



**SUMMARY OF DECISIONS REQUESTED FOR  
PRIVATE PLAN CHANGE 46 – BALLANTYNE  
ROAD INDUSTRIAL AND RESIDENTIAL  
EXTENSION**

**FURTHER SUBMISSIONS DUE**

**Company/Organisation:****Grandview Developments Limited**

<b>Submission Number</b>	<b>Position</b>	<b>Topic</b>	<b>Decision Requested</b>
46/1/1	Support	Wanaka Structure Plan	The submitter supports Plan Change 46 and considers that the proposed residential development is consistent with the Wanaka Structure Plan and will provide for future housing needs of the community.
46/1/2	Support	Traffic and Roothing	The submitter considers that the proposed road network will facilitate linkages consistent with the Wanaka Transportation Strategy. The separation of roads from the industrial area and the large green space buffer between the residential and industrial area will protect the amenity of the residential area.
46/1/3	Support	Industrial Extension	The submitter considers that the industrial rezoning will consolidate an existing industrial area and provide for and encourage new businesses, which will benefit the local economy.

**Company/Organisation:  
Full Name:****Wanaka Hardware and Building Supplies Limited  
Mark Watson**

<b>Submission Number</b>	<b>Position</b>	<b>Topic</b>	<b>Decision Requested</b>
46/2/1	Support	Economic Benefits	In addition to meeting existing demand, the creation of new industrial space will encourage new businesses to locate in Wanaka, which will result in positive economic benefits for the local community.
46/2/2	Support	Traffic and Roothing	The proposed roading shown on the structure plan will enable industrial vehicles to be separated from residential vehicles, which will be a positive effect in terms of traffic safety.
46/2/3	Support	Reverse Sensitivity	The large area of open space area proposed between the industrial and residential zones will enable the visual and noise effects of the industrial activities to be largely contained and screened from the residential land beyond.
46/2/4	Support	Residential Extension	Supports the rezoning of land for residential purposes as it is consistent with the Wanaka Structure Plan and will provide for housing, which is accessible by foot/bicycle to employment areas.

**Company/Organisation:  
Full Name:****Claas Harvest Centre – Otago  
Steve Scoles**

<b>Submission Number</b>	<b>Position</b>	<b>Topic</b>	<b>Decision Requested</b>
46/3/1	Support	Industrial Extension	The submitter supports the rezoning of further industrial land to encourage business growth in Wanaka.
46/3/2	Support (in part)	Reverse Sensitivity	The submitter is concerned about reverse sensitivity effects of future residential development occurring near to industrial areas and is concerned that industrial operations could be adversely affected if nearby residential development is not carefully planned.

However, the submitter notes that PC46 has been carefully planned to mitigate the potential effects between the residential and industrial activity. Such as, PC46 promoting a green buffer to separate residential activity. This safeguards the ability of the industrial area to operate without potential reverse sensitivity effects from future residential development.

46/3/3 Support Traffic and Roothing

PC46 provides for a road layout which will keep industrial and residential traffic separate.

**Company/Organisation:**

**Daphne and Jim Ledgerwood**

Submission Number	Position	Topic	Decision Requested
46/4/1	Support	Wanaka Structure Plan	The submitter seeks that the plan change is approved on the basis that it is consistent with the Wanaka Structure Plan.
46/4/2	Support	Traffic and Roothing	The submitter considers that the road linkage is consistent with the Wanaka Transportation Strategy and will be required to carry traffic from the heavily developed residential areas on the west of Wanaka to the newer areas that are going to be created surrounding the Three Parks Area.
46/4/3	Support	Structure Plan	Support the green belt that is going to be created to separate the industrial area and the new residential area.
46/4/4	Support	Services	The submitter notes that the services required are already in place in this part of town.

**Company/Organisation:**

**Ian Percy and Fiona Aitkin, Ian Percy and Fiona Aitkin Family Trust,  
Aitken's Folly Vineyard Limited  
Ian Percy and Fiona Aitken**

**Full Name:**

Submission Number	Position	Topic	Decision Requested
46/5/1	Oppose	Whole Plan Change	The submitter seeks that the plan change be rejected in its entirety, on the basis that it is inconsistent with the objectives and policies of the Operative District Plan and does not achieve the purpose of the Act. Should some or all of the plan change be approved, the submitters seek the following particular outcomes and otherwise reserve their position:
46/5/2	Oppose	District Plan Review	<p>The submitter considers that it is inappropriate for the Council to be considering PC46 when it is close to notifying its proposed District Plan review. PC46 in its present form has the potential to create an island of Low Density Residential land sitting within an area of Rural, Industrial and large lot urban zones. This is not sustainable management, or a logical zoning approach to this land or the development of this part of Wanaka.</p> <p>The submitter considers that the effects of any rezoning of this land must be considered in the wider District Plan review, which will consider all development for Wanaka in the whole, including the location of the Wanaka urban boundary, all zoning, whether residential, industrial or otherwise, infrastructure and roading.</p>

46/5/3	Oppose	Wanaka Structure Plan	<p>The submitter considers that PC46 places excessive weight upon the Wanaka Structure Plan (WSP). The WSP is a non-RMA document that has been prepared without the rigour of a s32 analysis. It is an expression of Council's strategic intent for Wanaka's growth, now 8 years old. It has not been fully incorporated into the Operative District Plan, nor has the urban growth boundary (inner and outer) identified through the WSP process been incorporated into the Operative District Plan.</p> <p>The submitter considers that it is unsound resource management practice to base a plan change upon the "need" for the District Plan to reflect a non-RMA document.</p> <p>The WSP does not consider the characteristics of specific sites within the strategic growth boundaries for Wanaka. Therefore a s32 analysis is necessary to determine the appropriateness of (in this case) a method; i.e. zoning.</p>
46/5/4	Oppose	Demand for Industrial and Residential Land	<p>Section 5 of the Act requires Council to manage the use, development and protection of natural resource "in a way and at a rate" that allows people to provide for their social, economic and cultural wellbeing.</p> <p>The first obligation of any plan change is that it achieves the integrated management of the effects of the use, development, or protection of land and physical resources of the district (sections 74(1)(a) and 31(1)(a) of the Act).</p> <p>In order to perform its functions under s31 in a way that achieves the purpose of the Act, Council must consider whether there is a present need to apply a particular method (in this case a new special zone) to land.</p> <p>The s32 report lodged with PC46 seeks to justify the plan change on the basis of the need to meet the demands of industrial activities and residential activities. There is no demonstrated demand for industrially zoned land or residentially zoned land identified in the s32 report, either now or in the foreseeable future. The lack of need for such land was also noted by senior Council officers reporting to the Council's Strategy Committee in August 2013 on the merits of the acceptance of the private plan change.</p> <p>The s32 analysis fails to identify and assess whether the content of the plan change is the most appropriate way of achieving the settled objectives and policies of the Operative District Plan and, in turn, the purpose of the Act. This analysis must be undertaken with particular reference to relevant sections of the Operative District Plan - for example, in the case of urban growth, PC46 must establish:</p> <ul style="list-style-type: none"> <li>(i) An urban growth boundary, then</li> <li>(ii) Demonstrate how much new urban land was sufficient (but no more than sufficient) to meet the identified needs.</li> </ul> <p>PC46 fails to establish either of these points.</p> <p>The nearby industrially zoned land on Ballantyne Road provides for around 40 years of demand at current rates. This land includes around 5 hectares owned by the Requestor, rezoned as Industrial B by Plan Change 36 following a submission</p>

			<p>lodged by the Requestor through the PC36 process. The Submitters note that the acceptance of the Requestor's PC36 submission inappropriately and unlawfully extended the scope of PC36, the Council failing to consult with or notify neighbours of the increase scope of the plan change in that instance. The Submitters were significantly prejudiced by that PC36 process and outcome. The Requestor now seeks to advance its land interests, initially secured through the unlawful PC36 process just referred to, again to the prejudice of the Submitters.</p>
46/5/5	Oppose	Reverse Sensitivity / Effects upon the submitters	<p>The Plan Change fails to consider and manage the interface, relationship and transition from the proposed PC46 land to the Submitters' property.</p> <p>Given the topography of the land subject to PC46, the amenity of the Submitters' property and the adjacent Rural Zone generally will be adversely affected in a way not anticipated by the relevant objectives and policies of the Operative District Plan. Those adverse effects include (without limitation): glare from vehicle lights; noise; street lighting; loss of rural amenity due to roading and adjacent and relatively dense build form; loss of privacy; loss of rural outlook; and reverse sensitivity. The use of a Low Density Residential Zone directly adjacent to the proposed Industrial Zone fails to manage the transition from the urban fringe of Wanaka to the Submitters' property, which is in the Rural Zone.</p> <p>The PC acknowledges reverse sensitivity issues by the provisions of the open space area between the proposed industrial and Low Density Residential Zones. However, there are also reverse sensitivity effects on any nearby residential neighbours from rural activities, for example frost fans and helicopters. The proposed open-space area terminates prematurely and fails to provide any set back between the Rural and Low Density Residential Zones to help manage reverse sensitivity issues.</p>
46/5/6	Oppose	Landscape and Amenity Values	<p>The land subject to PC46 is a Visual Amenity Landscape.</p> <p>The PC fails to have particular regard to the amenity values associated with the landscape.</p> <p>The PC46 land is located at the top of a ridgeline making the land easily visible from the surrounding Rural General and Rural Lifestyle Zones, along with Riverbank Road. The change in elevation notable increases the prominence of built form on the skyline in this environment and exacerbates adverse effects on the Submitters.</p> <p>Some of the top edge of the terrace is currently screened by a plantation of trees located on the northern boundary of the Submitters' property. Those trees will be harvested in due course thus exposing more of the southern boundary of PC46. The Requestor cannot rely on those trees as providing any form of mitigation. The trees are not under the Requestors control.</p>
46/5/7	Oppose	Traffic and Roading	<p>The submitter considers that Proposed Road 3 is unnecessary. There are existing access points via Frederick Street, Road 1 (shown on the PC46 Concept Structure Plan) and Gordon Road</p>

that provide safe access to Ballantyne Road. These existing roads could be used to access any new industrial or residential area.

The existing roads available to the Requestor include Enterprise Drive, a new and wide road achieved as a result of the Council's unlawful incorporation of the Requestor's additional land into PC36 without notification to affected parties. There is no sound resource management reason for the Requestor to now add another road to this environment that causes adverse traffic effects in the Ballantyne Road environment and adverse amenity effects on the Submitters.

The construction of Road 3 would lead to a significant loss of rural amenity in the Rural General Zone and on the Submitters' property due to (among other things) noise and street lighting. Street lighting is particularly significant because of light-spill due to the PC46 lands elevation.

Road 3 raises significant road safety issues, which have not been addressed in PC46 and the further information presented. The Requestor's intention to resolve the final access arrangement for Road 3 through a side agreement with Council is inappropriate. Those traffic effects must be considered through the plan change process so that all parties can consider the environmental effects raised and how those effects will be avoided, remedied or mitigated.

46/5/8

Oppose

Whole Plan Change

Should some or all of the PC be approved, the submitters seek the following particular outcomes and otherwise reserve their position:

- (i) Road 3 be deleted from the plan change and an alternative access point be confirmed that is much further away from the Submitters' property, to the northwest, closer to the existing industrial area. This access point could use existing roading (Road 1 - Enterprise Drive, Frederick Street, Gordon Road).
- (ii) Appropriate earthworks, mounding and planting to be provided to adequately screen the Submitters' property from any new activity whether it be industrial or residential, approved through PC46.
- (iii) The open space area to be extended along the southern boundary of PC46 to provide a transition from the proposed Low Density Residential zone to the Rural General zone. This extended open space area should be a minimum of 50 metres in width, measured from the southern boundary of the PC46 land in a north-westerly direction.
- (iv) The open space land remain free of all buildings and vehicle access.
- (v) Any residential area compromise large lot residential rather than low density residential with a prohibition on further subdivision and a maximum height on residential buildings of 6 metres. This large lot residential outcome is at least more consistent with the Council's current position on the rezoning of land under the proposed District Plan review, notified to the public for consultation in early 2015.
- (vi) All buildings within the Industrial B area be limited to a maximum height of 6 metres.
- (vii) Appropriate controls and methods be included within the

PC to address reverse sensitivity issues.

(viii) The submitter seeks that the re-zoning of the land through the plan change be deferred until existing industrial and low-density residential land is utilised for zoned and other use. The submitter requests that the District Plan incorporate performance standards to assess the uptake of that land. Until performance standards are met, the current rural zoning should be retained.

**Company/Organisation:**

**Raelene and Peter Shanks**

<b>Submission Number</b>	<b>Position</b>	<b>Topic</b>	<b>Decision Requested</b>
46/6/1	Oppose	Landscape and Visual Amenity Values	<p>Visual Impact and the loss of rural amenity associated with the establishment of more Industrial zoning. This will significantly affect the amenity value of our present rural outlook within the Rural General Zone.</p> <p>The establishment of Industrial activities allowing buildings as high as 7 metres on the land that is already more than 4 metres higher than our property will completely obliterate the view our site presently enjoys of the mountains and surrounds beyond Wanaka.</p>
46/6/2	Oppose	Residential Extension	<p>In addressing the proposed residential extension, the submitter notes that the Rural General Zone allows people to have lifestyles of their choice, with enjoyment of living on a larger area of land where one may have sheep, horses, chickens or a vineyard etc.</p> <p>To design low density residential right to those boundaries does not appear to be a good plan, as building platforms on Riverbank Road properties close to the land proposed for plan Change 46 are all to the rear of each approx. 10 acres.</p> <p>Consideration is needed for a buffer with plantings from boundary, and possibly creation of lots as large as one acre closer to rural general and then development of smaller lots. Some of the affected land presently has a stand of trees on the boundary but that is not to say they would be removed for firewood at some future stage and privacy lost. The proposed development will reduce the amenity of the rural landscape.</p>
46/6/3	Oppose	Loss of Rural Amenity	<p>The submitter considers that the establishment of more Industrial zone and the earthworks for both building and creations of roads will greatly increase the presence of noxious elements such as noise, dust, odour, and other unpleasant effects associated with industrial activities. Visual impact of type of building materials used and colours of buildings and the conglomeration of materials and rubbish that surround the buildings. Our property lies in the lee of the subject site to the prevailing northwest winds. The submitter considers that this will no doubt constantly aggravate these effects.</p>
46/6/4	Oppose	Traffic and Roading	<p>Roads 2 and 3 and associated street lighting and vehicle lights and noise associated with both heavy and light traffic will significantly impact the amenity presently enjoyed at our</p>

property. Road 2 especially will point downwards traffic directly towards the windows of our property.

46/6/5	Oppose	Property Values	The submitter considers that there will be a negative impact on the value of our property.
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**Company/Organisation:**  
**Full Name:**

**PD Gordon Family Trust**  
**Peter Gordon**

Submission Number	Position	Topic	Decision Requested
46/7/1	Oppose (in part)	The Whole Plan Change	<p>The submitter has extensive land holdings in Wanaka area and an interest in Aspiring Lifestyle Retirement Village. The Trust's land holdings include land adjoining the land subject to this plan change.</p> <p>The submitter considers that the plan change is not the most appropriate way of achieving the purpose of the RMA and 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 RMA.</p>
46/7/2	Oppose (in part)	Scope to Expand Plan Change Boundary	<p>The submitter considers that clause 6 of Schedule 1 of the RMA 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.</p> <p>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. 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.</p> <p>The submitter considers that those affected (if any) will have an opportunity to participate, with an opportunity for further submission and appearance at the Hearing.</p>
46/7/3	Oppose (in part)	Extension to Plan Change Boundary	<p>An extension to the Plan Change boundary to provide further residential land to meet Wanaka's future needs promotes a comprehensive and practicable expansion of the Low Density Residential Area. This expansion is also compatible with the adjacent retirement village and will be buffered to the east from the industrial activities to ensure future residential amenity is safeguarded.</p> <p>The proposed residential extension to the Plan Change promotes 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.</p>
46/7/4	Oppose (in part)	Extension to Plan Change Boundary	<p>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</p>



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.

46/7/5      Oppose      Extension to Plan  
(in part)      Change Boundary

The 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 submitter considers that 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 PC46.

The proposed extent of the Low Density Residential zone extension is considered to better achieve the objectives and policies of the Plan Change.

46/7/6      Oppose      Whole Plan Change  
(in part)

The submitter seeks that the Plan Change boundary be expanded to include the land shown in their attached plan as Low Density Residential and the associated road network over the submitters land.

In the alternative, the submitter 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 RMA.

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

**Company/Organisation:**  
**Full Name:**

**Queenstown Lakes District Council**  
**Adam Feeley**

Submission Number	Position	Topic	Decision Requested
48/8/1	Support (in part)	Traffic and Rooding	That no decision be made without adequate consideration being given to ensure safe access onto Ballantyne Road from the plan change area and that adequate consideration is given to future population growth, pedestrian and cycle safety, vehicle usage in roading and intersection design. To ensure that adequate provision for future intersection expansion is provided as part of the plan change.

**Company/Organisation:**  
**Full Name:**

**Morgan Engineering Ltd**  
**Tani Neale**

Submission Number	Position	Topic	Decision Requested
46/9/1	Support	Industrial Extension	The submitter supports the rezoning of additional industrial land in this area to enable like activities to be located together. Zoning industrial land will also support the growth of the local economy by encouraging new and the growth of existing businesses in the town.

46/9/2	Support	Residential Extension	The submitter supports the significant open space buffer between the proposed industrial and proposed residential land as promoted through Plan Change 46. This will ensure the future residential development does not give rise to reverse sensitivity effects in terms of the industrial activities.
46/9/3	Support	Structure Plan	The structure plan contained in Plan Change 46 provides future occupiers of both the industrial and residential land with confidence that the industrial and residential land uses will be adequately separated in the future.