent approach to local scale commercial nodes in the District Plan, across the district.
Summary	Objective 1- Signs can remain without change – and is the most appropriate way of achieving the purpose of the Act.

Table 9: Assessing the Appropriateness of the Operative Subdivision Objectives

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4.3 Examining the Appropriateness of the Provisions

Section 32 (1)(b)(ii) requires an examination of whether the proposed provisions are the most appropriate way to achieve the objectives.

Amend the Structure Plan		
	Benefits	Costs
Environmental	An efficient use of land and infrastructure	
Economic (incl. growth & employment)	Appropriate land available for a retirement village at an attractive location in a currently under-supplied market.	
Social	As above	
Cultural	-	

Amend Prohibited Activity Rule		
	Benefits	Costs
Environmental	Clarifies that food retail premises can 'process' fish and meat	
Economic (incl. growth & employment)	Ensure that supermarket can establish within the Northlake Zone – providing a full range of food offerings to the community	
Social	-	
Cultural	-	

Amend Building Setback Rule		
	Benefits	Costs
Environmental	Ensures that increase of building height within that part of the AA-C2 area is offset by greater building setbacks; retaining a balance of open space	
Economic (incl. growth & employment)	-	
Social	-	
Cultural	-	

Amend Access Rule		
	Benefits	Costs
Environmental	Ensures that traffic safety on Outlet Road is maintained by reducing potential points so conflict	
Economic (incl. growth & employment)	-	
Social	-	
Cultural	-	

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Amend Landscaping and Planting Rule		
	Benefits	Costs
Environmental	Ensures that traffic safety on Outlet Road is maintained by reducing potential points so conflict	
Economic (incl. growth & employment)	-	
Social	-	
Cultural	-	

Amend Building Height Rule		
	Benefits	Costs
Environmental	Ensures that appropriate offset occurs between increased building density, within the that part of AA-C2 that is proposed to change to D1 remains, with building scale	
Economic (incl. growth & employment)	-	
Social	-	
Cultural	-	

Amend Retail Rule		
	Benefits	Costs
Environmental	Reduced travel on the roading network for essential services	
Economic (incl. growth & employment)	Increased retail provides for additional employment for a range of staff	
Social	Enhances opportunity for D1 area to become a focus of the Northlake community, encouraging complementary activities that benefit local residents	
Cultural	-	

Amend Sign Rule		
	Benefits	Costs
Environmental		Increased visual presence of signs in the D1 area
Economic (incl. growth & employment)	Enables business to properly advertise their presence and helps make the Northlake D1 area a viable commercial precinct	
Social	Relevant commercial signage will clearly identify the form and function of this D1 area – and	

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	helps it develop as the focal point of the community	
Cultural	-	-

Delete Community Activity Rule		
	Benefits	Costs
Environmental	N/A	N/A
Economic (incl. growth & employment)	Ensures that consent processes and provision of residential housing is not unnecessarily delayed by complicated consent processes	
Social	The Northlake residential community can establish without consent delays	
Cultural	-	-

Table 10: Examining the Appropriateness of the Provisions

In summary, this Request are considered to be the most appropriate method of achieving the objectives of the NSZ.

5.0 Assessment of Effects on the Environment

5.1 Overview

This part of the report provides an assessment of effects on the environment in accordance with Clause 22 (2) of the First Schedule of the Act. This assessment relates to the effects anticipated from the implementation of the proposed plan change.

5.2 Landscape and Urban Design

The landscape and urban design aspects of this plan change request are interrelated, and primarily involve the adjustment of the Activity Area boundaries and to a lesser degree the change to the retail rule.

The landscape assessment has been prepared by Baxter Design Group Limited, and identifies that the key consideration is the expansion of the D1 area.

The other changes to the boundaries of the C1/ B2, B3 areas are considered to be of minor consequence from both a landscape and urban design perspective.

Urban design is the key consideration in expanding the D1, particularly towards Outlet Road into the AA-C2 area.

The report recognises that the operative rules provide NIL with some flexibility on the layout of development within the C2, provided it achieves a maximum density of 4.5 dwellings per hectare (including the 15% float).

This could result in NIL increasing density within the southern part of the C2 area. The plan change area) resulting in a medium density development (10 – 12 dwellings per hectare), whilst still enabling the northern part of the C2 to be developed

The report recognises the change that will occur to the land form as a result of earthworks necessary to create functional residential sections, that will result in activity area boundaries becoming blurred over time.

The report recommends that sensitive edge treatment occurs for land adjoining Outlet Road, including a consistent depth and pattern of planting and fencing. It is also recommended that cladding materials and colour palette maintain a degree of consistency. It recommends that buildings be limited to 2 levels within that C2 strip, to retain a generally consistent appearance of built form.

The retirement village concept for the expanded D1 area is acknowledged as being an appropriate land use within this part of the zone, and likely to positively contribute towards residential and community coherence that results from a mixed environment.

The urban design aspect of increasing the retail footprint and overall retail cap is to ensure that buildings alongside Northlake Drive are designed to address the street as the principal pedestrian place. This might include additional tenancies being supported alongside Northlake Drive. The actual detailed design response to this type of matter will be addressed appropriately at the resource consent stage.

Both the supermarket and the retirement village will be subject to a Restricted Discretionary resource consent for the buildings within the D1 area. The matters over which the Council has restricted its discretion (12.34.2.3 (iv)(a), (f) and (h)) and the associated Assessment Matters (12.34.5.2 (v)(b), (c) and

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(d)) – ensure that consideration will be given to all of those building design, appearance and streetscape issues.

5.3 Transport

Carriageway Consulting Limited has been engaged to provide an assessment of the request in respect of the amendments to the Structure Plan to increase the area of AA-D1, and to assess the implications of increasing the amount of retail floor area.

The Carriageway report first assessed the existing zoning of the plan change area, and the traffic impacts that are likely to occur. In that case the report identifies the existing D1 land (relying upon that part of the Outline Development Plan that would result in 105 residential units), and the permitted yield of the C2 and B3 land – that would result in 141 residential units, and generate about 127 vehicle movements (2 way) in the peak hours.

The alteration to the Structure Plan provides an additional 4.2 hectares of AA-D1 land (The C2 + B3 land), which results in a net increase (taking into account the residential yield under the operative C2 and B3 zoning) of 36 residential units. This would result in an additional 32 vehicle movements in the peak hours or an equivalent of 1 additional vehicle movement every 1.9 minutes. Carriageway Consulting describe this effect as being “imperceptible”, and on that basis, they were not asked to report on the other less significant changes to the Structure Plan in the AA-C1 and AA-B2/3 areas.

Carriageway were also asked to assess the traffic effects that might occur if a retirement village is developed within that same expanded D1 area, occupying a cumulative area of approximately 9.4 hectares. Comparisons with other similarly sized and located retirement villages confirms a conservative assessment of 12.1 vehicle movements per hectare during peak hours; resulting in around 114 vehicle movements (2 way) in those peak hours.

In summary, the operative zoning would result in 127 vehicle movements per hour, medium density residential over that same area would result in up to 159 vehicle movements per hour, or alternatively a retirement village would generate about 114 vehicle movements per hour. The Carriageway report concludes that “the traffic generated by the proposed plan change is relatively small” and that “there is very little difference in the traffic generation between the proposed rezoned land towards the north of Northlake and that which can already occur as of right...”.

The change to the retail provisions include increasing the retail cap to 2,500m², and within that increased cap, providing for a grocery store of up to 1,250m².

The standard traffic generation for a retail food outlet of this size is 15 vehicle movements (2 way) per 100m² in the evening peak hour, which in this case equates to 180 vehicle movements (2 way). The assessment relies upon recognised survey data, that supermarkets trips are generally divided on a 33% basis to ‘primary trips’ that are newly generated as a result of the supermarket, ‘pass-by trips’ where the route of the driver does not change, and ‘diverted trips’.

The location of the supermarket within a growing residential area will ensure that most ‘trips’ are generated from within an existing local catchment of 3,395 residences¹ where this will be the closest grocery store.

The Carriageway report concludes that a 1,250m² supermarket will generate an additional 36 vehicle movements on Aubrey Road during the peak hour, at that movements through that Aubrey/ Outlet Road

¹ RCG Limited, Assessment of Economic Effects – Northlake, September 2017, page 34

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intersection will be evenly split to the east (Albert Town) and west (Wanaka). This traffic volume represents one vehicle movement every 1.7 minutes which carriageway describe as “imperceptible”.

5.4 Retail

RCG Limited have prepared an assessment of the effects of increasing the retail cap to enable a 1,250m² supermarket, whilst also increasing the retail cap to 2,500m².

This report confirms that:

- Growth projections for the Wanaka area have previously underestimated actual growth rates.
- Recent growth projections (2017) indicate that Wanaka will grow from a resident population of 10,910 (2016) to 16,700 (2028) – an increase of over 53%.
- Building consent records indicate there are 350 – 400 new homes in Wanaka per annum
- House prices in Wanaka continue to increase, with an average house price of \$800,000 (June 2017)
- Tourism growth is projected to continue.
- Total passenger arrivals through Queenstown airport have grown 81% in the past 5 years
- Wanaka Airport is likely to also expand and be used for domestic flight routes
- Guest nights in Wanaka have grown to 840,000 per annum (521,000 international / 319,000 domestic)
- Tourism spending in Wanaka is at record levels of \$313,000,000.00, up 71% from two years ago
- There is currently 20,000m² of retail floor space in Wanaka, and a further 10,000m² possible at Three Parks, plus 1,000m² at Northlake.
- There is one supermarket (New World) and two smaller grocery stores (Four Square and Mediterranean Market)
- Wanaka is currently “seriously undersupplied with retail space”, and can support substantial increases in its retail offering”
- The existing New World supermarket trades very strongly and that tourist spending alone is sufficient to support a supermarket of this size
- The ‘northern Wanaka’ area could support 10,484m² of retail floor space, including 3,069m² food retail floor space, by 2028 if that area is fully developed.
- The proposed 1,250m² supermarket and total retail cap of 2,500m² will not undermine the Wanaka CBD or Three Parks.

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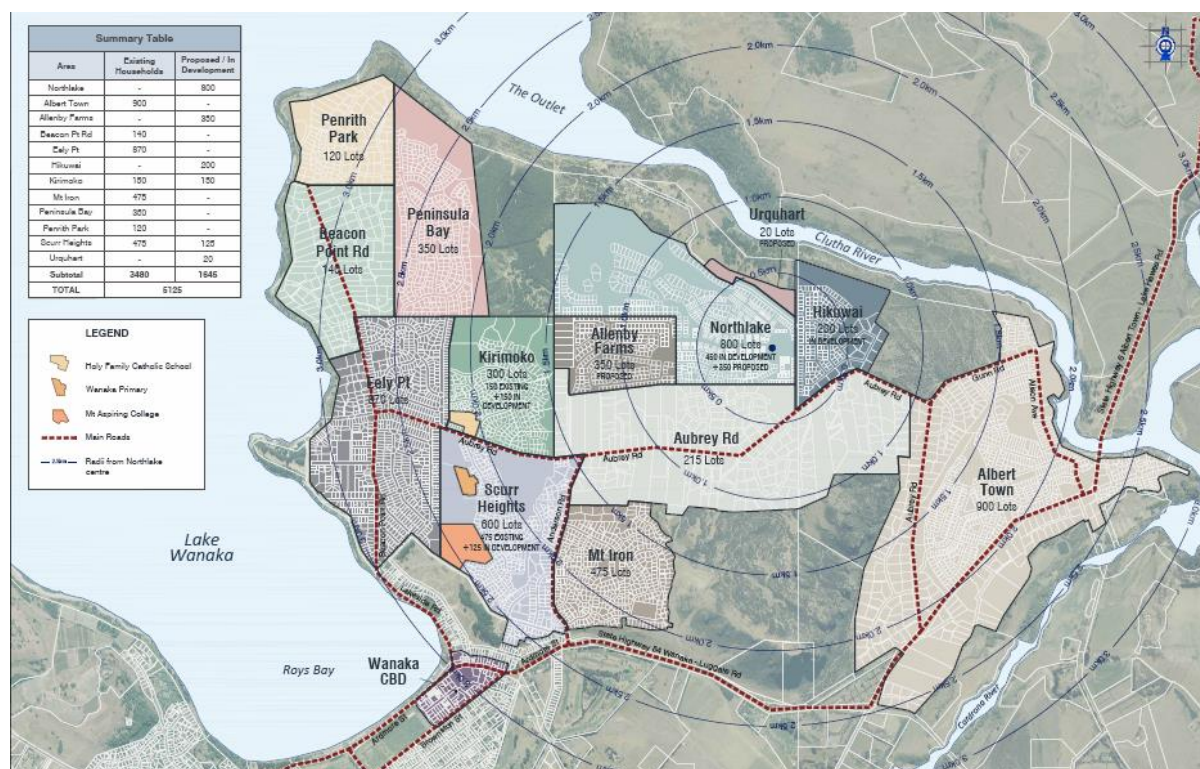


Figure 4: Northern Wanaka Catchment

5.5 Services and Infrastructure

Paterson Pitts Group have undertaken an assessment of the 3-waters infrastructure, and provided confirmation on the adequacy of the telephone and electrical supplies in the vicinity.

5.5.1 Stormwater

The report confirms that stormwater will continue to be collected, treated and disposed via the Low Impact Design that has been constructed to ensure there is no increase from pre-to post development flows leaving the site and to ensure that stormwater quality is maintained prior to ultimate discharge into the Clutha River.

5.5.2 Water Supply

Water demands have been assessed, and consultation undertaken with the Council engineers contracted for modelling water supply requirements within Wanaka. It is acknowledged that under both the density of the operative district plan and the proposed plan change that a water upgrades will be required (and are programmed to be undertaken by Council). As a result the amendment to the Structure Plan boundaries will have no effect upon water supply.

Current modelling indicates that 682 residential lots can be serviced by the current reservoir (located on the western boundary of the zone) after which the 250mm trunk main will need to be linked back to that reservoir. It is estimated that there is at least 5 years capacity before that demands are fully realised and upgrades are required.

Water supply hourly peak flow will increase slightly as a result of the proposed changes to the activity areas. However, it is anticipated with planned upgrades that the site can be appropriately serviced.

5.5.3 Wastewater

PPG confirm that the 300mm main that was recently extend from the intersection of Aubrey and Outlet Roads as far as Northlake Drive will have adequate capacity for the increase in density proposed by the plan change.

Internal pipe reticulation extends west along Northlake Drive (150mm) as far as the intersection with Mt. Linton Avenue. This infrastructure is currently being extended to also service the lots in Stages 4 – 6.

The land north of Mt Creighton crescent (in the vicinity of the C2) is at a lower elevation and a pump station of low pressure reticulation will be required to convey wastewater up to the existing network.

5.6 Summary

The reports prepared in relation to specific aspects of the proposed plan change have confirmed that:

- a) The alteration to the Structure Plan boundaries will not result in any adverse effects upon the landscape qualities of the area;
- b) The alteration to the Structure Plan boundaries will result in a slightly different character and urban form. However, that change is appropriate and particular methods have been introduced that ensure consistency with the relevant objectives and policies of the zone;
- c) The existing infrastructure network and planned upgrades have capacity to appropriately service the increased density;
- d) There is currently a significant under-supply of retail floorspace in Wanaka built and projected; and that the alteration of the retail rule to enable a supermarket, and to increase the overall allowable retail gross floor area, will not result in any adverse effect on Wanaka CBD and Three Parks.

6.0 Statutory Framework

6.1 Resource Management Act 1991

This private plan change request has been made under Clause 21, Part 2 of the 1st Schedule of the Resource Management Act 1991.

The request has been prepared in accordance with Clause 22 and includes an evaluation report prepared in accordance with section 32 and a description of the environmental effects, taking into account clauses 6 and 7 of Schedule 4.

6.2 National Policy Statements and Standards

The following National Policy Statements (NPS) and National Environmental Standards (NES) have been examined:

- National Policy Statement on Electricity Transmission 2008
- Coastal Policy Statement 2010
- National Policy Statement on Renewable Electricity Generation 2011
- National Policy Statement on Freshwater Management 2014
- National Policy Statement on Urban Development Capacity 2016

National policy statements guide subsequent decision-making under the Resource Management Act at the national, regional and district levels and can therefore significantly affect resource management practices in New Zealand.

Regional policy statements, regional plans and district plans are all required to give effect to all national policy statements. The phrase “give effect to” means “implement”. It is a strong directive that creates a firm obligation on the part of those subject to it.

The national policy statement is about recognising the national significance of:

- a) urban environments and the need to enable such environments to develop and change; and
- b) providing sufficient development capacity to meet the needs of people and communities and future generations in urban environments.

The National Policy Statement on Urban Development Capacity is relevant to this plan change request. It contains objectives and policies that local authorities must give effect to in their resource management decisions that provide direction on:

- the outcomes that urban planning decisions should achieve
- the evidence underpinning those decisions
- responsive planning approaches
- coordination between local authorities and providers of infrastructure.

Within these four, the NPS-UDC targets the more challenging requirements for urban areas experiencing the most significant growth. Of particular relevance to this plan change are the first group of Objectives that occur under the heading ‘Outcomes for planning decisions’:

OA1: Effective and efficient urban environments that enable people and communities and future generations to provide for their social, economic, cultural and environmental wellbeing.

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- OA2: Urban environments that have sufficient opportunities for the development of housing and business land to meet demand, and which provide choices that will meet the needs of people and communities and future generations for a range of dwelling types and locations, working environments and places to locate businesses.*
- OA3: Urban environments that, over time, develop and change in response to the changing needs of people and communities and future generations.*

The associated policies (PA1 to PA4) apply to “any urban environment that is expected to experience growth”. These policies require that:

- PA1: Local authorities shall ensure that at any one time there is sufficient housing and business land development capacity....that must be feasible, zoned and serviced with development infrastructure in the short, medium and long term.*
- PA2: Local authorities shall satisfy themselves that other infrastructure required to support urban development are likely to be available.*
- PA3: When making planning decisions that affect the way and the rate at which development capacity is provided, decision-makers shall provide for the social, economic, cultural and environmental wellbeing of people and communities and future generations, whilst having particular regard to:*
- a) Providing for choices that will meet the needs of people and communities and future generations for a range of dwelling types and locations, working environments and places to locate businesses;*
 - b) Promoting the efficient use of urban land and development infrastructure and other infrastructure; and*
 - c) Limiting as much as possible adverse impacts on the competitive operation of land and development markets.*
- PA4: When considering the effects of urban development, decision-makers shall take into account:*
- a) The benefits that urban development will provide with respect to the ability for people and communities and future generations to provide for their social, economic, cultural and environmental wellbeing; and*
 - b) The benefits and costs of urban development at a national, inter-regional, regional and district scale, as well as the local effects.*

In addition, the Wanaka area is a “high growth urban area” as it will be likely to experience significantly more than the 10% growth threshold between 2013 and 2023 (more likely 50%). As a result, Policies PB1 to PB7 also apply to the Council. This includes research, monitoring and publication of demand and capacity studies.

The ‘Responsive Planning’ policies (PC1 to PC11) include a requirement to ensure that the ‘feasible development capacity’ requirements of PA1 also include an ‘additional margin of feasible development capacity over and above projected demands of at least 20% in the short-medium term and 15% in the long term.

This proposed plan change acknowledges that there is demand for additional medium density zoned land (including provision for a retirement village), and that there is a significant undersupply of retail zoned land in the Wanaka urban area. The Request is consistent with these policy expectations

Whilst the NPS places the responsibility for its implementation on local authorities, it is relevant to note that this plan change request assists the Council to ensure that the wellbeing of future generations is appropriately provided for. Supplementary reports prepared for this plan change confirm that there are

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no adverse impacts upon landscape, urban design, or the amenity of the existing zoned retail areas (Wanaka town centre, Three Parks or other areas), that there is adequate provision of infrastructure,

The other Environmental Standards and National Policy Statements include:

- National Environmental Standard for Air Quality 2004
- National Environmental Standard for Sources of Human Drinking Water 2008
- National Environmental Standard for Telecommunications Facilities 2008
- National Environmental Standard for Electricity Transmission 2010
- National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health 2012

None of the National Environmental Standards are relevant to this plan change request.

6.3 Otago Regional Policy Statement - Operative

The purpose of a Regional Policy Statement is to promote the sustainable management of natural and physical resources. The Otago Regional Policy Statement ("RPS") became operative on 1 October 1998, and establishes the framework for planning documents and plans such as Air, Waste, Water and Coast.

The RMA Section 75(3)(c) states that a District Plan must give effect to a Regional Policy Statement. Accordingly, it is important to consider the relevant provisions of the Regional Policy Statement to ensure they are being given effect to. The relevant provisions are from Chapter 9 – Built Environment.

Objective 9.4.1

To promote the sustainable management of Otago's built environment to:

- (a) *Meet the present and reasonably foreseeable needs of Otago's people and communities; and*
- (b) *Provide for amenity values; and*
- (c) *Conserve and enhance environmental and landscape quality; and*
- (d) *Recognise and protect heritage values.*

The provision of additional land for either medium density housing or for the development of a retirement village is consistent with the Objective, in meeting the reasonably foreseeable needs of the Otago community.

The amenity values of the NSZ area will be enhanced by the opportunity to provide a grocery store within the zone minimising vehicle trips to the town centre and other localities

Attention to urban design principles and the provision of recreational areas and trails are provided for by the plan change.

Policy 9.5.2

To promote and encourage the sustainable management of Otago's transport network through:

- (a) *Promoting the use of fuel efficient modes of transport...*
- (b) *Encouraging a reduction in the use of fuels which produce emissions harmful to the environment; and*

Policy 9.5.3

To promote and encourage the sustainable management of Otago's transport network through:

- (a) *Promoting the use of fuel efficient modes of transport; and*
- (b) *Encouraging a reduction in the use of fuels which produce emissions harmful to the environment; and*
- (c) *Promoting a safer transport system; and*

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- (d) *Promoting the protection of transport infrastructure from the adverse effects of land use activities and natural hazards.*

Policy 12.5.3

To improved energy efficiency within Otago through:

- (d) *Encouraging energy efficient transport modes in Otago*

The plan change request is consistent with these policies, in particular by altering the Structure Plan to more readily facilitate the development of a retirement village in this zone. The complementary development of a grocery store also contributes towards a more self-sustaining community that is less reliant upon traffic movements across already stressed arterial routes across town, and to and from the Wanaka town centre.

Policy 9.5.4

To minimise the adverse effects of urban development and settlement, including structures, on Otago's environment through avoiding, remedying or mitigating:

- (a) *Discharges of contaminants to Otago's air, water or land; and*
- (b) *The creation of noise, vibration and dust; and*
- (c) *Visual intrusion and reduction in landscape qualities; and*
- (d) *Significant irreversible effects on:*
 - (i) *Otago community values; or*
 - (ii) *The creation of noise, vibration and dust; and*
 - (iii) *The natural character of water bodies and the coastal environment; or*
 - (iv) *Habitats of indigenous fauna; or*
 - (v) *Heritage values; or*
 - (vi) *Amenity values; or*
 - (vii) *Intrinsic values of ecosystems; or*
 - (viii) *Salmon or trout habitat.*

Existing reticulated network infrastructure has capacity for the changes proposed by this plan change.

Overall, the plan change request is consistent with the operative Regional Policy Statement.

6.4 Otago Regional Policy Statement - Proposed

The Regional Council released decisions on the Proposed RPS on 1 October 2016. The appeal period closed on 9 December 2016, and 26 appeals were lodged.

Of relevance to this plan change are the objectives and policies relating to the built environment, which occur at 3.7 and 3.8 of the notified RPS:

Objective 3.7

Urban areas are well designed, sustainable and reflect local character.

Policy 3.7.1

Encourage the use of good urban design principles in subdivision and development in urban areas, as detailed in Schedule 6, to:

- f) *Create areas where people can live, work and play, including by:*
 - i. *Enabling a diverse range of housing, commercial, industrial and service activities; and*
 - ii. *Enabling a diverse range of social and cultural opportunities.*

Objective 3.8

Urban growth is well designed and integrates effectively with adjoining urban and rural environments.

Policy 3.8.1

Manage urban growth and creation of new urban land in a strategic and co-ordinated way, by:

- a) *Ensuring there is sufficient residential, commercial and industrial land capacity, to cater for demand for such land, projected over at least the next 10 years; and*
- b) *Co-ordinating urban growth and extension of urban areas with relevant infrastructure development programmes, to:*
 - i. *Provide infrastructure in an efficient and effective way; and*
 - ii. *Avoid additional costs that arise from unplanned infrastructure expansion; and*
- c) *Identifying future growth areas that:*
 - i. *Minimise adverse effects on rural productivity, including loss of highly valued soils or creating competing urban demand for water and other resources; and*
 - ii. *Maintain or enhance significant biodiversity, landscape or natural character values; and*
 - iii. *Maintain important cultural or heritage values; and*
 - iv. *Avoid land with significant risk from natural hazards; and*
- e) *Ensuring efficient use of land; and*

The Proposed RPS was altered as a result of decision on submissions, and these quoted objectives and policies remain subject to further potential change as a result of appeals.

The Plan change request is not inconsistent with any of the above-mentioned objectives and policies, because that plan also seeks to ensure that there is urban consolidation and promotes the efficient use of existing urban infrastructure.

However, for the purpose of this evaluation minimal weight should be applied to the Proposed RPS.

6.5 Otago Regional Land Transport Strategy

The Otago Regional Land Transport Strategy (“RLTS”) 2011-2041 describes a series of key result areas for achieving the goal of *“a safe transport system that provides connections between communities, leading to regional prosperity, the creation of wealth and employment, social inclusion and the minimisation of adverse environmental effects a sustainable quality of life for current and future generations”*.

The transport network has been assessed, and the plan change is consistent with the Regional Land Transport Strategy.

6.6 Regional Plans

6.6.1 Regional Plan: Air (2009)

The Air Plan contains objectives, policies and rules that allow the Regional Council to independently manage the air quality of settlements throughout the region. Part of the plan change site is within Air Zone 2 (Wanaka).

6.6.2 Regional Plan: Waste (2007)

The purpose of the Waste Plan is to provide an integrated approach to waste issues. The Waste Plan is also relevant in respect of the disposal of commercial and domestic waste and collection of recycling. Waste and recycling in Wanaka is collected by Queenstown Lakes District Council on a user pays system. The zone is covered by this managed waste collection.

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6.6.3 Regional Plan: Water (2004)

The utility services and infrastructure report concludes that the land is not subject to any significant constraints in relation to water supply reticulation, wastewater reticulation, stormwater control.

The plan change is consistent with all three of the Regional Plans.

6.7 Kai Tahu ki Otago Natural Resource Management Plan (2005)

The Act requires that when preparing a change to a District Plan a local authority must take into account any relevant planning document recognised by an iwi authority, to the extent that its content has a bearing on resource management issues of the district.

The Kai Tahu ki Otago Natural Resource Management Plan (“NRMP”) was adopted in 2005 and contains a series of objectives and policies which are relevant to this Plan Change. The Clutha/ Mata-au catchments include the territorial boundaries of the Queenstown-Lakes District.

There are no objectives or policies in the NRMP that are relevant to the resource management issues raised by this plan change request.

6.8 Queenstown Lakes District Plan - Operative (2002) - ODP

The ODP was made operative in 2002, and subsequently amended by Plan Change 45 in December 2015. It contains both district-wide (Chapter 4) and zone-specific (Chapter 12-33) objectives and policies, the relevant matters of which, are reproduced below and an assessment provided.

6.8.1 Chapter 4 – District-Wide

Objective 1 - Natural Environment and Landscape Values

Growth and development consistent with the maintenance of the quality of the natural environment and landscape values.

Policies

- 1.1 *To ensure new growth occurs in a form which protects the visual amenity, avoids urbanisation of land which is of outstanding landscape quality, ecologically significant, or which does not detract from the values of margins of rivers and lakes.*

The assessment prepared by Baxter Design Group Limited (Attachment B) confirms that the land affected by the proposed Plan Change does not contain landscape values that require protection. The NSZ already identifies those areas of ecological significance and provides for their protection (TPA 1 and TPA 2). In addition, the NSZ also provides for the protection of landscape values by inclusion of AA E1 which classifies those more elevated slopes in the northern part of the zone. Similarly, the NSZ also provides for the protection of the values of margins of the Clutha River by classifying those areas as the 'Tree Protection and Building Restriction Area'. The Request is therefore consistent with these matters.

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Objective 2 - Existing Urban Areas and Communities

Urban growth which has regard for the built character and amenity values of the existing urban areas and enables people and communities to provide for their social, cultural and economic well-being.

Policies:

- 2.1 *To ensure new growth and development in existing urban areas takes place in a manner, form and location which protects or enhances the built character and amenity of the existing residential areas and small townships.*
- 2.3 *To protect the living environments of existing low-density residential areas by limiting higher density development opportunities within these areas.*

The Request provides for intensification of part of the AA B3 and C2 (and other minor Activity Area boundary adjustments).

These changes are all part of a planned residential community, that include an integrated street and (off-road) pedestrian network.

The requestor has obtained an Outline Development Plan resource consent (RM160152) that demonstrates the future built character of this environment.

In regard to Policy 2.3, NIL is the owner of the land that immediately adjoins the plan change area. The proposed medium density outcomes of AA D1 are contained within and surrounded by NIL owned land.

The proposed changes will maintain that same general character and anticipated residential amenity.

Objective 3 - Residential Growth

Provision for residential growth sufficient to meet the District's needs.

Policies

- 3.1 *To enable urban consolidation to occur where appropriate.*
- 3.2 *To encourage new urban development, particularly residential and commercial development, in a form, character and scale which provides for higher density living environments and is imaginative in terms of urban design and provides for an integration of different activities, e.g. residential, schools, shopping.*
- 3.3 *To provide for high density residential development in appropriate areas.*
- 3.4 *To provide for lower density residential development in appropriate areas and to ensure that controls generally maintain and enhance existing residential character in those areas.*

The Request provides for urban consolidation to occur, and that may also enable a retirement village to be established (under a separate resource consent). Policy 3.2 encourages integration of different complementary activities to occur that enable residential communities to develop.

The change to the Activity Area boundaries and the provision of a supermarket within the D1 area are both consistent with this objective and policies.

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Objective 4 - Business Activity and Growth

A pattern of land use which promotes a close relationship and good access between living, working and leisure environments.

Policies:

- 4.1 *To promote town centres, existing and proposed, as the principal foci for commercial, visitor and cultural activities.*
- 4.2 *To promote and enhance a network of compact commercial centres which are easily accessible to, and meet the regular needs of, the surrounding residential environments.*

Wanaka town centre is the principal focus for commercial, visitor and cultural activities in the Upper Clutha, and the Plan Change request does not impact upon that hierarchy. The RCG report confirms that the provision for additional retail floor space in the NSZ will not result in any adverse effects upon the vibrancy of either the Wanaka or Three Parks commercial areas.

Wanaka contains two commercial areas; the existing town centre and the future development at Three Parks. These areas contain the existing and future supermarkets for the Upper Clutha that provide, amongst other things, for the regular needs of the community. Neither area is 'easily accessible' from parts of the North Wanaka neighbourhoods, and require independent vehicle trips.

The Request is consistent with Objective 4 and both of Policies 4.1 and 4.2.

6.8.2 Chapter 15 – Northlake Special Zone

The operative Northlake Special Zone is based upon six objectives and associated policies. The relevant matters are reproduced and assessed below:

Objective 1 – Residential Development

A range of medium to low density and larger lot residential development in close proximity to the wider Wanaka amenities.

Policies

- 1.1 *To establish a mix of residential densities that will provide a residential environment appealing to a range of people.*
- 1.2 *To enable medium density living within the less sensitive parts of the zone in order to give Northlake a sense of place and to support a neighbourhood commercial and retail precinct.*
- 1.7 *To provide for small scale neighbourhood retail activities to serve the needs of the local community within Activity Area D1 and to avoid visitor accommodation, commercial, retail and community activities and retirement villages within Activity Areas other than within Activity Area D1.*
- 1.8 *To provide for community activities, including educational facilities, to serve the needs of the Northlake community and to be available for use by the wider Wanaka community.*

The Request remains consistent with this objective and associated policies, by continuing to provide that range of housing densities.

Policy 1.7 refers to the provision of "small scale neighbourhood retail activities to serve the needs of the local community". The RCG report confirms that the 'North Wanaka' community will be the primary catchment. The comparatively small size of the supermarket will provide a much smaller retail offering that will be focused upon the needs and convenience of the local neighbourhood.

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Policy 1.8 provides the framework for the provision of ‘community facilities’. These facilities have now either been provided or like facilities consented and construction of those facilities about to commence.

Objective 2 – Urban Design

Development demonstrates best practice in urban design and results in a range of high quality residential environments.

Policies

2.5 *To ensure that development recognises and relates to the wider Wanaka character and is a logical extension of the urban form of Wanaka.*

2.6 *To enable visitor accommodation, commercial, retail and community activities and retirement villages within Activity Area D1 including limited areas of small scale neighbourhood retail to service some daily needs of the local community, while maintaining compatibility with residential amenity and avoiding retail development of a scale that would undermine the Wanaka Town Centre and the commercial core of the Three Parks Special Zone.*

Objective 2 is concerned with achieving high quality urban design outcomes., which includes providing for a range of complementary activities and necessary facilities that ensure that the Northlake neighbourhood can develop as an integrated community; with convenience retail and supporting commercial, community and retirement facilities.

The Request remains consistent with these matters.

Objective 4 – Landscape and Ecology

Development that takes into account the landscape, visual amenity, and conservation values of the zone.

Policies

4.1 *To identify areas where buildings are inappropriate, including ridgelines, hilltops and other visually prominent landforms, and to avoid buildings within those areas*

The Landscape and Ecology objective is identified because a small area of AA-E1 is proposed to change to AA-D1. The Baxter design report recognises the purpose of the E1 area, but concludes that this particular part of the E1 (1,323m²) at the southern-most end of the Activity Area, and that including that area within d1 will not result in any adverse landscape effects.

6.9 Queenstown Lakes District Plan - Proposed (2015) - PDP

The first stage of the PDP was notified in October 2015, and hearings on that first stage are almost completed. Decisions on submissions are anticipated in early 2018.

The NSZ was not included in the notified PDP.

The relevant parts of the PDP are those district-wide matters, which have been reproduced and assessed below.

Objective 3.2.1.1

Recognise, develop and sustain the Queenstown and Wanaka central business areas as the hubs of New Zealand's premier alpine resorts and the District's economy.

Policies

- 3.2.1.1.1. *Provide a planning framework for the Queenstown and Wanaka central business areas that enables quality development and enhancement of the centres as the key commercial hubs of the District, building on their existing functions and strengths.*
- 3.2.1.1.2. *Avoid commercial rezoning that could fundamentally undermine the role of the Queenstown and Wanaka central business areas as the primary focus for the District's economic activity.*

Objective 3.2.1.2

Recognise, develop and sustain the key local service and employment functions served by commercial centres and industrial areas outside of the Queenstown and Wanaka central business areas in the District.

Policies

- 3.2.1.2.1. *Avoid commercial rezoning that would fundamentally undermine the key local service and employment function role that the larger urban centres outside of the Queenstown and Wanaka central business areas fulfil.*
- 3.2.1.2.2. *Reinforce and support the role that township commercial precincts and local shopping centres fulfil in serving local needs.*

Objective 4.2.1

Urban development is coordinated with infrastructure and services and is undertaken in a manner that protects the environment, rural amenity and outstanding natural landscapes and features.

Policies

- 4.2.1.3. *Encourage a higher density of residential development in locations that have convenient access to public transport routes, cycleways or are in close proximity to community and education facilities.*

The PDP policies maintain and strengthen the primacy of the Wanaka town centre

Essentially, these two objectives outline a hierarchy for centres in the Queenstown- Lakes District, with the Queenstown and Wanaka central business areas at the top, followed by other large urban centres. The objective and policy framework support the top-tier and second-tier centres. Lower in the hierarchy are “township commercial precincts and local shopping centres”.

7.0 THE PLAN CHANGE

7.1 The Amended Provisions

This plan change proposes amendments to Chapters 12.34 The Northlake Special Zone), chapter 15 (subdivision) and Chapter 18 (Signs).

7.1.1 Amendment to Part 12 – Rule 12.34.2.6 (i) – page 12-365

- i. Panelbeating, spray painting, motor vehicle repair or dismantling, fibreglassing, sheet metal work, bottle or scrap storage, motorbody building, fish or meat processing (except if ancillary to any retail activity or restaurant), or any activity requiring an Offensive Trade Licence under the Health Act 1956.*

7.1.2 Amendment to Part 12 – Rule 12.34.4.1 (ii) – page 12-366

ii Setbacks from Roads

- (a) The minimum setback from road boundaries of any building shall be 4.5m except within activity Area D1;*
- (b) The minimum setback from road boundaries of any building within Activity Area D1 shall be 3m, except for that part of Activity Area D1 that adjoins Outlet Road, north of Mt. Burke Street, where the minimum setback from Outlet Road shall be 7m.*

7.1.3 Amendment to Part 12 – Rule 12.34.4.1 (viii) – page 12-368

viii Access

- (a) Each residential unit shall have legal access to a formed road;*
- (b) Within Activity Area D1 no residential unit shall have direct access to Outlet Road.*

7.1.4 Amendment to Part 12 – Rule 12.34.4.1 (x) – page 12-369

x Landscaping and Planting

- (d) On residential sites adjoining Outlet Road, tree planting within a 3.5 m setback from that road shall achieve 100% coverage.*

Note: For the purposes of rule (d) above:

- (i) 'tree planting' shall consist of species that will be higher than 1.5 at maturity spaced at a maximum of 5m between centres of trees.*
- (ii) planting shall be completed within 12 months of Code of Compliance certification of a building on the site in accordance with the Building Act 2004.*
- (iii) this rule shall not apply to Activity Area A or the land referred to in (e) below.*
- (vi) This rule shall not apply to Activity Area D1 to the west of Outlet Road where roadside landscaping within 3.5m of Outlet Road shall consist of:*
- 1. Post and (2) rail timber fence located on the property boundary*
 - 2. Grisilinea hedge located immediately behind the post and rail fence, maintained to minimum height of 1.5m.*

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7.1.5 Amendment to Part 12 – Rule 12.34.4.2 (iv) – page 12-372**iv Building Height**

Ground slope in relation to building height shall be determined by measurement over the extremities of each building elevation.

(a) Flat sites

Where all elevations indicate a ground slope of less than 6 degrees (approximately 1:9.5), then the maximum height for buildings shall be:

- 8.0m for residential activities within Activity Areas A, B1 – B5, and C2 – C4;

- 5.5m in Activity Area C1;

- 10.0m for activities within Activity Area D1 (provided that buildings within 40m of Outlet Road north of Mt. Burke Street shall be no more than 2 levels).

and in addition no part of any building shall protrude through a recession line inclined towards the site at an angle of 40° and commencing at 2.5m above ground level at any given point on the site boundary: except:

(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.

(ii) The recession line shall not apply to buildings that share a common wall on an internal boundary and shall not apply to Activity Area D1.

7.1.6 Amendment to Part 12 - Rule 12.23.4.2 (viii) – page 12-373

viii. Retail

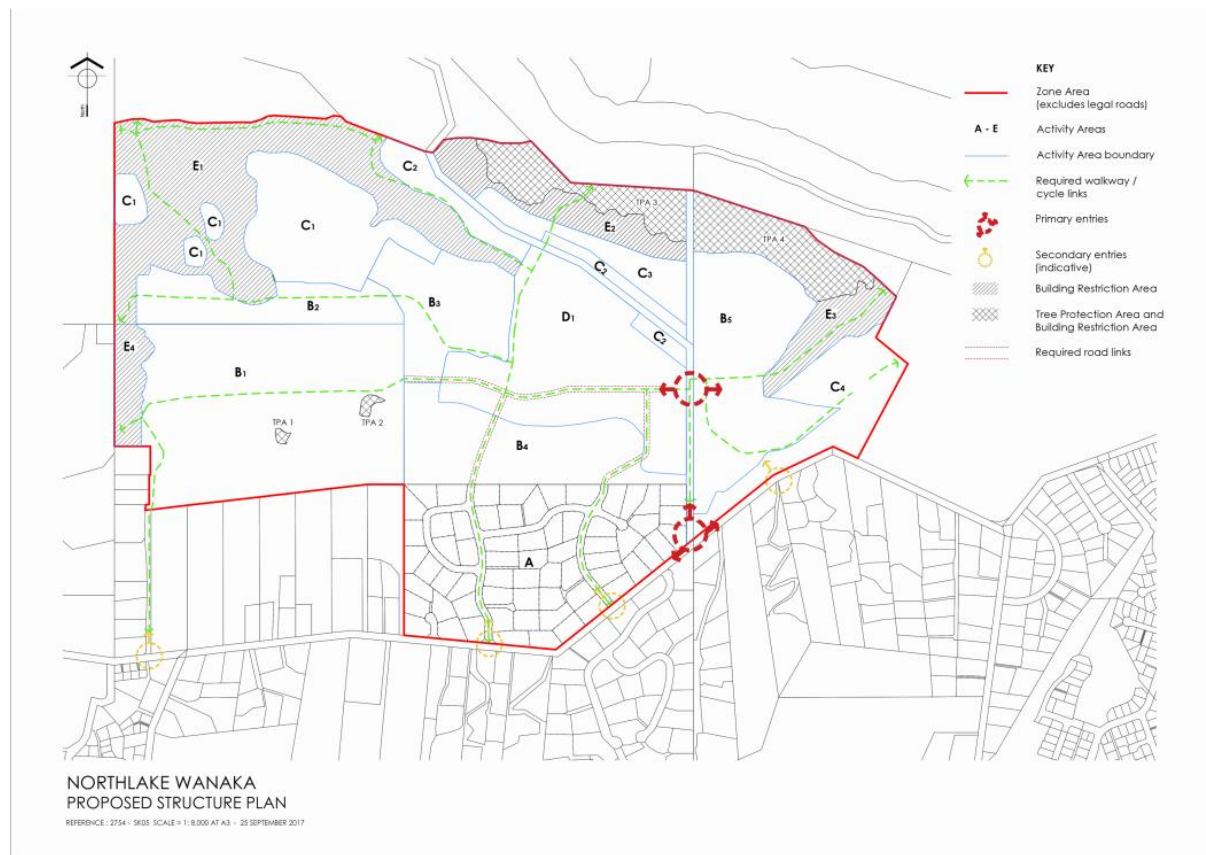
(a) No retail activity shall occur within the Northlake Special Zone except in Activity Area D1.

(b) No retail activity shall have a gross floor area exceeding 200m², except for one activity with a maximum gross floor area of 1,250m².

(c) The total amount of retail floor area within the Northlake Special Zone shall not exceed ~~1000m²~~ 2,500m².

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7.1.7 Amended Part 12 Northlake Structure Plan



A full copy of the amended Structure Plan is included as Attachment F to this Request.

7.1.8 Deletion of Part 15 - Rule 15.2.16.3 – pages 15-56 and 15-57

~~15.2.16.3 Zone Subdivision Standard – Northlake Special Zone – Community Facilities~~

- ~~(i) This rule applies to subdivision of land situated north of Aubrey Road, Wanaka, which is zoned Northlake Special Zone ("Northlake") (excluding Activity Area A) as shown on Planning Maps 18, 19 and 20 in addition to any other applicable subdivision rules.~~
- ~~(ii) There shall be no restriction under this rule on the first stage(s) of subdivision which create a total of up to 50 individual residential lots within Northlake (excluding Activity Area A). This rule only applies to any subsequent subdivision that creates a total of more than 50 residential lots within Northlake.~~
- ~~(iii) No resource consent shall be granted for any subdivision that will result in the cumulative total creation of more than 50 residential lots within Northlake unless the community facilities detailed in subclause (iv) below have been constructed and are operational and available to the public, or any such resource consent includes a condition requiring that the community facilities detailed in subclause (iv) below must be completed, operational and available to the public prior to the issuing of any s224c certificate in respect of such subdivision (excluding Activity Area A).~~
- ~~(iv) For the purposes of this rule:~~
 - ~~(a) Community facilities' means an indoor 20m – 25m lap pool, a fitness/gym facility, a children's play area, and at least one tennis court.~~
 - ~~(b) Operational' includes operating on a commercial basis requiring payment of commercial user charges as determined by the commercial operator.~~

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~~(c) Available to the public' means open and available for use by any member of the public willing to pay the relevant user charges for such facilities (excluding the play area which is likely to be free).~~

~~(d) The Council shall impose a condition on any resource consent enabling the construction and operation of the community facilities requiring them to be available to the public as detailed in this rule.~~

7.1.9 Amendment to Part 18 - Activity Table 1 (Commercial Areas) and Activity Table 2 (Residential Areas) – pages 18-4 to 18-6

Activity Table 1 (Commercial Areas): Corner Shopping Centre Zone and Northlake Special Zone – Activity Area D1

Activity Table 2 (Residential Areas): Quail Rise, Meadow Park, Northlake (except Activity Area D1) & Shotover Country Special Zones