

### *S3017 – R&D Wilson – T17 – Wilson R – Hearing Summary*

We have attended today to assist the Hearing Panel clarify any issues and background information regarding the land currently zoned Industrial B in the ODP. That is the land designated as Connell Terrace generally situated between Gordon Road and Frederick St, Wanaka.

Our home at 72A Golf Course Rd overlooks this block of land. We have always considered council's decision to Zone this high block of land as 'Industrial B' from what was previously 'Rural' to be a poor planning decision. However, to avoid further Environment Court hearings regarding this land, as we were keen to find a compromise with the then owner (our neighbour) and QLDC (our key business client at the time), in 2013 a compromise was agreed to. This compromise to manage the area, was exclusively based on a '7 metre above existing ground level' limit for this Industrial site, due to recognised adverse effects.

The Council's 'Approach to Zoning' document states in Clause 8.7d that Council is required to "take into account relevant issues debated in previous recent planning decisions". We feel in this instance they have not sufficiently considered the process that occurred when Plan Change 36 was implemented in 2013. There was good reason at that time why Hearing Commissioners and planners considered a '7 metre from existing ground level maximum building height for Industrial buildings' to be appropriate for this block of land. Nothing has changed since then to an extent to require or allow a higher industrial building limit.

The Council's 'Approach to Zoning' document states in Clause 8.7f that Council is required to "ensure any change in the District Plan takes into account the location & environmental features of the site". We do not feel they have taken the high plateau nature of this area, close to residential areas, into account.

The "Approach to Zoning" Clause 8.7i states that there should be "Adequate separation and/or management between incompatible land uses". The General Industrial Zone and Residential Zone are incompatible and sufficient 'Management' will not be achieved with the new zoning rules.

Council's proposed objective 18A.2.4 states that "Activities and development within the Zone are undertaken in a way that does not adversely affect the amenity of other zones". This objective will not be met with a 10 metre high General Industrial Zone building maximum.

Luke Place has stated in his Section 42A Report in Clause 5.119 that current "Provisions relating to landscaping and mounding" address our concerns. The landscaping and mounding he is referring to is to the West of the site and does not relate to our property to the North of the site. Our agreed mitigation in 2013 was the construction of a bund by the developer on private land to the north of the Industrial site. **Both** bund mitigation sites, built to address issues of NOISE and VISUAL EFFECTS FROM INDUSTRIAL B ZONE were based on a 7 metre height restriction. Mr Place also noted that we provided no evidence of the possible adverse effects. These effects were already recognised by planners during the implementation of Plan change 36 in 2013. A visit to our home (as was made by council representatives in 2013), would confirm that the site indeed does affect us more than in a minor way. We have already in 2013 spent thousands of dollars protecting our amenity values due to an ill-considered planning decision. We have currently submitted as residential ratepayers, without a business interest in the Industrial area and as such have not paid for additional expert evidence or legal representation. The plan change process should allow residential ratepayers to have issues adequately considered without such additional documentation.

Finally, we are aware that Tussock Rise is applying to change this site to Business Mixed Use (BMU). Despite the higher allowable building height in MBU, building controls in a BMU zone would likely result in less offensive buildings and less offensive business types close to residential areas. This option is more favourable as long as Tussock Rise's proposed plans of having mixed residential/commercial activities closer to the surrounding residential areas with manufacturing business closer to Frederick St, eventuates.

*Rae and Dave Wilson*

