

**BEFORE THE QUEENSTOWN LAKES DISTRICT COUNCIL**

**IN THE MATTER OF**                      the Resource Management Act 1991

**AND**

**IN THE MATTER OF**                      Private Plan Change 46 to the  
Queenstown Lakes District Plan

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**STATEMENT OF EVIDENCE BY ALISON DEVLIN**

**18<sup>th</sup> AUGUST 2015**

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## **1. INTRODUCTION**

### **Qualifications and Experience**

- 1.1 My name is Alison Devlin. I hold an honours degree in Environmental Planning from the University of Strathclyde, Scotland, obtained in 1999 and a master's degree in Environmental Management from the University of Paisley, Scotland, obtained in 2004. I am employed as planning and development manager for Willowridge Developments Limited. The Director of Willowridge Developments Limited is also a Director of Orchard Road Holdings Limited (ORHL) and Willowridge Developments Limited provides planning and development advice to ORHL.
- 1.2 I have been engaged in the field of town and country planning and resource and environmental management for sixteen years in both Scotland and New Zealand. My experience includes a mix of local authority, consultancy and developer planning work. I have worked for Willowridge Developments for the last three years during which time I have managed the planning issues for a range of commercial and residential developments as well as making submissions on statutory documents.
- 1.3 I prepared the plan change documentation relating to Plan Change 46 on behalf of ORHL and was previously involved in making submissions on Plan Change 36 on behalf of ORHL.
- 1.4 The scope of my evidence is as follows:
- Background to PC46;
  - Consideration of Submissions/Planners Report;
  - Conclusion.

## **2. BACKGROUND TO PC46**

- 2.1 PC46 originated as a result of ORHL's submissions on Plan Change 36, Wanaka Industrial Zoning Extension (PC36).
- 2.2 The purpose of PC36 was to change the zoning of the industrial area on Frederick Street from Rural General to Industrial B Zone to reflect the existing use of some of the land and to rezone additional land between Frederick Street and Gordon Road to enable industrial and business activities. ORHL made

submissions on PC36 which sought to extend the PC36 boundary to include ORHL land to the west of Ballantyne Road and south of Frederick Street. Ultimately, this submission was accepted and the land subject to the submission is now zoned Industrial B and known as the Ballantyne Road Precinct.

2.3 At the time of the PC36 hearing, ORHL had amended the proposed masterplan for the land and presented a masterplan at the PC36 hearing, which showed the proposed industrial land extended further to the south west, a large open space buffer and a new road layout segregating the industrial roading from the future residential roading. This layout was discussed at the hearing and while it was agreed to be beyond the scope of PC36, the hearing Commissioners and ORHL agreed that ORHL would work to progress the extended part of the proposal as a separate plan change if the rezoning of the land identified in the submission on PC36 was accepted.

2.4 The submission on PC36 was accepted and became operative of the 14<sup>th</sup> March 2013. ORHL commenced work on preparing plan change documentation for the subsequent stage and lodged PC46 in April 2013.

### **3.0 PLAN CHANGE 46**

3.1 Section 3.0 of the section 42A Report prepared by Nigel Bryce (the Planners Report) accurately sets out the details and resource management issues of PC46 and the relationship of PC46 to other documents. I will not repeat this information rather my evidence will focus on the consideration of the issues raised by the submitters and the discussions and recommendations set out in the Planners Report.

#### *Consistencies with Objectives and Policies of the District Plan*

3.2 A submission was made that the plan Change is inconsistent with the objectives and policies of the Operative District Plan and does not achieve the purpose of the Act.

3.3 Section 6.1 of the Planners Report discusses the consistency of the PC46 with the objective and policies of the District Plan and finds that subject to the

recommendations of the Planners Report, PC46 accords with the majority of the District Plan.

- 3.4 The Planners Report makes the recommendation that the requestor provides further justification on affordable housing setting out how community housing can be delivered by way of a voluntary retention mechanism. This is in relation to Part 10.4 under Part 4 of the District Plan, affordable housing, introduced through Plan Change 24. I will clarify that the Section 32 Report does not address the objective relating to affordable housing as Plan Change 24 only became operative in August 2013 whereas PC46 was lodged in April 2013.
- 3.5 The affordable housing objective contained in section 4.10.1 of the District Plan is for access to Community Housing or the provision of a range of Residential Activity that contributes to housing affordability in the District. ORHL together with sister company Willowridge Developments have various residential land developments projects throughout the Wanaka and Upper Clutha area. These development projects are at different stages of the process ranging from planning stage to construction to ready for sale. The projects range from the \$110,000 sections available at Timsfield in Hawea and sections starting from \$225,000 at West Meadows in Wanaka. Willowridge also owns land in Luggate which will be developed in the short term and will work with home builders to offer a turnkey house and land package starting from \$375,000. The residential sections created on the PC46 land and the residential sections within the Three Parks will be in the lower price range for Wanaka. Many of the companies sections are purchased by first home buyers.
- 3.6 I consider that the work being undertaken by Willowridge and ORHL meets the objective of 4.10.1 by providing a range of residential activity that contributes to housing affordability. The range provided by the Companies also fulfils the policies to provide opportunities for low and moderate income households to live in the District in a range of accommodation appropriate to their needs (policy 1.1); and to have regard to the extent to which density, height or building coverage contributes to Residential Activity Affordability (policy 1.2).
- 3.7 In my opinion, the residential land through PC46, together with other residential development offered by Willowridge and ORHL, complies with the affordable housing objective and policies of the District Plan.

### *Achieving the Purpose of the Act*

- 3.8 In terms of achieving the purpose of the Act, again the Planners Report finds that if PC46 addresses community housing to provide for social well-being and the housing needs of the Wanaka community, it would better achieve the purpose of the Act. As discussed above and described in detail by Mr Dippie, the residential land provided through PC46 and other residential land development by ORHL and Willowridge will ensure that there is sufficient supply to enable affordable sections to be created. There will also be a range of section sizes and prices created within the proposed residential area, which will also provide for the housing needs of the Wanaka Community. I consider that overall PC46 provides residential and employment land to meet both the economic and social needs of the community and avoids adverse effects by consolidating industrial activities and creating a significant buffer between industrial and residential activity.

### *Wanaka Structure Plan*

- 3.9 The Planners Report considers that the Wanaka Structure Plan is an important consideration in shaping the development in Wanaka and is a document regularly recognised by Council in assessing and determining resource consents and plan changes. The Planners Report also notes that the Wanaka Structure Plan was widely circulated for public input in 2007 and approximately 70 submissions were received.
- 3.10 I agree with the Planners Report that the Wanaka Structure Plan is an important consideration and I consider that PC46 largely accords with the Structure Plan and therefore reflects the pattern of urban growth anticipated by the community.
- 3.11 Although the Wanaka Structure Plan is an important consideration, I consider that PC46 is not heavily reliant on the Wanaka Structure Plan and stands on its own merits. PC46 represents a logical development of land. The industrial land is adjacent to an existing industrial area where there is a high demand for additional land and the efficient ability to service the extension. The residential land will provide sustainably located residential land where residents can live within walking distance of employment areas.

- 3.12 The land is also located within the urban growth boundary identified in the District Plan Review documentation, a copy of this is attached as **Appendix A**. Although this plan is still in the early stages, there will have been significant background work undertaken by Council in forming this boundary. I consider it is significant in that it shows the direction of growth Council considers is appropriate for Wanaka.

*The Gordon Land*

- 3.13 The Planners Report assesses the appropriateness of the Gordon submission in some detail. ORHL made a submission supporting the Gordon submission subject to the inclusion of some industrial land adjacent to the ORHL industrial land. ORHL stands by the submission that the rezoning of the Gordon land as per the structure plan included in the Gordon further submission would be a good planning outcome. I consider this planning outcome can be achieved either through the PC46 process or through the District Plan Review.

*District Plan Review*

- 3.14 Section 6.6 of the Planners Report discusses the submission that PC46 should be considered as part of the District Plan Review and not as a private plan change. As noted in the Planners Report and as I have previously noted in my evidence, PC46 was lodged in April 2013, well in advance of the District Plan Review. I understand the District Plan Review is to be publicly notified this month but consider that PC46 is now so far down the line of processing that considering it as part of the District Plan review would be an inefficient use of the resources already spent. I do not consider that incorporating PC46 into the District Plan Review at this late stage would give the submitters any greater opportunity or advantage than they have already had through the private plan change submissions process. There would, however, be significant disadvantages for ORHL in terms of cost in going through the submissions and hearing process again and most significantly time delays, which could be extensive. I agree with the recommendation in the Planners Report that it is acceptable for the Plan Change to be advanced independently of the District Plan Review process.

### *Need for Plan Change*

- 3.15 The issue of whether additional industrial and residential land is needed has been raised in submissions and is addressed in section 6.7 of the Planners Report. Mr Dippie has also given this some detailed consideration in his evidence given his extensive experience of the residential and business land market in Wanaka.
- 3.16 In terms of industrial land, I consider that there is a need for additional zoning. Much of the recently rezoned land is for business activity (Three Parks) or yard based activity (Ponds). The land available for traditional industrial activity is restricted to that land on the western side of Ballantyne Road and, as Mr Dippie has described, there is a demand for this land. The 2.5ha of additional industrial land proposed through PC46 will not, in my opinion, lead to an over-supply of industrial land, but will ensure continuity of supply at an appropriate location in the medium term.
- 3.17 In terms of residential land, promoting the residential and industrial land together enabled a good planning outcome to be developed to manage the interface between the two activities. PC46 also provides a valuable opportunity to create residential lots in close proximity to employment land, giving people the choice of living close to work and having the option of walking or cycling to work.
- 3.18 I am aware that there is a supply of residentially zoned land in the Wanaka area however, I agree with Mr Dippie that the rezoning of additional land will just create better pricing and more choice for the community. I do not consider that the proposed residential zone will create an over-supply of residential land.

### *Staging*

- 3.19 Through PC46 ORHL has sought to delete Rule 11.5.6 ref 22ii, which relates to staging. This is discussed in section 6.7 of the Planners Report. The Planners Report considers that the staging rule is sound from a resource management perspective and does not support its deletion. The Planners Report also comments that there is no justification for the deletion in the section 32 report.



- 3.20 The justification for the deletion is that the staging mechanism in an industrial situation can be counter-productive. It is important to have some flexibility in locating industrial activities to ensure the activity locates on the most accessible site in terms of location, size, neighbours etc. The overall Enterprise Drive industrial area is not particularly large in scale so I do not consider there to be any real advantage in staging. The development will self-regulate to a certain extent in terms of the provision of infrastructure and servicing so a staging mechanism on top of this would be overly restrictive.

*Effects on Landscape and Visual Amenity Values*

- 3.21 Section 6.8 of the Planners Report discusses the effects on landscape and visual amenity values. In terms of the visual and amenity effects of the Industrial B land, I agree with the Planners Report that the buffer proposed through the structure plan contained in PC46 appropriately avoids or mitigates adverse effects on the Riverbank Road properties.
- 3.22 In terms of the residential land, the Planners Report recommends that a 20m open space buffer is created between the proposed residential zone and the existing properties on Riverbank Road. Mr Baxter has addressed this in his evidence and considers a 10m no-build strip incorporating 5m planting and a 5.5m height restriction would appropriately mitigate effects. I agree with Mr Baxter that a 10m strip would be appropriate. The proposed low density residential use is not likely to have such as significant adverse visual or amenity effect that a 20m densely planted mound is necessary. As Mr Baxter pointed out, this could in itself give rise to adverse effects.
- 3.23 I consider that Mr Baxter's proposed mitigation could be achieved by the addition of a new rule in 7.5.3.6 making it a prohibited activity to build within the 10m no-build zone and incorporating a structure plan to ensure clarity around the rules in the future:

*7.5.3.6iii Buildings within the 'no-build' area shown on the Ballantyne Ridge – Wanaka - Structure Plan.*

- 3.24 I have attached a revised structure plan for the residential area to my evidence at **Appendix B**.



- 3.25 I suggest that this be accompanied by a new Zone Standard at 7.5.5.3xv as follows:

*xv Ballantyne Ridge – Wanaka – Structure Plan*

*The maximum height of any building on lots that contain the 10m wide no-build area shown on the Ballantyne Ridge – Wanaka – Structure Plan shall be 5.5m (excluding chimneys).*

*There shall be a planting strip of 5m depth within the 10m no-build zone shown on the Ballantyne Ridge – Wanaka – Structure Plan incorporating evergreen shrub species with a mature height of 3 – 4m.*

*Buildings on the lots immediately adjacent to the 10m wide no-build area shown on the Ballantyne Ridge – Wanaka – Structure Plan shall have a Light Reflectivity Value (LRV) of no more than 24% for all wall and roof cladding.*

- 3.26 This could be accompanied by a new assessment matter xxxiii as follows:

*xxxiii Ballantyne Ridge – Wanaka – Structure Plan*

*The extent to which any breach of Zone Standard 7.5.5.3xv would adversely affect the landscape and visual amenity of the adjacent properties on Riverbank Road.*

- 3.27 I consider the above proposed rules would address landscape and visual amenity issues as well as residential amenity issues for the properties on Riverbank Road.

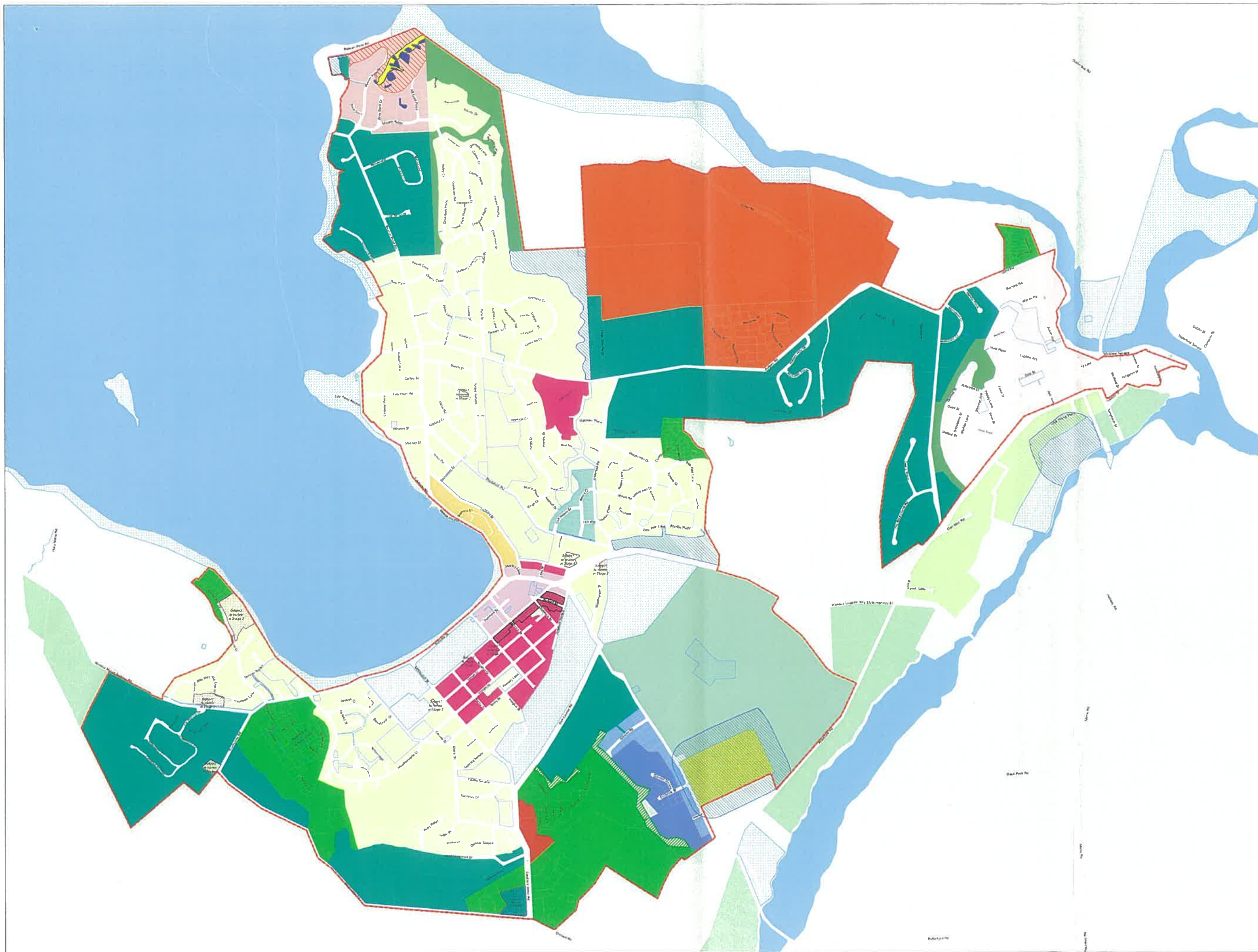
*Transportation Effects*

- 3.28 In terms of transportation effects, significant discussion and work has taken place on the access between lodging the plan change and it being notified. This is addressed in the Planners Report and the acceptability of the intersection is confirmed. The only issue outstanding relates to Road 2, which services the industrial area then links through to the residential road, Road 3. I agree that this road is not appropriate given one of the principles of the plan change is to separate the industrial activity from the residential. This road link has been removed and a new structure plan showing this is contained at **Appendix C** of my evidence.

#### **4. CONCLUSION**

- 4.1 I have reviewed the Planners Report in detail and given consideration to the recommendations contained therein. In light of that changes have been made to incorporate a no build zone between the Riverbank Road properties and the proposed residential zone and to delete the link between Roads 2 and Road 3.
- 6.2 In terms of the recommendation relating to affordable housing I consider that PC46 together with other ORHL and Willowridge development complies with the affordable housing objective of the District Plan.
- 6.3 Overall I consider PC46 will create residential and employment land which will enable the growth of the Wanaka community. I consider the Plan Change achieves the purpose of the Act and is consistent with the objectives and policies of the District Plan.

# APPENDIX A



- Legend**
- Designated Areas
  - Building Restriction
  - Penrith Park Vegetation Area A
  - Penrith Park Vegetation Area B
  - Penrith Park Visual Amenity Area
  - Visitor Accommodation Sub-Zone
  - Ballantyne Road Mixed Use Zone
  - Business
  - High Density Residential
  - Industrial A
  - Industrial B
  - Low Density Residential
  - Open Space
  - Penrith Park
  - Road
  - Rural General
  - Rural Residential
  - Rural Lifestyle
  - Three Parks Zone
  - Township
  - Wanaka Town Centre
  - Water
  - Northlake
  - Urban Growth Boundary
  - Proposed Open Space
  - Transitional Town Centre Overlay
  - Local Shopping Centre
  - Proposed Large Lot Residential
  - Proposed LDR
  - Proposed MDR
  - High Density Residential



## APPENDIX B





### Key

- INDUSTRIAL B ZONE
- OPEN SPACE
- OPEN SPACE
- 10m wide NO BUILD AREA
- FIXED ROADS (+/- 10m)
- INDICATIVE ROADS
- FIXED CONNECTION POINTS (+/- 10m)
- Existing Cadastral Boundaries

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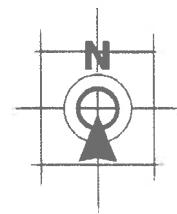
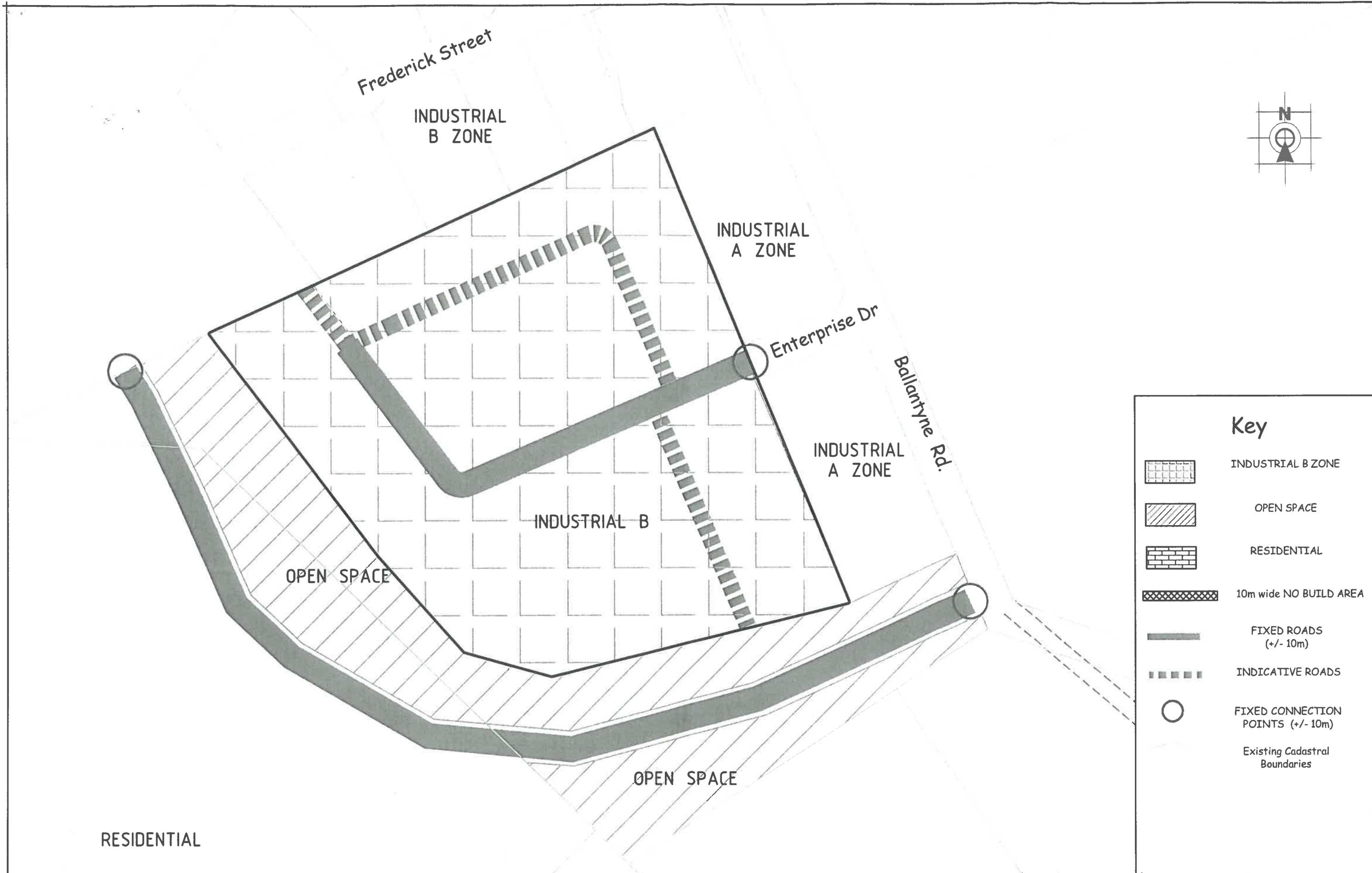
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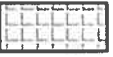







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## APPENDIX C





**Key**

-  INDUSTRIAL B ZONE
-  OPEN SPACE
-  RESIDENTIAL
-  10m wide NO BUILD AREA
-  FIXED ROADS (+/- 10m)
-  INDICATIVE ROADS
-  FIXED CONNECTION POINTS (+/- 10m)
-  Existing Cadastral Boundaries

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Purpose & Drawing Title:  
**STRUCTURE PLAN  
INDUSTRIAL B & OPEN SPACE**

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## Key

- ORH Existing Industrial B (PC36)
- ORH Industrial Extension (Phase 2)
- ORH Residential Extension (Phase 2)
- Proposed Open Green Space (Phase 2)
- Proposed Future Rooding Network
- Existing Industrial B (PC36)
- Existing Industrial A Zone
- 10m wide No Build Area
- Existing Cadastral Boundaries
- Indicative Future Subdivision
- Inner Growth Boundary (Red)

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## ORCHARD ROAD HOLDINGS INDUSTRIAL ZONE EXTENSION CONCEPT STRUCTURE PLAN

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### Notes:

Areas & dimensions subject to final survey  
Levels in terms of Mean Sea Level

Scale 1:4000 @ A3

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