

FORM 5

SUBMISSION ON A PUBLICLY NOTIFIED PLAN CHANGE (46) TO THE OPERATIVE QUEENSTOWN LAKES DISTRICT COUNCIL PLAN IN ACCORDANCE WITH THE FIRST SCHEDULE OF THE RESOURCE MANAGEMENT ACT 1991

TO: Chief Executive
Queenstown Lakes District Council
P O Box 50072
QUEENSTOWN 9348

FOR:

FROM: Peter Gordon
On behalf of the PD Gordon Family Trust
70 Golf Course Road
Wanaka

THIS is a Submission on the following proposed Plan Change to the Operative Queenstown Lakes District Plan (the District Plan).

Proposed Plan Change 46: Ballantyne Road Industrial and Residential Extension

1. This Submission from the PD Gordon Family Trust relates to the whole of Plan Change 46 (PC46).
2. Issues that have determined the Trust's approach in preparing this submission on the Plan Change are as follows:
 - 2.1 The Trust has extensive land holdings in the Wanaka area and an interest in the Aspiring Lifestyle Retirement Village. The Trust's landholding includes land adjoining the land subject to the Plan Change. The extent of this land is shown on the Plan attached as "A".
 - 2.2 Part of the Trust's land adjoins the land subject to the Plan Change. This land is currently partially zoned Rural General and partially Industrial B. Adjacent land has an extant resource consent to develop the retirement and lifestyle village including hospital and medical facilities, with associated commercial and retail activities including a pharmacy.
 - 2.3 The Trust participated in the consultation phase of the Plan Change and engaged in discussions with QLDC with a view to expanding the extent of the residential zone proposed through the Plan Change.
 - 2.4 The Wanaka Structure Plan (2007) identifies part of the Trust's land as an area for residential activity (both low density and medium density) and commercial/retail.
 - 2.5 Ballantyne Road has developed as the main focus of business and industrial development in Wanaka with the western side now being a well established industrial and business hub providing a range of

activities. That has allowed adverse effects of those activities to be effectively contained, as well as encouraging efficiency in terms of infrastructure and the co-location of complimentary activities.

- 2.6 Key access routes into the residential land proposed as part of PC 46 will be both from the Cardrona Valley Road and through the industrial area from Ballantyne Road.
 - 2.7 The configuration of the Industrial B Zone and the relevant rules avoid potential issues of adverse sensitivity from effects of noise, visual pollution and traffic safety and effectively manage the interface between residential and industrial activities in order to protect the functioning of the proposed residential area and future residential amenities.
3. The Trust considers that the Plan Change is not the most appropriate way of achieving the purpose of the Resource Management Act 1991 (the Act). The Trust submits that the Plan Change fails to consider the alternative option of extending the Plan Change boundary to include the Trust's land which would better achieve the purpose of the Act.
4. In order to be within the scope of a Plan Change a submission must be "on" a Plan Change as required by clause 6 of Schedule 1 of the Act. The Trust understands this provides jurisdiction to seek that a portion of its land be included in the Plan Change because to extend the boundary of a Plan Change is "on" a Plan Change in law. Further:
 - 4.1 It addresses the extent the Plan Change changes the status quo seeking that it apply to a greater area than originally proposed;
 - 4.2 The new land to be included will be contiguous in part with the current land proposed to be re-zoned;
 - 4.3 The inclusion of part of the PD Gordon Trust's land within the Zone is likely to be consistent with the objectives and policies of the Plan Change;
 - 4.4 Providing for additional land to be included within the Plan Change is a logical response and anticipated given the recent history of development of the surrounding Gordon land, the surrounding land and its changed zoning;
 - 4.5 To seek the adjoining land to be included as part of the Plan Change, for the same land use, could not be considered to be so at variance with the Plan Change;
 - 4.6 It is unlikely that there will be any additional persons who are not already affected by the Plan Change who would become involved as a consequence solely of extending the boundary of the Plan Change as proposed. In any event, those affected (if any) will have an opportunity to participate, with an opportunity for further submissions and appearance at the Hearing.
5. The Plan attached as "B" proposes an extension to the Plan Change boundary to provide further residential land to meet Wanaka's future needs.

6. The extension to the Plan Change proposed on Plan “B” promotes a comprehensive and a practicable expansion of the Low Density Residential Area. The concept seeks to provide a contained residential area adjacent to retirement village with which it will be entirely compatible; and to the east buffered from the industrial activities to ensure future residential amenity is safeguarded.
7. The proposed residential extension to the Plan Change promotes better integration of the surrounding land use patterns and development. It also includes sufficient land to ensure the future residential land demands are met without having to provide for more in the foreseeable future. The provision of residential land in excess of present demand is not necessarily an inappropriate use of resources but recognises there should be sufficient appropriately zoned land to meet the future needs of Wanaka.
8. The proposed residential extension to the Plan Change provides better integration of land use and at the same time provides an appropriate buffer area to mitigate the effects of industrial activities to the east and future residential areas. This will safeguard residential amenity for future residents.
9. Plan “B” shows the creation of appropriate integrated access and link roads to Cardrona Valley Road and to Ballantyne Road.

Section 32

10. A Section 32 evaluation must consider the extent to which policies, rules or other methods proposed in a plan change are the most appropriate to meet the objectives of the Plan Change. The proposed extension of the residential zone is considered a more appropriate extent of the Low Density Residential zone than the residential extension proposed as part of PC 46.
11. The proposed Plan Change is adjacent to the Trust’s land notwithstanding the provision of significant buffer reserves between the industrial land of the Connell Terrace Precinct and the Ballantyne Road precinct as a planned buffer between the Industrial Zone and the residential area which is to achieve effective mitigation of the adverse visual and nuisance effects at the interface of the industrial zone and future residential zones. A comprehensive and enhanced interface has already been provided as a means of safeguarding the amenity of future residential development.
12. Overall the proposed extent of the Low Density Residential zone is considered to better achieve the objectives and policies of the Plan Change.

Relief Sought

11. The Trust seeks that the Plan Change boundary be expanded to include the land shown in pink as Low Density Residential and the associated road network over the Trust’s land as shown on Plan B: Peter Gordon Overall Structure Plan.
12. In the alternative, the Trust seeks that the Plan Change be rejected in its entirety on the grounds that it is not the most appropriate way to achieve the purpose of the Act.

13. The Trust seeks all other necessary consequential changes to the objectives, policies, rules and other methods necessary to give effect to the relief sought in this submission.

The Trust does wish to be heard in support of his submission.

If others make a similar submission the Trust would be prepared to consider presenting as joint case with them at a Hearing.

*P. D. Gordon, on behalf of the P. D. GORDON
Family Trust.*

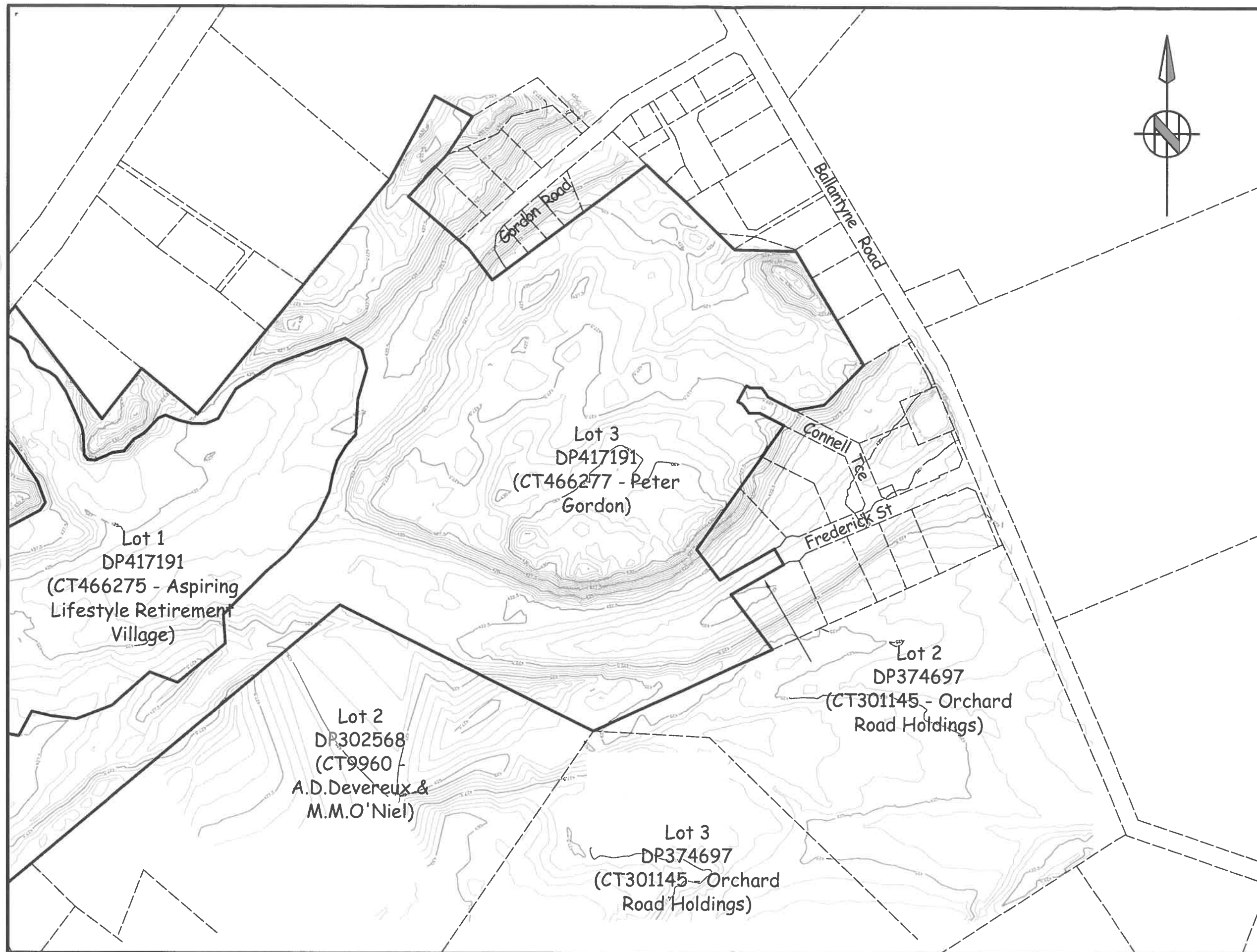
Dated at Wanaka 20 April 2015

Address for Service

Peter Gordon
on behalf of PD Gordon Family Trust
70 Golf Course Road
Wanaka 9305

Phone: (03) 443 7551

Plan A



GENERAL NOTES

- Coordinates in terms of NZGD 1949, Lindis Peak Circuit
- Levels in terms of Otago Metric Datum
- Contour Intervals
Major Intervals: 2.5m
Minor Intervals: 0.5m

AMENDMENTS

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	Name	Date
Surveyed	MC	31/05/07
Designed		
Drawn	SJD	03/03/10
Approved		

JOB TITLE:

GORDON DEVELOPMENT
BALLANTYNE ROAD
WANAKA

SHEET TITLE:

ADJOINING PROPERTY
DETAILS

PATERSON PITTS LTD

Wanaka Cromwell Queenstown Alexandra Dunedin

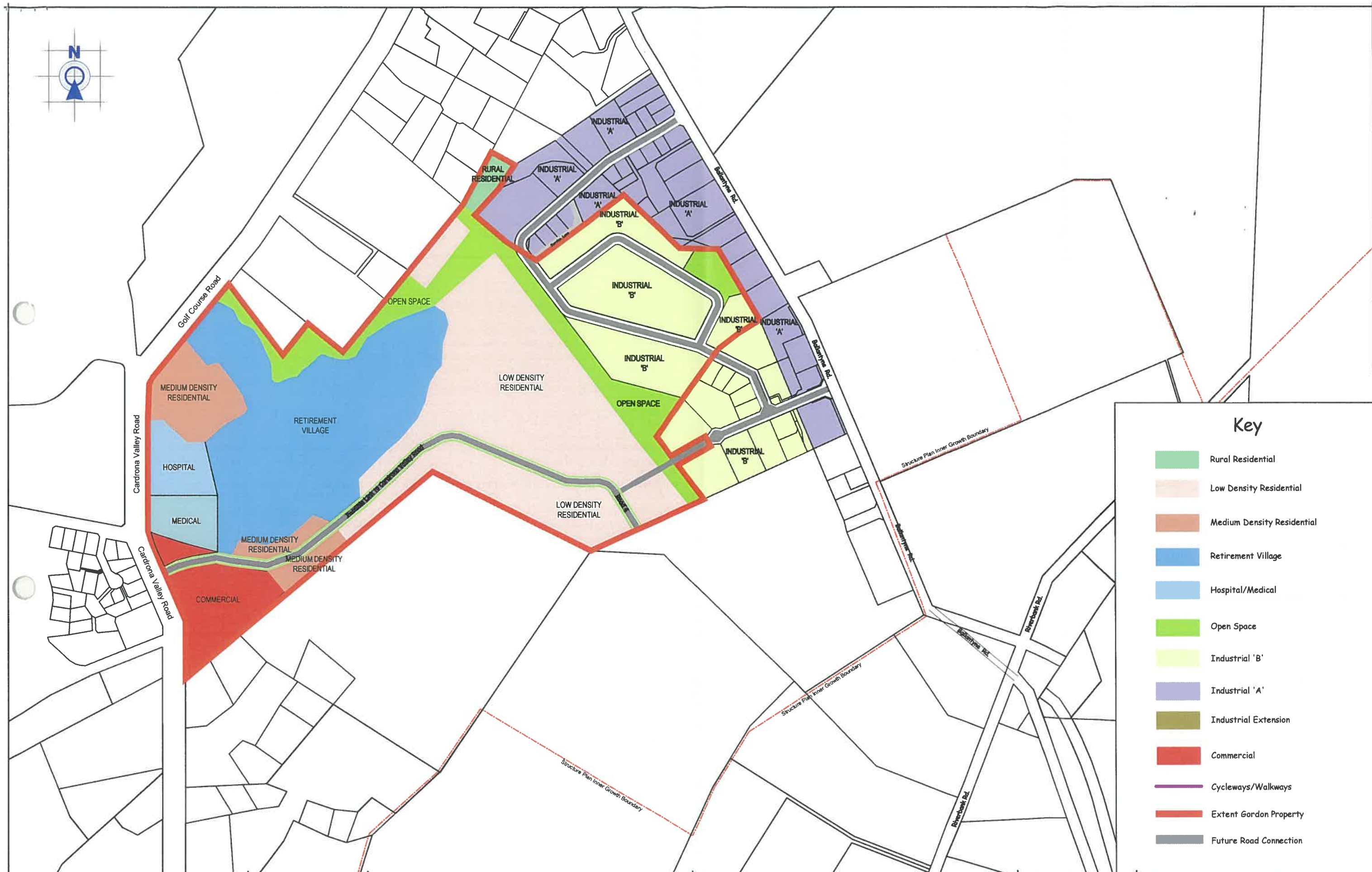
Surveying, Land Planning, Land Dev., Resource Man.

19 Essex Crescent, PO Box 255, Wanaka
Phone: (05) 445 0110 Fax: (05) 445 1330

Job No: W2555

File: L:\data\2500\2555\Acad\W2555 Adjoining Properties.dwg

SCALE @ A3	SHEET No
1:4000	1/1



Key

- Rural Residential
- Low Density Residential
- Medium Density Residential
- Retirement Village
- Hospital/Medical
- Open Space
- Industrial 'B'
- Industrial 'A'
- Industrial Extension
- Commercial
- Cycleways/Walkways
- Extent Gordon Property
- Future Road Connection

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Client & Location

Peter Gordon
70 Golf Course Road, Wanaka

Purpose & Drawing Title

Overall Structure Plan

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Job No:	W4046	Sheet No:	1 of 1	Revision No:	C
				Date Created:	23/10/2014