

**Queenstown Lakes District Proposed District Plan  
Section 32 Evaluation  
Stage 3 Components September 2019**

For:  
**THREE PARKS**

Including:  
**Chapter 19A Three Parks Commercial**

And consequential Variations to Proposed District Plan 26 August 2015:

**Chapter 25 Earthworks  
Chapter 27 Subdivision and Development  
Chapter 27 Signs**

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## 1. EXECUTIVE SUMMARY

- 1.1. These proposals provide for a mixed-use development within a development area known as Three Parks. The area is for the most part undeveloped, and is anticipated to provide for future population growth and commercial growth in the Wānaka area.
- 1.2. The focus of this proposal has been to integrate the current objectives and provisions as set out in Section 12.25 Three Parks Special Zone and 12.26 Three Parks Special Zone – Rules (**'the special zone'**) in the Operative District Plan (**ODP**) into the Proposed District Plan (**PDP**) style and structure. The general mix of land uses as set out in the ODP has generally been carried over using the nearest approximate zone and other plan method in the PDP. This includes residential development at a range of densities (lower suburban, medium and high) and industrial and commercial zones. Enabling large format commercial (greater than 500m<sup>2</sup> gross floor area) is a key focus of the commercial area.
- 1.3. The key changes that are recommended, compared against the operative provisions are as follows:
  - a) Introduction of a Three Parks Commercial zone (Chapter 19A) that enables large format retail to establish;
  - b) Business Mixed Use (**BMU**) along the main street. This enables a wide range of activities with a strong urban design focus;
  - c) High Density Residential (**HDR**), with specific site coverage requirements where the Tourism and Community Subzone is located in the special zone;
  - d) Removal of the outline development plan provisions and introduction of specific density standards.
- 1.4. The proposal, including the introduction of Chapter 19A Three Parks Commercial (**TPC**) into the PDP will assist the Council to fulfil its statutory functions and responsibilities as required by the Resource Management Act 1991 (**'the Act'** or **'the RMA'**).

## 2. INTRODUCTION

- 2.1. Section 32 of the Act requires objectives in plan change proposals to be examined for their appropriateness in achieving the purpose of the Act, and the policies and methods of those proposals to be examined for their costs, benefits, efficiency, effectiveness and risk in achieving the objectives.
- 2.2. The purpose of these Three Parks proposals is to introduce to the PDP Chapter 19A TPC that would provide for large format retail activities within the commercial area of the special zone.

Zoning based on existing PDP zones within the balance of Three Parks would apply a mix of land uses consistent with the Special Zone purpose, objectives and structure plan provisions. This proposal also recommends associated variations to PDP Chapters 25 Earthworks, Chapter 27 Subdivision and Development, and Chapter 27 Signs as part of this integration exercise.

- 2.3. The evaluation of the appropriateness of the Three Parks proposal is based upon addressing the following broad issues:
- a) **Issue 1:** How to provide for an integrated approach to the development of Three Parks using separate PDP plan provisions.
  - b) **Issue 2:** How to provide for mixed-use development within Three Parks through the PDP.
  - c) **Issue 3:** The use of Structure Plan and Outline Development Plans as a spatial layout tool within Three Parks.
  - d) **Issue 4:** Active transport routes are within and through the Three Parks development area.
- 2.4. The proposals apply to land notified in Stage 3 of the PDP review and is shown on the planning maps.

### 3. DISTRICT PLAN REVIEW

- 3.1. The review of the ODP is being undertaken in stages. Stage 1 commenced in April 2014 and was publicly notified on 26 August 2015. Hearings on Stage 1 components comprising ten individual hearing streams for 33 chapters, 1 variation<sup>1</sup> and three separate hearing streams for rezoning requests and mapping annotations<sup>2</sup> were held from March 2016 to September 2017.
- 3.2. On 29 September 2016 the Council approved the commencement of Stage 2. As part of these 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.
- 3.3. Volume A (at the point in time of notification of Stage 3) consists of the PDP chapters notified in Stages 1 and 2 of the proposed District Plan.
- 3.4. Stage 3 of the District Plan Review comprises the following topics :
- Mapping sites of significance to Māori/Wāhi Tūpuna
  - Township Zones

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<sup>1</sup> Variation 1 – Arrowtown Design Guidelines 2016

<sup>2</sup> Ski Area Sub Zones, Upper Clutha Area and the Queenstown Area (excluding the Wakatipu Basin).

- Design Guidelines to assist with the implementation of the Residential and Business Mixed Use Zones (PDP Chapters 7, 8, 9 and 15)
- Industrial A & B Zones
- Rural Visitor Zones
- Ballantyne Road Mixed Use Zone
- Three Parks Special Zone.

3.5. The Stage 3 maps show the land that is subject to Stage 3 of the District Plan Review.

3.6. All land that is not subject to Stages 1 – 3 of the District Plan Review currently forms Volume B of the District Plan. This includes zones that have not yet been reviewed and notified, land that has been withdrawn from the district plan review (i.e. the land subject to Plan Changes 46 - Ballantyne Road Industrial and Residential extensions, 50 - Queenstown Town Centre extension and 51 – Peninsula Bay North and the Frankton Flats B Special Zone and the Remarkables Park Special Zone). All Volume B land is subject to the ODP district wide chapters and definitions.

#### 4. PURPOSE OF THE REPORT

4.1. Section 32 of the RMA requires objectives in plan change proposals to be examined for their appropriateness in achieving the purpose of the Act, and the policies and methods of those proposals to be examined for their efficiency, effectiveness and risk in achieving the objectives. This report fulfils the obligations of the Council under section 32 of the Act.

4.2. This report provides an analysis of the key issues, objectives and the policy response for the proposal under the following headings;

- a) The **Consultation** undertaken, including engagement with iwi authorities on the draft plan;
- b) An overview of the applicable **Statutory Policy Context** (Section 6);
- c) Description of the **Non-Statutory Context** (strategies, studies and community plans), which have informed the proposed provisions (Section 6.56);
- d) A description of the **Resource Management Issues**, which provide the driver for the proposed provisions (Section 6.1);
- e) 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 (Section 32(1)(c)) (Section 8);
- f) An **Evaluation** against Section 32(1)(a) and Section 32(1)(b) of the Act (Sections 9 and 10), that is

- (a) Whether the objectives are the most appropriate way to achieve the RMA's purpose (Section 32(1)(a)).
- (b) Whether the provisions (policies and methods) are the most appropriate way to achieve the objectives (Section 32(1)(b)), including:
  - (i) identifying other reasonably practicable options for achieving the objectives
  - (ii) assessing the efficiency and effectiveness of the provisions in achieving the objectives, and
  - (iii) summarising the reasons for deciding on the provisions; and
- g) Consideration of **Risk** (Section 12).

## 5. CONSULTATION

- 5.1. Limited public consultation has been undertaken for this proposal. Wānaka has had a number of projects that have considered strategic direction where extensive consultation has been undertaken. Where relevant, these projects have been referenced.
- 5.2. A meeting was held with a representative of Three Parks in February 2019 to obtain the views of the major landholder of the zone. This was a general discussion on the function of the zone from a landowner's perspective. The points raised were considered in the development of the proposal.

### **Consultation with iwi authorities**

- 5.3. Throughout the development of the Stage 3 proposals, QLDC and Aukaha<sup>3</sup> have worked together in the development of provision relating to wāhi tūpuna. In addition, Aukaha and Te Ao Marama Limited received a draft of the Three Parks proposal on 9<sup>th</sup> July 2019. No direct response was provided for the Three Parks draft proposal.

## 6. STATUTORY POLICY CONTEXT

### **Resource Management Act 1991**

- 6.1. Section 5 sets out the purpose of the RMA, which requires an integrated planning approach and direction to promote the sustainable management of natural and physical resources. Guidance as to how the overall sustainable management purpose is to be achieved is provided in the other sections, including sections 6, 7 and 8 of Part 2 of the Act:

#### ***5 Purpose***

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<sup>3</sup> who have been given direction to act on behalf of Te Ao Marama Incorporated (**TAMI**)

*(1) The purpose of this Act is to promote the sustainable management of natural and physical resources.*

*(2) In this Act, sustainable management means managing the use, development, and protection of natural and physical resources in a way, or at a rate, which enables people and communities to provide for their social, economic, and cultural well-being and for their health and safety while—*

*(a) sustaining the potential of natural and physical resources (excluding minerals) to meet the reasonably foreseeable needs of future generations; and*

*(b) safeguarding the life-supporting capacity of air, water, soil, and ecosystems; and*

*(c) avoiding, remedying, or mitigating any adverse effects of activities on the environment.*

6.2. Section 6 of the RMA sets out a number of matters of national importance that are to be recognised and provided for. There are no section 6 matters directly applicable to the proposal.

6.3. Section 7 lists “other matters” that Council shall have particular regard to and those most relevant to the proposal include the following:

*(b) the efficient use and development of natural and physical resources:*

...

*(c) the maintenance and enhancement of amenity values:*

...

*(f) maintenance and enhancement of the quality of the environment:*

6.4. Section 8 requires that Council take into account the principles of the Treaty of Waitangi (Te Tiriti o Waitangi). The principles as they relate to resource management derive from Te Tiriti o Waitangi itself and from resource management case law and practice.

6.5. Section 31 of the RMA sets out the function of a territorial authority. Those relevant to the proposal are underlined:

*31 Functions of territorial authorities under this Act*

*(1) Every territorial authority shall have the following functions for the purpose of giving effect to this Act in its district:*

*(a) the establishment, implementation, and review of objectives, policies, and methods to achieve integrated management of the effects of the use, development, or protection of land and associated natural and physical resources of the district:*

(b) the control of any actual or potential effects of the use, development, or protection of land, including for the purpose of—

(i) *the avoidance or mitigation of natural hazards; and*

(ii) *[Repealed]*

(iia) the prevention or mitigation of any adverse effects of the development, subdivision, or use of contaminated land:

(iii) *the maintenance of indigenous biological diversity:*

(c) *[Repealed]*

(d) *the control of the emission of noise and the mitigation of the effects of noise:*

(e) *the control of any actual or potential effects of activities in relation to the surface of water in rivers and lakes:*

(f) *any other functions specified in this Act.*

(2) *The methods used to carry out any functions under subsection (1) may include the control of subdivision*

### **Local Government Act 2002**

6.6. The Local Government Act 2002 relevant in terms of policy development and decision-making. Similarly, to Part II of the RMA, the LGA provisions emphasise an intergenerational approach, considering not only current environments, communities and residents but also those in the future. They demand a future-focussed policy approach, balanced with considering current needs and interests. Like the RMA, the provisions also emphasise the need to take into account social, economic and cultural matters in addition to environmental ones.

6.7. Having regard to these provisions, the approach through this review is to provide a balanced framework in the District Plan to manage these resources appropriately. Furthermore, no less important is the need to ensure the provisions are presented in a manner that is clearly interpreted to facilitate effective and efficient District Plan administration.

### **Other National Legislation or Policy Statements**

6.8. When preparing district plans, district councils must give effect to any National Policy Statement (**NPS**) or National Environmental Standard (**NES**).

6.9. The following NPS that are relevant are:

(a) NPS of Urban Development Capacity

6.10. The following NES that are relevant are:

(a) NES for Assessing and Managing Contaminants in Soil to Protect Human Health

**NPS on Urban Development Capacity 2016 (NPS-UDC)**

- 6.11. The NPS – UDC addresses the provision of business land and land for residential development. Three Parks is within an urban area and provides for a mix of business and residential uses. The NPS-UDC requires high growth areas to have sufficient development capacity to meet demand in the short term (defined as the next 3 years), the medium term (the next 10 years) and long-term (the next 30 years).
- 6.12. Council prepared a Housing Development Capacity Assessment (**HDCA**) and Business Development Assessment (**BDCA**) in 2017 and adopted them in April 2018. These documents are further discussed below.
- 6.13. The Three Parks area currently contains large areas of zoned serviced and feasible vacant capacity for both business and residential development.

**NES- for Assessing and Managing Contaminants in Soil to Protect Human Health**

- 6.14. The site previously was used as an airstrip and is therefore identified as a Hazardous Activity and Industry List (**HAIL**) site. The NES regulations are triggered when an subdivision or development occurs on contaminated land. This would include testing and mitigation plans to be implemented where appropriate. This will apply within Three Parks given its HAIL status.

**National Planning Standards**

In April 2019 the Government released the first set of National Planning Standards<sup>4</sup> (**planning standards**) requiring all regional policy statements, regional plans and district plans to have a consistent structure and format. The planning standards also prescribe certain definitions, noise and vibration metrics and requirements for electronic functionality and accessibility.

- 6.15. The planning standards prescribe various timeframes for implementation<sup>5</sup>, and QLDC is required<sup>6</sup> to comply with specified planning standards within 7 years (by April 2026), by either making amendments to the PDP or by notifying an entirely new proposed plan within this timeframe. As the provisions being reviewed in Stage 3 are a series of plan change proposals, rather than a full proposed district plan, the planning standards are not required to be implemented at the present time.

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<sup>4</sup> <https://www.mfe.govt.nz/sites/default/files/media/RMA/national-planning-standards.pdf>

<sup>5</sup> Ibid, part 17: Implementation Standard.

<sup>6</sup> Ibid, part 17: Implementation Standard; directive 5

6.16. The planning standards that are required to be implemented by April 2026 are the following:

1. *Foundation*
4. *District Plan Structure*
6. *Introduction and general provisions*
7. *District-wide matters*
8. *Zone Framework*
9. *Designations*
10. *Format*
12. *District spatial layers*
13. *Mapping*
15. *Noise and vibration metrics*

6.17. Notably, the above list does not include Standard 14 – Definitions Standard, which QLDC is required to implement within 9 years (by April 2028)<sup>7</sup>.

6.18. Notwithstanding that Stage 3 is not intended to implement the Planning Standard they have been considered and opportunities to make the proposal consistent with the planning standards (without causing in-consistencies with the PDP style and structure to date), have been adopted.

### **Iwi Management Plans**

6.19. When preparing or changing a district plan, Section 74(2A)(a) of the RMA states that Council's must take into account any relevant planning document recognised by an iwi authority and lodged with the territorial authority, to the extent that its content has a bearing on the resource management issues of the district.

6.20. The following iwi management plans are relevant:

### **The Cry of the People, Te Tangi a Tauria: Ngāi Tahu ki Murihiku Natural Resource and Environmental Iwi Management Plan 2008**

6.21. Policies 1- 18 contain a range of policies that are relevant to development, cover iwi involvement in planning processing and plan development, interaction with developers and iwi, particularly where there may be significant effects, long term planning and cumulative effects, avoiding adverse effects on the natural environment and advocating for the use of esplanades reserves.

### **Kāi Tahu ki Otago Natural Resource Management Plan 2005**

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<sup>7</sup> Ibid, part 17; Implementation Standard;

6.22. Part 10: Clutha/Mata-au Catchments *Te Riu o Mata-au* outlines the issues, and policies for the Clutha/Mata-au Catchments. Included in this chapter is a description of some of the Kāi Tahu ki Otago values associated with the Clutha/Mata-au Catchments. Generic issues, objectives and policies for all catchments across the Otago Region are recorded in Chapter 5 Otago Region.

6.23. Part 10.2.2 Wai Māori Issues in the Clutha/Mata-au Catchment, identifies the following land use policies:

*9. To encourage the adoption of sound environmental practices, adopted where land use intensification occurs.*

*10. To promote sustainable land use in the Clutha/Mata-au Catchment.*

6.24. The iwi management plans have been taken into account as part of the preparation of the Section 32 evaluation.

### **Regional Policy Statements**

6.25. Section 74 of the Act requires that a district plan prepared by a territorial authority must “give effect to” any operative Regional Policy Statement. The Partially Operative Otago Regional Policy Statement 2019 (**PORPS 19**) and the Partially Operative Otago Regional Policy Statement 1998 (**PORPS 98**) are the relevant regional policy statements to be given effect to within the PDP.

### **Partially Operative Regional Policy Statement 2019**

<b>Reference</b>	<b>Detail</b>
<b>Objective 1.1</b>	<b>Otago’s resources are used sustainably to promote economic, social, and cultural wellbeing for its people and communities</b>
Policy 1.1.1 Economic wellbeing	Provide for the economic wellbeing of Otago’s people and communities by enabling the resilient and sustainable use and development of natural and physical resources.
Policy 1.1.2 Social and cultural wellbeing and health and safety	Provide for the social and cultural wellbeing and health and safety of Otago’s people and communities when undertaking the subdivision, use, development and protection of natural and physical resources by all of the following: a) Recognising and providing for Kāi Tahu values; b) Taking into account the values of other cultures; c) Taking into account the diverse needs of Otago’s people and communities; d) Avoiding significant adverse effects of activities on human health; e) Promoting community resilience and the need to secure resources for the reasonable needs for human wellbeing;
<b>Objective 1.2</b>	<b>Recognise and provide for the integrated management of natural and physical resources to support the wellbeing of people and communities in Otago</b>
Policy 1.2.1 Integrated resource management	Achieve integrated management of Otago’s natural and physical resources, by all of the following: a) Coordinating the management of interconnected natural and physical resources;

	<p>b) Taking into account the impacts of management of one natural or physical resource on the values of another, or on the environment;</p> <p>c) Recognising that the value and function of a natural or physical resource may extend beyond the immediate, or directly adjacent, area of interest;</p> <p>d) Ensuring that resource management approaches across administrative boundaries are consistent and complementary;</p> <p>e) Ensuring that effects of activities on the whole of a natural or physical resource are considered when that resource is managed as subunits.</p> <p>f) Managing adverse effects of activities to give effect to the objectives and policies of the Regional Policy Statement.</p> <p>g) Promoting healthy ecosystems and ecosystem services;</p> <p>h) Promoting methods that reduce or negate the risk of exceeding sustainable resource limits.</p>
<b>Objective 2.1</b>	<b>The principles of Te Tiriti o Waitangi are taken into account in resource management processes and decisions</b>
Policy 2.1.1 Treaty obligations	Promote awareness and understanding of the obligations of local authorities in regard to the principles of Te Tiriti o Waitangi, tikaka Māori and kaupapa Māori.
Policy 2.1.2 Treaty principles	<p>Ensure that local authorities exercise their functions and powers, by:</p> <p>a) Recognising Kāi Tahu's status as a Treaty partner; and</p> <p>b) Involving Kāi Tahu in resource management processes implementation;</p> <p>c) Taking into account Kāi Tahu values in resource management decision-making processes and implementation;</p> <p>d) Recognising and providing for the relationship of Kāi Tahu's culture and traditions with their ancestral lands, water, sites, wāhi tapu, and other taoka;</p> <p>e) Ensuring Kāi Tahu have the ability to:</p> <ol style="list-style-type: none"> <li>i. Identify their relationship with their ancestral lands, water, sites, wāhi tapu, and other taoka;</li> <li>ii. Determine how best to express that relationship;</li> </ol> <p>f) Having particular regard to the exercise of kaitiakitaka;</p> <p>g) Ensuring that district and regional plans:</p> <ol style="list-style-type: none"> <li>i. Give effect to the Ngāi Tahu Claims Settlement Act 1998;</li> <li>ii. Recognise and provide for statutory acknowledgement areas in Schedule 2;</li> <li>iii. Provide for other areas in Otago that are recognised as significant to Kāi Tahu;</li> </ol> <p>h) Taking into account iwi management plans.</p>
<b>Objective 2.2</b>	<b>Kāi Tahu values, interests and customary resources are recognised and provided for</b>
Policy 2.2.1 Kāi Tahu wellbeing	<p>Manage the natural environment to support Kāi Tahu wellbeing by all of the following:</p> <p>a) Recognising and providing for their customary uses and cultural values in Schedules 1A and B; and,</p> <p>b) Safe-guarding the life-supporting capacity of natural resources.</p>
Policy 2.2.2 Recognising sites of cultural significance	<p>Recognise and provide for the protection of wāhi tūpuna, by all of the following:</p> <p>a) Avoiding significant adverse effects on those values that contribute to the identified wāhi tūpuna being significant;</p> <p>b) Avoiding, remedying, or mitigating other adverse effects on the identified wāhi tūpuna;</p> <p>c) Managing the identified wāhi tūpuna sites in a culturally appropriate manner.</p>
Policy 2.2.3 Wāhi tūpuna and associated sites	<p>Enable Kāi Tahu relationships with wāhi tūpuna by all of the following:</p> <p>a) Recognising that relationships between sites of cultural significance are an important element of wāhi tūpuna;</p> <p>b) Recognising and using traditional place names.</p>
<b>Objective 4.3</b>	<b>Infrastructure is managed and developed in a sustainable way</b>

Policy 4.3.126 Managing infrastructure activities	Recognise and provide for infrastructure by all of the following: a) Protecting and providing for the functional needs of lifeline utilities and essential or emergency services; b) Increasing the ability of communities to respond and adapt to emergencies, and disruptive or natural hazard events; c) Improving efficiency of natural and physical resource use; d) Minimising adverse effects on existing land uses, and natural and physical resources; e) Managing other activities to ensure the functional needs of infrastructure are not compromised.
<b>Objective 4.4</b>	<b>Energy resources and supplies are secure, reliable and sustainable</b>
Policy 4.4.6 Energy efficient transport	Enable energy efficient and sustainable transport for Otago's communities, by all of the following: a) Encouraging the development of compact and well integrated urban areas, to reduce travel needs within those areas; b) Ensuring that transport infrastructure in urban areas has good connectivity, both within new urban areas and between new and existing urban areas, by all of the following: i. Placing a high priority on walking, cycling, and public transport, where appropriate; ii. Maximising pedestrian and cycling networks connectivity, and integration with public transport; iii. Having high design standards for pedestrian and cyclist safety and amenity; c) Enabling the development or upgrade of transport infrastructure and associated facilities that both: i. Increase freight efficiency; and ii. Foster the uptake of new technologies for more efficient energy uses, and renewable or lower emission transport fuels. d) Fostering uptake of public transportation through provision of safe, reliable and well sheltered alternatives to private transport.
<b>Objective 4.5</b>	<b>Urban growth and development is well designed, occurs in a strategic and coordinated way, and integrates effectively with adjoining urban and rural environments</b>
Policy 4.5.1	Providing for urban growth and development Provide for urban growth and development in a strategic and co-ordinated way, including by: a) Ensuring future urban growth areas are in accordance with any future development strategy for that district. b) Monitoring supply and demand of residential, commercial and industrial zoned land; c) Ensuring that there is sufficient housing and business land development capacity available in Otago; d) Setting minimum targets for sufficient, feasible capacity for housing in high growth urban areas in Schedule 6 e) Coordinating the development and the extension of urban areas with infrastructure development programmes, to provide infrastructure in an efficient and effective way. f) Having particular regard to: i. Providing for rural production activities by minimising adverse effects on significant soils and activities which sustain food production; ii. Minimising competing demands for natural resources; iii. Maintaining high and outstanding natural character in the coastal environment; outstanding natural features, landscapes, and seascapes; and areas of significant indigenous vegetation and significant habitats of indigenous fauna; iv. Maintaining important cultural or historic heritage values; v. Avoiding land with significant risk from natural hazards; g) Ensuring efficient use of land;

	<p>h) Restricting urban growth and development to areas that avoid reverse sensitivity effects unless those effects can be adequately managed;</p> <p>i) Requiring the use of low or no emission heating systems where ambient air quality is:</p> <p>i. Below standards for human health; or</p> <p>ii. Vulnerable to degradation given the local climatic and geographical context;</p> <p>j) Consolidating existing coastal settlements and coastal urban areas where this will contribute to avoiding or mitigating sprawling or sporadic patterns of settlement and urban growth.</p>
Policy 4.5.2 Integrating infrastructure with land use	<p>Achieve the strategic integration of infrastructure with land use, by undertaking all of the following:</p> <p>a) Recognising and providing for the functional needs of infrastructure;</p> <p>b) Locating and designing infrastructure to take into account all of the following:</p> <p>i. Actual and reasonably foreseeable land use change;</p> <p>ii. The current population and projected demographic changes;</p> <p>iii. Actual and reasonably foreseeable change in supply of, and demand for, infrastructure services;</p> <p>iv. Natural and physical resource constraints;</p> <p>v. Effects on the values of natural and physical resources;</p> <p>vi. Co-dependence with other infrastructure;</p> <p>vii. The effects of climate change on the long-term viability of that infrastructure;</p> <p>viii. Natural hazard risk.</p> <p>c) Coordinating the design and development of infrastructure with land use change in growth and redevelopment planning.</p>
Policy 4.5.3 Urban design	<p>Design new urban development with regard to:</p> <p>a) A resilient, safe and healthy community;</p> <p>b) A built form that relates well to its surrounding environment;</p> <p>c) Reducing risk from natural hazards;</p> <p>d) Good access and connectivity within and between communities;</p> <p>e) A sense of cohesion and recognition of community values;</p> <p>f) Recognition and celebration of physical and cultural identity, and the historic heritage values of a place;</p> <p>g) Areas where people can live, work and play;</p> <p>h) A diverse range of housing, commercial, industrial and service activities;</p> <p>i) A diverse range of social and cultural opportunities.</p>
Policy 4.5.4 Low impact design	<p>Encourage the use of low impact design techniques in subdivision and development to reduce demand on stormwater, water and wastewater infrastructure and reduce potential adverse environmental effects.</p>
Policy 4.5.5 Warmer buildings	<p>Encourage the design of subdivision and development to reduce the adverse effects of the region's colder climate, and higher demand and costs for energy, including maximising passive solar gain.</p>
<b>Objective 4.6</b>	<b>Hazardous substances, contaminated land and waste materials do not harm human health or the quality of the environment in Otago</b>
Policy 4.6.541 Managing contaminated land	<p>Ensure contaminated or potentially contaminated land does not pose an unacceptable risk to people and the environment, by:</p> <p>a) Assessing and, if required, monitoring contaminant levels and environmental risks;</p> <p>b) Protecting human health in accordance with regulatory requirements;</p> <p>c) Minimising adverse effects of the contaminants on the environment.</p>
<b>Objective 5.3</b>	<b>Sufficient land is managed and protected for economic production</b>
Policy 5.3.2 Distribution of commercial activities	<p>Manage the distribution of commercial activities by:</p> <p>a) Enabling a wide variety of commercial, social and cultural activities in central business districts, and town and commercial centres;</p> <p>b) Enabling smaller commercial centres to service local community needs;</p> <p>c) Restricting commercial activities outside of a) and b) when such activities are likely to undermine the vibrancy and viability of those centres;</p>

	d) Encouraging the adaptive reuse of existing buildings.
Policy 5.3.5 Tourism and outdoor recreation	Recognise the social and economic value of some forms of outdoor recreation and tourism having access to, and being located within, outstanding natural features and landscapes.
<b>Objective 5.4</b>	<b>Adverse effects of using and enjoying Otago's natural and physical resources are minimised</b>
Policy 5.4.3	Precautionary approach to adverse effects Apply a precautionary approach to activities where adverse effects may be uncertain, not able to be determined, or poorly understood but are potentially significant or irreversible.

### Partially Operative Regional Policy Statement 1998

Reference	Detail
Objective 5.4.1	To promote the sustainable management of Otago's land resources in order: (a) To maintain and enhance the primary productive capacity and life-supporting capacity of land resources; and (b) To meet the present and reasonably foreseeable needs of Otago's people and communities.
Objective 5.4.2	To avoid, remedy or mitigate degradation of Otago's natural and physical resources resulting from activities utilising the land resource.
Objective 5.4.3	To protect Otago's outstanding natural features and landscapes from inappropriate subdivision, use and development.
Policy 5.5.2	To promote the retention of the primary productive capacity of Otago's existing high class soils to meet the reasonably foreseeable needs of future generations and the avoidance of uses that have the effect of removing those soils or their life-supporting capacity and to remedy or mitigate the adverse effects on the high class soils resource where avoidance is not practicable.
Policy 5.5.3	To maintain and enhance Otago's land resource through avoiding, remedying or mitigating the adverse effects of activities which have the potential to, among other adverse effects: (a) Reduce the soil's life-supporting capacity (b) Reduce healthy vegetative cover (c) Cause soil loss (d) Contaminate soils (e) Reduce soil productivity (f) Compact soils (g) Reduce soil moisture holding capacity.
Policy 5.5.4	To promote the diversification and use of Otago's land resource to achieve sustainable landuse and management systems for future generations.
Policy 5.5.5	To minimise the adverse effects of landuse activities on the quality and quantity of Otago's water resource through promoting and encouraging the: (a) Creation, retention and where practicable enhancement of riparian margins; and (b) Maintaining and where practicable enhancing, vegetation cover, upland bogs and wetlands to safeguard land and water values; and (c) Avoiding, remedying or mitigating the degradation of groundwater and surface water resources caused by the introduction of contaminants in the form of chemicals, nutrients and sediments resulting from landuse activities.
Objective 9.4.3	To avoid, remedy or mitigate the adverse effects of Otago's built environment on Otago's natural and physical resources.
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) <i>Superseded by PORPS 2019</i> (c) Visual intrusion and a reduction in landscape qualities; and (d) Significant irreversible effects on: <i>i. Superseded by PORPS 2019</i>

	<ul style="list-style-type: none"> <li>ii. <i>Superseded by PORPS 2019</i></li> <li>iii. The natural character of water bodies and the coastal environment; or</li> <li>iv. The natural character of water bodies and the coastal environment; or</li> <li>v. Habitats of indigenous fauna; or</li> <li>vi. <i>Superseded by PORPS 2019</i></li> <li>vii. Amenity values; or</li> <li>viii. Intrinsic values of ecosystems; or</li> <li>ix. Salmon or trout habitat.</li> </ul>
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### **Proposed Regional Policy Statement 2015**

6.26. Section 74(2) of the RMA requires that a district plan prepared by a territorial authority shall "have regard to" any proposed regional policy statement. The Proposed Otago Regional Policy Statement (**PRPS**) was notified for public submissions on 23 May 2015, and decisions on submissions were released on 1 October 2016. A number of provisions were appealed. Consent orders have been issued for most appeals and these now form the PORPS 19.

6.27. There are no objectives and policies with specific relevance to the proposal.

### **Proposed District Plan - Notified 26 August 2015**

6.28. The following objectives and policies (or parts thereof) of the PDP (Part 2 Strategic) are relevant and the proposal should take into account and give effect to these provisions:

### **Strategic Direction Chapter 3**

6.29. The relevant Independent Hearing Panel (**IHP**) report for Chapter 3 is Stage 1 Report 3. The objectives and policies relevant to this proposal are set out below. It is noted that the 29 March 2019 interim decision from the Environment Court on PDP Topic 1 Resilient Economy (ENV-2018-CHC-150) has retained the outcomes sought by all the key relevant objectives from Chapter 3.

<b>Reference</b>	<b>Detail</b>
Objective 3.2.1	The development of a prosperous, resilient and equitable economy in the district.
Objective 3.2.1.1	The significant socioeconomic benefit of well designed and appropriately located visitor industry facilities and services are realised across the district.
Objective 3.2.1.2	The Queenstown and Wanaka town centres are the hubs of New Zealand's premier alpine visitor resorts and the District's economy.
Objective 3.2.1.4	The key function of the commercial core of Three Parks is focused on large format retail development.

Objective 3.2.1.5	Local services and employment functions serve by commercial centres and industrial areas outside of the Queenstown and Wanaka town centres. Frankton and Three Parks, are sustained.
Objective 3.2.1.6	Diversification of the District's economic base and creation of employment opportunities through the development of innovative and sustainable enterprises.
Objective 3.2.1.9	Infrastructure in the District that is operated, maintained, developed and upgraded efficiently and effectively to meet community needs and to maintain the quality of the environment.
Objective 3.2.2	Urban Growth is managed in a strategic and integrated manner.
Objective 3.2.2.1	Urban development occurs in a logical manner so as to: <ul style="list-style-type: none"> <li>a. Promote a compact, well designed and integrated urban form;</li> <li>b. Build on historical urban settlement patterns;</li> <li>c. Achieve a built environment that provides desirable, healthy and safe places to live, work and play;</li> <li>d. Minimise the natural hazard risk, taking into account the predicted effects of climate change;</li> <li>e. Protect the District's rural landscapes from sporadic and sprawling development;</li> <li>f. Ensure a mix of housing opportunities including access to housing that is more affordable for residents to live in;</li> <li>g. Contain a high quality network of open spaces and community facilities; and.</li> <li>h. Be integrated with existing, and planned future, infrastructure.</li> </ul>
Policy 3.3.1	Make provision for the visitor industry to maintain and enhance attractions, facilities and services within the Queenstown and Wanaka town centre areas and elsewhere within the District's urban areas and settlement's at locations where this is consistent with objectives and policies for the relevant zone.
Policy 3.3.3	Avoid commercial zoning that could undermine the role of Queenstown and Wanaka town centres as the primary focus for the District's economic activity.
Policy 3.3.7	Provide a planning framework for the commercial core of Three Parks that enables large format retail development.
Policy 3.3.8	Avoid non-industrial activities not ancillary to industrial activities occurring within areas zoned for industrial activities.
Policy 3.3.11	Provide for a wide variety of activities and sufficient capacity within commercially zoned land to accommodate business growth and diversification.
Policy 3.3.14	Apply provisions that enable urban development within the UGB's and avoid urban development outside of the UGB's.
Policy 3.3.32	Only allow further land use change in areas of the Rural Character Landscape able to absorb that change and limit the extent of any change so that landscape character and visual amenity values are not materially degraded.

6.30. The Strategic Directions chapter set out a specific function for Three Parks to include large format commercial activities. It directs that any development should occur in a way that ensures that Wānaka town centre remains the focus of the area.

6.31. Three Parks includes large areas of yet to be developed land located along key transport routes. The proposal will need to consider the layout and mix of land uses in ensuring that any proposal is consistent with the strategic direction set out in Chapter 3.

#### **Urban Development Chapter 4:**

6.32. The objectives and policies relevant to this proposal are as follows:

<b>Objective or provision</b>	<b>Detail</b>
<b>Objective 4.2.2A</b>	<b>A compact and integrated urban form within the Urban Growth Boundaries that is coordinated with the efficient provision and operation of infrastructure and services.</b>
<b>Policy 4.2.2.2</b>	Allocate land within Urban Growth Boundaries into zones which are reflective of the appropriate land use having regard to: <ul style="list-style-type: none"> <li>a. its topography;</li> <li>b. its ecological, heritage, cultural or landscape significance if any;</li> <li>c. any risk of natural hazards, taking into account the effects of climate change;</li> <li>d. connectivity and integration with existing urban development;</li> <li>e. convenient linkage with public transport;</li> <li>f. the need to provide a mix of housing densities and forms within a compact and integrated urban environment;</li> <li>g. the need to make provision for the location and efficient operation of regionally significant infrastructure;</li> <li>h. the need to provide open spaces and community facilities that are located and designed to be safe, desirable and accessible;</li> <li>i. the function and role of the town centre and other commercial and industrial areas as provided for in Chapter 3 Strategic Objectives 3.2.1.2-3.2.1.5 and associated policies; and</li> <li>j. the need to locate emergency services at strategic locations.</li> </ul>
<b>Policy 4.2.2.3</b>	Enable an increased density of well-designed residential development in close proximity to town centres, public transport routes, community and education facilities, while ensuring development is consistent with any structure plan for the area and responds to the character of its site, the street, open space and surrounding area.
<b>Policy 4.2.2.4</b>	Encourage urban development that enhances connections to public recreation facilities, reserves, open space and active transport networks.

6.33. The Urban Development objectives and policies encourage consolidation of urban growth within the urban growth boundaries (**UGB**) and existing settlements. Three Parks sits within a UGB and this proposal is not including any extension or addition to the UGB.

6.34. Given the mix of land uses and area of undeveloped land in Three Parks, Policy 4.2.2.2 sets matters that could influence extent and location of different land uses within the zone.

### **Tangata Whenua Chapter 5**

6.35. The objectives and policies relevant to this proposal are as follows:

<b>Objective or provision</b>	<b>Detail</b>
Objective 5.3.1	Consultation with tangata whenua occurs through the implementation of the Queenstown Lakes District Plan Policies.
Policy 5.4.1.3	Ensure that Ngāi Tahu Papatipu Rūnanga are engaged in resource management decision-making and implementation on matters that affect Ngāi Tahu values, rights and interests, in accordance with the principles of the Treaty of Waitangi.

6.36. The objectives and policies within Chapter 5 that are relevant to this proposal are those that recognise the special role of tangata whenua and ensures decision making includes consultation and engagement with Kāi Tahu<sup>8</sup>. The Chapter 5 objectives and policies address section 6(e) and section 8 of the Act. The area of the proposal does not include any areas identified as having particular significance to iwi. The preparation of the Stage 3 proposal has been done in consultation as set out in section 5 of this report.

### **Landscape and Rural Character Chapter 6**

6.37. The objectives and policies set out in Chapter 6 give effect to Sections 6(b) and 7(c) of the Act by managing the actual and potential adverse effects where these could affect the District's landscape values and character, and apply within the rural areas. The area that this proposal relates to is contained within the Wānaka UGB. There are no policies within Chapter 6 of direct relevance to this proposal.

### **Consistency with the PDP**

6.38. The proposal will introduce the Three Parks area into the PDP but it is technically a change to the ODP Special Zone and there is therefore an obligation to consider both the provisions and objectives of the amending proposal and those of the existing provisions. There is no specific statutory obligation to consider integration with the PDP. However, both through the plan development to date, and general principles of efficiency and effectiveness would support integration and consistency throughout the plan. Given the evaluation and decision processes that these parts of the PDP have already been through, further analysis of specific objectives and

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<sup>8</sup> In the south of the South Island, the local Māori dialect uses a 'k' interchangeably with 'ng'.

provisions in existing PDP zones has not been undertaken where existing PDP zones are recommended as part of these proposals.

6.39. The Three Parks area that is the subject of the proposal is contained within the Urban Growth Boundary for Wānaka, as such Part 4 Rural Environment chapters are not relevant to consider for this area. As a mixed-use area both the commercial and residential zones will be relevant. Other parts of PDP that the proposal will consider in terms of integration and consistency are Part 3 Urban Environment and Part 5 District Wide Matters.

6.40. Below is a broad overview of the chapters of the PDP that are relevant for the evaluation of these proposals.

#### **Chapter 7 Lower Density Suburban Residential Zone (LDSR)**

6.41. Within the LDSR zone residential development is provided for at a range of densities, within the identified urban growth boundaries. Typically, detached houses are likely to be most common within sites of between 450m<sup>2</sup> and 1000m<sup>2</sup>. Higher densities are encouraged where design takes account of the immediate context, provided the built form carefully considers bulk and location including reduced height (5.5m) and amenity and privacy both within the site and for adjoining sites. Visitor accommodation is a non-complying activity in this zone.

#### **Chapter 8 Medium Density Residential (MDR)**

6.42. Chapter 8 sets out the objective and provisions to provide residential development at a greater density for those areas that are LDSRZ. The zone has been applied where connection to town centres and active transport routes are available. The primary land use is intended as residential with a diversity of housing options provided for. A high standard of urban design is sought with the maintenance of amenity values enjoyed on adjoining sites reasonably maintained. Visitor Accommodation is a non-complying activity in this zone.

#### **Chapter 9 High Density Residential (HDR)**

6.43. This zone provides for a range of residential development with a high built form and density than the other residential areas. The locations of the zone are predominantly adjacent to town centres - creating a range of residential options with easy access to key commercial and retail centres, supporting their vibrancy and function. Visitor accommodation is provided for within the zone.

#### **Chapter 13 Wānaka Town Centre (WTC)**

6.44. The town centre for Wānaka is located directly adjacent to the lake and provides a focal point for residents, visitors and economic activities in a consolidated and walkable centre. Community activity, retail, entertainment, business, services and visitor related businesses, including visitor accommodation are all provided for.

#### **Chapter 16 Business Mixed Use (BMU)**

- 6.45. This zone provides for both commercial and residential uses. The intention is that these areas supplement the town centre as the focal point of commercial activities. The inclusion of residential activities is anticipated to add to opportunities for a range of living opportunities within the district. With greater height limits and expected high-density development, a strong policy framework around quality built form and urban design is a key component of this area.
- 6.46. The Anderson Heights area is the only area currently zoned BMU in the Wānaka area.

#### **District Wide Provisions**

- 6.47. Part 5 of the PDP contains chapters that apply district wide. The inclusion of the Three Parks area within the PDP (Volume A), will result in these provisions applying to the land. Some of these Part 5 chapters contain rules that apply to specific zones. For example, permitted activity standards for earthworks volumes. A consistent approach for any proposal would be to include any new zone created within these chapters.
- 6.48. Where the provisions set out in a district wide chapter are not the most appropriate for the proposal, any exclusion to the district wide rules will need to be clearly stated through variations to these chapters.
- 6.49. The proposal will need to consider integration and consistency with the Part 5 chapters as follows:
- Chapter 25 Earthworks
  - Chapter 26 Historic Heritage
  - Chapter 27 Subdivision and Development
  - Chapter 28 Natural Hazards
  - Chapter 29 Transport
  - Chapter 30 Energy and Utilities
  - Chapter 31 Signs
  - Chapter 34 Wilding Exotic Trees.
  - Chapter 35 temporary Activities and Relocated Buildings
  - Chapter 36 Noise
  - Chapter 37 Designations
  - Chapter 38 Open Space and Recreation Zone ('**OSRZ**')
- 6.50. There are no identified protected trees (Chapter 32 Protected Trees), or areas of indigenous vegetation (Chapter 33) within the Three Parks area. Therefore, variations or consideration of these chapters is not necessary as part of this proposal.

#### **Other Stage 3 Proposals**

- 6.51. As set out in Chapter 3 of this report, Stage 3 includes a number of proposals. Of relevance to the Three Parks proposal is the General Industrial proposal. Evaluation in terms the objectives and provisions to be included in the GIZ are set out in the s32 evaluation report for Industrial.
- 6.52. The proposal relating to the existing Ballantyne Road Mixed Use is relevant in that the area sits directly adjacent to Three Parks. The area currently provides for a mix of yard based industrial and business land uses. The proposal is for the site to be Open Space and Recreational – Active Recreation Zone.
- 6.53. Three Parks does not include an area that has an identified Wāhi Tūpuna as set out in proposed Chapter 39 Wāhi Tūpuna. The chapter will apply within the Three Parks area only for those activities identified as potentially being incompatible with values held by manawhenua<sup>9</sup>.
- 6.54. The proposal for design guidelines are relevant to the extent that the proposal considers the use of the LDSR, MDR, HDR zones or the BMU zone. The design guidelines will introduce specific direction to achieving good urban design outcomes within these areas.
- 6.55. The other proposals of Stage 3 are not directly relevant to this proposal.

#### **Other Documents Considered**

- 6.56. The following Council documents and projects have informed this Section 32 evaluation.
- (a) [QLDC Ten Year Plan \(LTP\) – He Mahere Kahurutaka 2018-2028 Volume 1](#)
  - (b) [Business Development Capacity Assessment 2017](#) (as amended through Environment Court Evidence on 8 November 2018)
  - (c) [Housing Development Capacity Assessment 2017](#)
  - (d) [QLDC Growth Projections to 2058](#)
  - (e) [QLDC Wānaka Structure Plan Review 2007](#)
- 6.57. Other documents:
- (a) [Otago Southland Regional Transport Plan](#)
  - (b) [The New Zealand Urban Design Protocol](#)
  - (c) [CPTED](#)

#### **Business Development Capacity Assessment 2017**

- 6.58. The zone covers an area of approximately 100ha. Limited development has occurred to date with the exception of the Business subzone. The Three Parks area remains a key area for

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<sup>9</sup> Policy 39.2.1.1

urban development for Wānaka, containing 44% of the potential commercial land capacity and 77% of potential retail land capacity<sup>10</sup>.

- 6.59. The BDCA concludes that Wānaka has sufficient capacity for business land in the Wānaka ward. Three Parks and the Wanaka Industrial land score highly for feasibility of development<sup>11</sup>. Even at a high demand assumption, capacity for business land would likely be surplus, based on the assessment assumptions. Three Parks has 33ha of developable land for business purposes. The 2048 land demand for business purposes in Wānaka is estimated at 19.9ha<sup>12</sup>.
- 6.60. The assessment for feasible capacity included consideration of infrastructure. The areas confirmed for development capacity were those having an appropriate level of infrastructure servicing available, through either current provision or intended extension or upgrades.
- 6.61. It is noted that the Market Economics Report: Economic Assessment of Queenstown Lakes District's Industrial Zones, Stage 3 of the District Plan Review, 22 May 2019 for proposed Chapter 19 concludes that there is a very poor linkage between capacity for business development in Wānaka with demand for business land in Wakatipu but there is some linkage between the business land markets of Wānaka and Cromwell. As such, the adequacy of the supply of business land in terms of the NPS UDC is focused on the urban environment of Wānaka as in functional terms the Wakatipu business land market is its own separate matter.

### **Housing Development Capacity Assessment 2017**

- 6.62. Overall, the HDCA considers that there is a surplus to housing capacity within the district, which exceeds forecast demand in the short, medium and long term, even at a high growth rate prediction that would be consistent with the latest growth projections. However, there are shortfalls within lower price band housing.
- 6.63. The HDCA confirms Three Parks as a key growth area for Wānaka, being an extensive green-field site. The HDCA identifies a capacity of approximately 750 residential dwellings within Three Parks.
- 6.64. The report notes that the small number of landowners involved in this area could impact on take-up trends<sup>13</sup>.

## **7. INTRODUCTION TO EVALUATION**

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<sup>10</sup> ME Evidence – Topic 2

<sup>11</sup> Page 4 BDCA 2018

<sup>12</sup> Page 7 BDCA 2018

<sup>13</sup> Page 198 HDCA 2018

## Background

- 7.1. Plan Change 16 (**PC16**) introduced the Three Parks Special Zone into the ODP on 1 April 2009. The purpose of the zone was to provide for long term residential and business growth in Wānaka through mixed-use land use with high quality urban design based on the Wānaka Structure Plan 2007. In addition, it was recognised that the development needed to occur in a way that preserved the viability of Wānaka town centre.
- 7.2. The TPSZ provides for a mix of land uses and utilises eight separate sub-zones; Business, Business (Main-Street), Commercial Core, Deferred Commercial Core, Low Density Residential, Medium Density Residential, Medium Density Residential (deferred Mixed Use), Tourism and Community Facilities, along with an Open Space overlay (See Figure 1 below). It contains detailed provisions for each sub-zone within a Three Parks chapter, which together make up some 115 pages of the ODP. This review provides an opportunity to simplify the extent of provisions without eroding the intended development provided for.

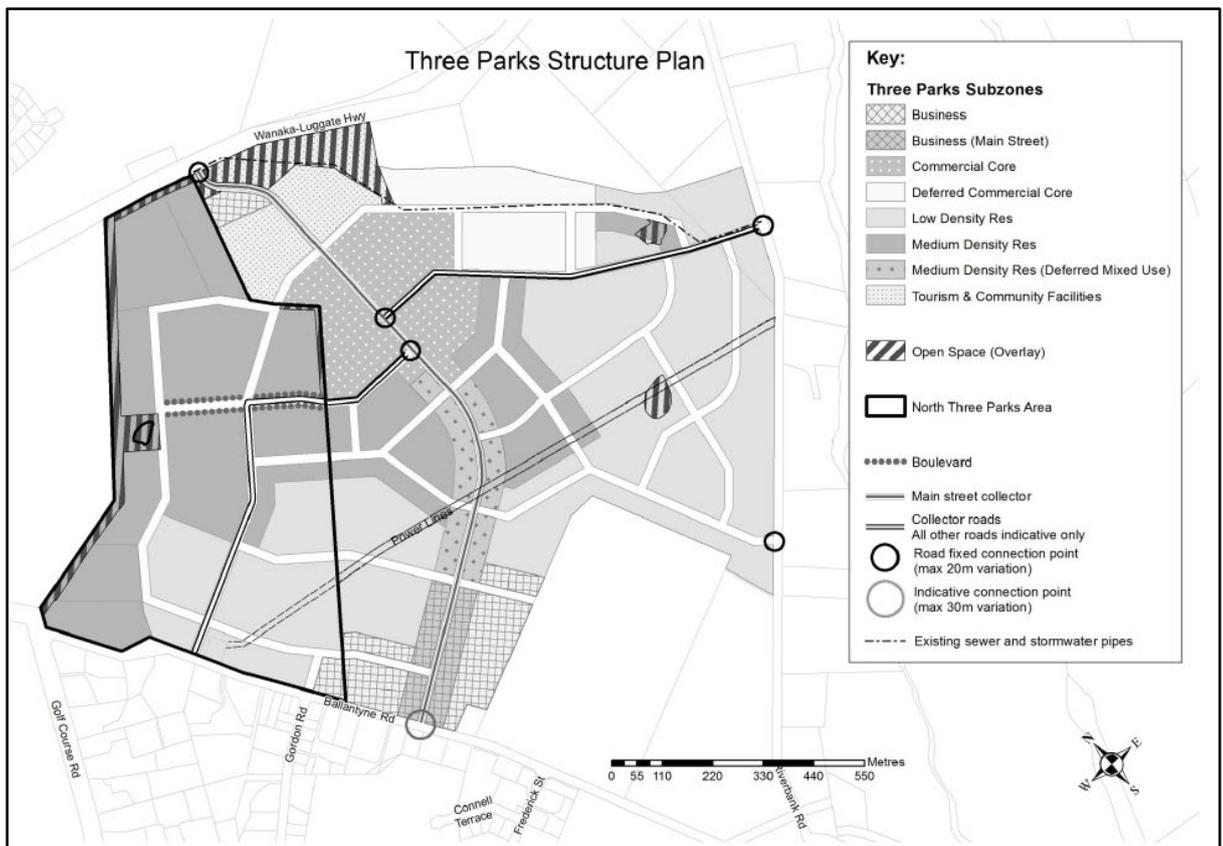


Figure 1 ODP Three Parks Structure Plan showing Subzones

- 7.3. Since the ODP provisions have been operative in January 2011, development has mostly been in a small area of land in the Business subzone and the Wanaka Recreation Centre and Swimming Pool (now zoned Open Space and Recreation Zone<sup>14</sup>). The balance remains a green-field development.
- 7.4. The other development that is under construction is 'Te Kura o Take Kārara', the new primary school for Wānaka. This is to open in 2020 with a roll of up to 400 students.
- 7.5. The small extent of development to-date provides limited opportunity to undertake on-the-ground monitoring of the appropriateness of the distribution of land uses within the area. The BDCA and HDCA figures show sufficient capacity for Wānaka, both for business and housing, with Three Parks contributing significantly to the available green field land.
- 7.6. Given the extent, that capacity is sufficiently addresses for Wānaka, the focus has been on the inclusion of provisions that provide for the same areas and types of development as set out in the ODP.
- 7.7. Part of the reason for PC19 was to create an appropriate area for large format retail to establish in Wānaka. A clear intent in the special zone is for this commercial area to compliment rather than compete with the Wānaka town centre. This approach has been further confirmed in the strategic objectives set out in the PDP.
- 7.8. Since Three Parks became operative limited development has occurred within the special zone, however the wider Wānaka has experienced a period of growth. Residential developments proposed at a similar time as Three Parks were Peninsula Bay, Kirimoko and Meadow Stone. Development including residential density development in rural zones and subsequent re-zoning of the land known as 'Alpine Estates' (PDP Stage 1) along with PC46 (rezone of Rural land to Industrial B and LDR) have increased the overall amount of land for residential development within Wānaka.
- 7.9. More recent residential development in Wānaka includes 'the Heights' (previously known as Scurr Heights) and Northlake.
- 7.10. The Northlake Special Zone is intended to provide for approximately 1100 residential units with approximately 200 lots created to date. The zone was first introduced through Plan Change 45. In addition, Plan Change 53 extended part of a higher density mixed use area within the zone, along with providing for a small-scale supermarket. The commercial area of Northlake is predominantly intended to service the surrounding local area.

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<sup>14</sup> Stage 2 PDP

- 7.11. Some extension to the industrial areas of Wānaka have also occurred through PC36, which introduced Industrial B zones. PC46 included a small extension to the Industrial B zone and the addition of LDR land.
- 7.12. Wānaka Town Centre was considered under Stage 1, along with the Anderson Heights area which has become a Business Mixed Use Zone. The PDP identifies Wānaka Town Centre as the commercial hub for the Wānaka area. In addition, an urban growth boundary was established for Wānaka with Three Parks located within the UGB with the south-eastern boundary defining the UGB along Riverbank Road. An additional Local Shopping Centre has been introduced along Cardrona Valley Road<sup>15</sup>.
- 7.13. Stage 2 of the PDP introduced Open Space and Recreation zones throughout the district. This included zoning of the Wānaka Recreation Centre and swimming pool located within Three Parks. These facilities were provided for through a designation process. The original Three Parks structure plan did not explicitly anticipate the extent and location of this area. Although outline development plan provisions sought the inclusion of playing fields to be considered.
- 7.14. Ballantyne Mixed Use Zone sit to the south-east of the intersection of Ballantyne Road and Sir Tim Wallis Drive. This area was formally used for oxidation ponds and these have since been decommissioned. The designation for waste treatment purposes has not been carried over to the PDP. This zone is also being reviewed as part of Stage 3.
- 7.15. The new development areas and areas intended to provide additional growth capacity for Wānaka have occurred within the timeframe of the special zone being operative and have occurred with the anticipation of Three Parks being developed. These have contributed to growth and change in Wānaka.
- 7.16. The residential and visitor population growth in Wānaka is anticipated to continue. It is noted that the latest updates to growth projections place the Wānaka growth rate at the high assumption set out in the HDCA and BDCA<sup>16</sup>.
- 7.17. Wānaka has experienced change and growth; however, the impact of this has not significantly changed either the intent or significance of Three Parks in providing for the future growth in the area. The option of reconfiguring or changing the intensity or spatial extent of proposed land uses is not considered the most appropriate option. PC16 was subject to detailed analysis

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<sup>15</sup> The area of the zone and restrictions of total ground floor area of office and retail has been appealed under ENV-2018-CHC-077.

<sup>16</sup> <https://www.qldc.govt.nz/assets/Uploads/Your-Council/Formal-Processes/Ten-Year-Plan-2018-28/QLDC-10-Year-Plan-2018-2028-Consultation-Document-9Mar18-Consultation.pdf>

including substantial section 32 evaluation and there has been limited changes to the area in terms of the extensive extent of remaining greenfield development. Both the HDCA and BDCA identify sufficient capacity for both business and residential needs in the Wānaka Ward.

- 7.18. The focus of this review is to integrate the mix of land uses as set out in the ODP into the PDP. The key issues set out below address; how a mix of land uses would most appropriately be provided for; how to address spatial layout and to ensure active transport routes are provided. The following identifies the key issues that the proposal addresses.

### **Key Issues**

#### **Issue 1 – How to provide for an integrated approach to development of Three Parks using separate PDP plan provisions.**

- 7.19. The focus of this review has been on the technical implementation of provisions that provide a mix of land uses, rather than to reconsider the distribution, scale or intensity of each land use within the Three Parks area.
- 7.20. A key principle of this District Plan review has been an intention to establish a consistent and concise approach to resource management in the district through all new provisions of the PDP. The development of the proposal has also focused on integrating the existing TPSZ provisions into the PDP principally through using already tested methods of the PDP.
- 7.21. The following analysis documents this evaluation under three broad categories of land use, being residential, business and commercial. Each of the land uses have a range of possible zones that could be applied.
- 7.22. The Independent Hearing Panels for Stage 1 and 2 of the PDP adopted a set of common rezoning principles<sup>17</sup>. This is consistent with Policy 4.2.2.2 which directly sets out relevant matters for land use distribution with an UGB. This has been developed consistent with the direction set by the PORPS.
- 7.23. The zoning directs the provisions, including rules and standards that set out anticipated development and environmental results within a zone. All key differences between the ODP provisions and the proposed PDP equivalent provisions has been analysed as part of this evaluation. Detailed evaluation of existing zones within the PDP has not been undertaken given the extent that these zones have already undergone assessment.

### **Residential**

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<sup>17</sup> Appendix A: Independent Hearing Panel – Rezoning Principles

- 7.24. The creation of the TPSZ resulted in a capacity of approximately 750 houses. These are provided for within the Low Density subzones and Medium Density Residential subzones of the TPSZ. These subzones require a strong focus on amenity and quality urban design within their detailed provisions.
- 7.25. The MDR and LDSR within the PDP have a similar focus on amenity and urban design. The proposed Residential Design Guidelines notified with Stage 3 would strengthen the emphasis on promoting good urban design as part of managing development outcomes for these area through the plan.
- 7.26. National Planning Standards are intended to implement consistent zoning. The proposal is not giving effect to the Planning Standards. However, applying a residential zoning consistent with those existing in the PDP is likely to provide for a more efficient transition when adoption of the Planning Standard is undertaken in the future.
- 7.27. Neither the MDR nor LDSR zones of the PDP contain objectives and policies that would not be appropriate for the special zone residential subzones. The direction in both the TPSZ and the PDP residential zones address ensuring residential amenity, provision of a mix of residential densities and recognition that non-residential activities are not appropriate except where directly providing for residents.
- 7.28. An important change that use of the PDP zones would introduce is that residential activities would be permitted. Under the ODP a residential activity would not be permitted until provided for through an outline development plan. The issue of outline development plans is set out in Issue 2 below.
- 7.29. Density at a site-by-site basis in TPSZ is set through an outline development plan. In addition, a minimum lot size is not provided. The use of MDR and LDSR would set specific density and lot size.
- 7.30. The proposal would result in approximately 60ha of LDSR and 35ha of MDR (excluding the Building Restriction Area).
- 7.31. The general bulk and location would be similar, although not exact (see **Table 1** Residential Zone provision comparison below).

**Table 1** Residential Zone provision comparison

	TPSZ LDR subzone	Lower Density Suburban Residential (LDSRZ)	TPSZ MDR subzone	Medium Density Residential Zone (MDR)
<b>Building coverage</b>		40%		45%

		Rule 7.5.5 <sup>18</sup>		Rule 8.5.5
<b>Density</b>	Set through outline development plan	one residential unit per 450m <sup>2</sup> (net area), up to one residential unit per 300m <sup>2</sup> (net area) with a maximum height of 5.5m  Rule 7.5.11 <sup>19</sup>	Set through outline development plan	one residential unit per 250m <sup>2</sup> (net area) and up to three units per site (Rule 8.4.6)  Rule 8.5.4
<b>Landscaped permeable surface coverage</b>	50%	At least 30% of the site  Rule 7.5.6	25%	At least 25% of the site  Rule 8.5.7
<b>Road Boundary Setback</b>	3m	4.5m  Rule 7.5.8	3-4.5m Also requires one area of 2m <sup>2</sup> glazing	3m Except for garages which are required to be set back 4.5m.  Rule 8.5.8
<b>Internal setbacks (Except for accessory buildings for residential activities not exceeding 7.5m in length, where no windows or openings)</b>	Front sites: 1 @ 4.5m All other @ 2m  Rear sites: 2 x 4.5m All other @ 2m	2m  Rule 7.5.8	1.5m	1.5m  Rule 8.5.8
<b>Continuous building length Length of any building façade above the ground floor level</b>	-	16m  Rule 7.5.10	-	24m  Rule 8.5.9

7.32. Overall, the residential areas within Three Parks are not considered to have any specific features that would warrant a more directed approach. The use of PDP zones is efficient in terms of plan administration and for plan users. The significantly higher requirement for landscaped permeable surface coverage in the LDR - TPSZ relative to the LDSR (50% vs 25%) could result in less spacious and open sites, however this cost in terms of on-site and neighbourhood amenity is considered to be offset by the greater efficiency of land use that is likely to result. Analysis of a number of newer subdivisions in the district shows that new housing developments typically provide smaller side yards than tended to occur when the TPSZ

<sup>18</sup> Subject to ENV-2018-CHC-115

<sup>19</sup> Subject to ENV-2018-CHC-093

provisions were developed. The intention of enabling a range of residential built forms to establish, with recognition of urban design principles is provided for.

- 7.33. Both the MDR and LDSR provide for a range of other activities and provide limits and controls to ensure these occur in a way that would not adversely affect the main residential activities that are enabled.
- 7.34. Under the TPSZ visitor accommodation is intended to be provided for predominantly in the Tourism and Community subzone. These activities were intended to be avoided in the residential area unless provided for in an outline development plan. This approach provides limited certainty regarding the extent that these activities may or may not be included in residential areas.
- 7.35. The visitor industry is recognised as important to the district<sup>20</sup>. Within the MDR and LDSR zones of the PDP residential visitor accommodation is enabled but not visitor accommodation, unless a visitor accommodation sub-zone is applied.
- 7.36. It is acknowledged that the developer has indicated within their master plan<sup>21</sup> that there are areas where visitor accommodation is proposed. These areas have not specifically been included within an outline development plan to date. The master plan has been developed by the owner of the site and has no statutory standing.
- 7.37. These proposals include a Visitor Accommodation Subzone (**VASZ**) within the MDR land that directly adjoins the Wānaka Golf Course. This location is considered to be an appropriate location for Visitor Accommodation given the proximity to both the Three Parks commercial area and Wānaka town centre. As a green field site, the application of the VASZ framework can help ensure that any VA and residential development can occur in an integrated way and seek to avoid potential adverse effects and incompatibility.

**Table 2 Broad Option Considered - Three Parks Residential Land**

<p>OPTIONS: Residential</p>	
<p>Option 1: Status Quo - retain the TPSZ with MDR and LDR subzones.</p>	<p>Does not integrate well with the PDP drafting style and structure. There are some special zones within the PDP, however, this is predominately to address this is predominately to address or respond to a potential</p>

<sup>20</sup> SO3.2.1.1 PDP

<sup>21</sup> <http://www.threeparks.co.nz/three-parks-masterplan.html>

	<p>policy conflict, the functional requirements of certain activities, or unique circumstances in an area that requires a particular approach to development.</p> <p>Retains the complexity in terms of layers of resource consents required for developments.</p>
<p>Option 2A: Use the TPSZ MDR and LDR subzones as the basis for zoning MDR and LDSR under the current PDP provisions.</p>	<p>Provides for a range of residential styles and densities within an urban area. This would positively contribute to future population of Wānaka having choices in terms of location and type of residential accommodation.</p> <p>Provides for urban design to be considered as part of development through the objectives, policies and consent requirements within Chapter 7 LDSR and Chapter 8 MDR. In addition, this would provide for the proposed Residential Design Guidelines to be implemented.</p> <p>Efficient process through applying a more consistent approach to development in the district. However, this may be offset by a perception that a unified approach does not sufficiently recognise the strategic importance of Three Parks and the integrated approach intended with the TPSZ.</p> <p>The PDP residential zones limit visitor accommodation unless a VASZ is provided. The role of the visitor economy is important within Wānaka and continued growth is expected in this area.</p> <p>Any changes have limited impact on regulatory costs noting that land is currently owned by a limited number of landowners. Given the extent of alignment and efficiencies that the provisions would provide compared to the ODP any impact in terms of regulatory costs is considered minimal.</p>
<p>Option 2B: Include a VASZ to provide for Visitor Accommodation.</p>	<p>Provides for visitor industry by identifying areas for this activity that is otherwise limited within residential zones to occur. A VASZ will not require hotels to be developed and does not preclude or significantly impede the use of land for residential development.</p> <p>Three Parks will contain commercial areas and is also located within walking distance of Wānaka town centre, a golf course, so is well placed for visitor accommodation. The area proposed as a VASZ is located on</p>

	an arterial route between Wānaka, the Airport and the principal road connection to Queenstown.
Option 3: Create new Three Parks residential provisions.	<p>Would require the creation of a special zone or a full set of area specific rules within existing chapters. This would be inefficient and add complexity to the PDP without any clear benefit in terms of outcomes or efficiency.</p> <p>There is limited distinguishing features of Three Parks that would warrant a distinct approach from other residential developments within a UGB found elsewhere within Wānaka or the district.</p>
Option 4: Create new provisions and amend the spatial layout of residential areas within Three Parks.	<p>Would provide an opportunity to ensure that development within Three Parks was spatially set out in an appropriate way. Although there have been a number of changes within the Wānaka area, these have occurred with consideration of likely development within Three Parks.</p> <p>Given the BDCA and HDCA findings in terms of sufficient capacity and the inclusion in PC19 of extensive assessment, to further examine the spatial layout from a first principles assessment would introduce additional cost and time implications to the proposal.</p>

7.38. Option 2A and 2B are considered the most appropriate options. A range of residential development would be provided for along with some visitor accommodation. This proposal provides an efficient approach that would effectively provide for a diverse mix of housing options, and also provide for visitor accommodation within appropriate locations. The LDSRZ and MDRZ have been implemented relatively recently through Stage 1 of the Plan Review. As such, the provisions have been recently assessed against s32(1)(a) and 32(1)(b)<sup>22</sup>, with further amendments through the course of the hearing and in the IHP Decisions assessed against s32aa<sup>23 24</sup> and it is not considered necessary to repeat this analysis in this report. The focus in this s32 is location-specific, and these zones effectively and efficiently addresses the key issues identified for residential development within Three Parks, as discussed above.

<sup>22</sup> Low Density Residential s32 Evaluation Report <https://www.qldc.govt.nz/assets/Uploads/Planning/District-Plan/Section-32s/Low-Density-Residential-s32.pdf>

<sup>23</sup> Stream 06 Hearing evidence: <https://www.qldc.govt.nz/planning/district-plan/proposed-district-plan-stage-1/proposed-district-plan-hearings/06-residential-chapters-7-8-9-10-and-11/>

<sup>24</sup> Report and Recommendations of Independent Commissioners Regarding Chapters 7 – 11: <https://www.qldc.govt.nz/assets/Uploads/Planning/District-Plan/PDP-Stage-1-Decisions/Reports/Report-09A-Stream-6-Chapters-7-8-9-10-11.pdf>

## Business

- 7.39. The Business subzone of Three Parks sits towards Ballantyne Road, as shown in **Figure 1** above. When compared to TPSZ, this subzone is akin to the proposed Stage 3 General Industrial zone.
- 7.40. Development of this area is underway. It is noted that resource consents have been granted for commercial activities, which are not intended to establish in this zone under Rule 12.26.6.2.27 which require a non-complying activity resource consent.
- 7.41. The TPSZ Business subzone primarily provides for service and industrial activities. Other proposals for Stage 3 include a review of industrial areas and the associated zones in the ODP. The approach proposed is that a single General Industrial Zone (GIZ) is applied. The evaluation of the GIZ zone is relied upon and is not repeated here.
- 7.42. As with residential development, given the capacity for industrial activities provided for under the PDP and ODP, the existing spatial extent of the business zones is generally considered appropriate. An industrial zone is the most aligned with the current business provisions including enabling industrial and service activities and avoiding residential and other potentially sensitive activities within the zone. Based on the assessment below the use of the GIZ and associated plan provisions in place of the Business Subzone is considered appropriate.

**Table 3 Broad Option Considered - Three Parks Business land**

OPTIONS: Business	Discussion
Option 1: Status Quo - retain the TPSZ Business zone.	Does not integrate well with the PDP drafting style and structure. There are some special zones within the PDP, however this is predominately to address or respond to a potential policy conflict, the functional requirements of certain activities, or unique circumstances in an area that requires a particular approach to development.
Option 2: Use the TPSZ Business subzone as the basis for rezoning GIZ.	There is strong alignment between the objectives and methods of the proposed GIZ and those provided for through the TPSZ Business Subzone. The use of the proposed GIZ would be an efficient approach and would be consistent with the surrounding areas of industrial land along Ballantyne Road.

	<p>There are other industrial areas located along Ballantyne Road are also proposed to be zoned GIZ.</p>
<p>Option 3: Create new area provisions.</p>	<p>Would require the creation of a special zone or create a full set of area specific rules within existing chapters.</p> <p>There is limited distinguishing features of Three Parks that would warrant a distinct approach from other industrial developments within a UGB found elsewhere within Wānaka or the district.</p>
<p>Option 4: Amend the spatial layout.</p>	<p>All industrial areas are being considered under Stage 3 with the exception of the business zone in Gorge Road. Based on the results of the BDCA it is considered that there is no urgent need to identify new industrial land in the Wānaka Ward. It is intended that a FDS which is currently in the process of being developed is a suitable mechanism to consider long term requirements for additional business land beyond the likely lifetime of the PDP.</p> <p>Wānaka has been shown to have sufficient long-term capacity for industrial land uses. However, the future supply of business land to support a diverse economy and the retention and growth of businesses that provide a range of skilled jobs and productive activities is an important consideration. Business land is therefore an important resource in the District and retention of the extent of this area would help ensure a sufficient future supply. Conversely extending the amount land zoned for industrial use would reduce the availability of land for other uses.</p>

7.43. Option Two is considered the most appropriate approach. The use of the proposed GIZ zone would provide for an efficient and consistent approach to the other areas of industrial development within Wānaka and help secure the future supply of land for industrial use.

### **Commercial**

7.44. The Commercial area includes provision of “big box” retail development. PDP SO3.2.1.4 seeks that the key function of this area be the provision of large format retail development. A clear strategic direction has been set that this large format retail should occur and that Three Parks is the most appropriate location for it.

- 7.45. The TPSZ provisions were intended to address a concern at the time that without an area specifically providing for larger format retail, this type of retail activity would be inevitable, and without specifically being provided for, would be likely to end up in appropriate locations and potentially undermine the viability of the principle town centre.
- 7.46. The Town Centre Zones and BMUZ have been included in the PDP and do not specifically provide for larger format retail. The need to ensure sufficient land capacity for these types of activities remains. In providing sufficient capacity, considering any potential adverse effects on existing activities is relevant. Through PC16 any adverse effects on the Wānaka town centre through the growth within Three Parks was sought through the extent of retail land released.
- 7.47. The hearings for PC16 included focused consideration of the staging and progression of potential large format retail development. The concern that if the area developed too quickly, this would negatively impact the health of Wānaka town centre and as a result a number of provisions were included to stage the release of retail floor area.
- 7.48. A resource consent has been granted for a supermarket within the Commercial Core subzone with a floor area of 4,353m<sup>2</sup> (consisting of; 2617m<sup>2</sup> retail and café, 1176m<sup>2</sup> service area and 52m<sup>2</sup> office area). Construction of this supermarket is underway.
- 7.49. Resource consent RM181327 granted on 20<sup>th</sup> May 2019 varies the outline development plan for Three Parks in order to uplift additional retail floor area. The consent enables a total of 34,400m<sup>2</sup> of retail floor space in the commercial core. A condition has been imposed to restrict the extent of specialty retail activities, defined in the ODP for Three Parks as a single retail tenancy of less than or equal to 400m<sup>2</sup> GFA.
- 7.50. The Wānaka Town Centre is located directly adjacent to Lake Wānaka. Council has a number of projects with funding (TYP and LTP) to improve the town centre and lakefront area. These will contribute and strengthen the role of the Wānaka town centre. Wānaka town centre is experiencing some redevelopment. For example, the recently completed 45 Helwick Street and 28 Helwick Street which is still under construction.
- 7.51. The TPSZ includes a requirement for large format retail to that locate specialty retail along the main street and provide a 'sleeve' of smaller scale built form with high quality urban design that contributes to a strong street frontage along Sir Tim Wallis Drive. These proposals provide for this to be achieved through the application of BMU along Tim Wallis Drive and for the large format retail aspect to be provided for through a Three Parks Commercial Zone.
- 7.52. The PDP contains a number of zones that provide for retail activities, which is directed as a primary function of the TPSZ Commercial Core. These are the town centres, BMU, and Local Shopping Centres (**LSC**). Chapter 3 and 4 does not provide for recognition of Three Parks as

a town centre and therefore use of Town Centre zoning is not considered appropriate. The Business Mixed Use zone has controls on large format retail and also provides for residential activities. The TPSZ seeks to avoid residential activities that may be incompatible with intended large format retail activities. On this basis, the BMU is not well aligned and would not be an appropriate zone to achieve large format retail. The BMUZ also provides for smaller scale retail above the street and other activities including car yards. The strong focus on urban design in Chapter 16 together with the BMUZ design guidelines would help ensure an appropriate main street approach.

- 7.53. Strategic Objective 3.2.1 has policies that recognises town centres and also the key function that the commercial area of Three Parks is intended to provide as part of Wānaka’s urban environment. To ensure consistency, any objectives and provisions for the Three Parks Commercial core are appropriate to be located within Part 3 of the PDP.
  
- 7.54. There is limited alignment between existing PDP zones and the TPSZ Commercial Core. For this reason, the option of creating a new commercial zone is an appropriate option and the preferred approach. A new Part Three Chapter of the PDP is proposed that will sit alongside the new proposed Chapter 19 General Industrial Zone. An evaluation of the proposed objectives and provisions for proposed Chapter 19A Three Parks Commercial is provided in Section 9 and 10 of this report. The area provided for TPC is approximately 5ha.
  
- 7.55. The structure of the TPSZ chapter is very different from that of the PDP. Many standards for development are to be determined through the process of consenting outline development plans. As outlined above, the extent of retail development enabled is also controlled through this process.
  
- 7.56. The key outcomes sought for Three Parks Commercial zone are aligned with the TPSZ. This includes enabling large format retail to establish in a way that can positively contribute to good urban design outcomes. The role of smaller format retail as a key component of Wānaka Town Centre is recognised. Taking this into account restrictions on the amount of this type of fine-grained retail is appropriate within the proposed TPC zone.
  
- 7.57. The Planning Standards would provide for inclusion of a commercial zone. Therefore, the proposal would also align with future changes as a result of the planning standards.

**Table 4 Broad Options Considered - Three Parks Commercial Land**

OPTIONS: Commercial	
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<p>Option 1: Status Quo - retain the TPSZ Commercial Core subzone.</p>	<p>Does not integrate well with the PDP drafting style and structure. There are some special zones within the PDP, however, this is predominately to address or respond to a potential policy conflict, the functional requirements of certain activities, or unique circumstances in an area that requires a particular approach to development.</p>
<p>Option 2: Use an existing PDP zone.</p>	<p>There is limited alignment between existing TPSZ Commercial Core and existing PDP zones. Any of the existing chapters would need to include substantial numbers of specific provisions including objectives and policies which contrast with the main purpose of the zone to enable development aligned with the intention of the TPSZ and the strategic direction sought for Three Parks in Chapter 3 of the PDP.</p>
<p>Option 3: Create a new zone and provisions.</p>	<p>Provides for greater alignment with the outcomes sought under the TPSZ in a way that would have a structure and style that is consistent with the PDP.</p> <p>Aligns with the National Planning standards nomenclature.</p> <p>The new provisions proposed are effective and efficient in achieving the relevant objectives by enabling an intended and advantageous set of outcomes while appropriately managing potential adverse outcomes and effects. See Section 10.</p>
<p>Option 4: Create new provisions and amend the spatial layout of residential areas.</p>	<p>Would provide an opportunity to ensure that development within Three Parks was spatially set out in an appropriate way. Although there have been a number of changes within the Wānaka area, these have occurred with consideration of likely development within Three Parks.</p> <p>Given the BDCA and HDCA show there is more than sufficient capacity for development in the Wānaka urban environment and the inclusion in PC19 of extensive assessment, to further examine the spatial layout from a first principles assessment would introduce significant cost and time implications to the proposal.</p>

The most appropriate option is Option 3.

- 7.58. The main street of Three Parks (Sir Tim Wallis Drive) forms a key part of the Structure Plan and the urban fabric of the Three Parks development area. The TPSZ includes specific provisions to ensure that a quality main street is created. Smaller format retail that ‘sleeves’ large format retail within the Commercial Core was intended to provide better connection to the main street and contribute to better urban design outcomes.
- 7.59. The proposal includes rezoning the main portion of Sir Tim Wallis Drive to be Business Mixed Use (BMU), with the same restriction to residential and visitor accommodation to first level or above, as used in Gorge Road. This would enable retail, commercial, business, residential and other complimentary uses, with the commercial and retail having primacy at the street frontage. The BMU provides for a range of mixed–use activities and the provisions provide a strong urban design focus in the assessment matters for buildings. The Stage 3 proposal to include a BMU design guideline, which would be incorporated by reference in Chapter 16, should further strengthen the urban design outcomes within the zone. For this reason, it is considered an appropriate response for the proposal.
- 7.60. It is noted under the TPSZ included a mixed-use medium density zone. This preferred residential activities over other non-residential activities, but allowed for these to occur overtime. The landowner has raised concern over this approach. The use of BMU provides for mixed use in a way that has been determined through previous stages to provide an appropriate response to these sorts of mixed developments. The BMU enables a similar mix of activities to be achieved as was enabled within the TPSZ, with a strong urban design focus. Overall, the BMU would provide a consistent approach to development along the main part of Sir Tim Wallis Drive.

<p>OPTIONS: Main Street</p>	
<p>Option 1: Status Quo - retain the TPSZ Commercial Core subzone and Medium Density Mixed Use.</p>	<p>Does not integrate well with the PDP drafting style and structure. There are some special zones within the PDP, however, this is predominately to address or respond to a potential policy conflict, the functional requirements of certain activities, or unique circumstances in an area that requires a particular approach to development</p>
<p>Option 2: Use BMU.</p>	<p>Provides for a mix of activities that is generally aligned with the Medium Density Mixed Use and ‘sleeving’ of the Commercial Core under the TPSZ.</p>

	Would provide for a strong urban design outcome (see s32 report for BMU- design guidelines).
Option 3: Use BMU with minor variation to include restriction to residential and visitor accommodation along Sir Tim Wallis Drive.	Provides for a mix of activities that is generally aligned with the Medium Density Mixed Use and 'sleeving' of the Commercial Core under the TPSZ.  Would provide for a strong urban design outcome (see s32 report for BMU- design guidelines).  Ensures primacy of business and commercial activities along the street interface of Sir Tim Wallis Drive.
Option 4: Create a new zone and provisions.	Could add additional complexity to the PDP for no clear benefit given the appropriateness of the BMU in terms of achieving the relevant objectives.

7.61. Option 2 is considered the most appropriate. The BMU has been implemented relatively recently through Stage 1 of the Plan Review. As such, the provisions have been recently assessed against s32(1)(a) and s32(1)(b)<sup>25</sup>, with further amendments through the course of the hearing and the IHP Decisions against s32aa<sup>26</sup>. The focus in this s32 is location specific, and the BMU effectively and efficiently addresses the key issues for providing for the main-street activities within Three Parks. Evaluation of the variations proposed to Chapter 16 to ensure restrictions to residential and visitor accommodation along Sir Tim Wallis Drive is set out in Section 10 of this report.

### **Tourism and Community Facilities**

7.62. The tourism and community facility subzone (**TCFS**) primarily provides for visitor accommodation and multi-unit residential activities. The low building coverage standard in the TCFS is intended to encourage a park-like setting to further enhance openness and amenity of what is an entrance into the main development area of Three Parks along Sir Tim Wallis Drive.

7.63. Objective 9 of Chapter 12.25 specifically states;

<sup>25</sup> <https://www.qldc.govt.nz/assets/Uploads/Planning/District-Plan/Section-32s/Business-Mixed-Use-s32.pdf>

<sup>26</sup> <https://www.qldc.govt.nz/planning/district-plan/proposed-district-plan-stage-1/proposed-district-plan-hearings/08-business-zones-chapters-12-13-14-15-16-and-17/> and <https://www.qldc.govt.nz/assets/Uploads/Planning/District-Plan/PDP-Stage-1-Decisions/Reports/Report-11-Stream-8-Chapters-12-13-14-15-16-17.pdf>

“A high quality, attractive landscape entrance into the Three Parks zone within which quality Visitor Accommodation, places of public assembly such as conference venues, and community facilities are the predominant use.”

- 7.64. Under the PDP, ‘visitor accommodation’ includes ancillary facilities, which can include conference facilities. Any inclusion of visitor accommodation within the proposal would allow these ancillary facilities to establish where they are associated with visitor accommodation.
- 7.65. Development within Three Parks includes community facilities being the Wānaka recreation centre and swimming pool. Inclusion of limited community facilities where they directly services the needs of residents within the immediate vicinity are considered appropriate. The limited extent that these activities are provided for within the existing provisions of the HDR in the PDP would align with this as it requires a discretionary activity and has a clear policy seeking to enable small-scale community activities.
- 7.66. A unique approach of the TCFS is that residential activity is provided for only where greater than 3 residential units are proposed, and where a density of 25 residential units per hectare is achieved. A minimum residential unit approach is not contained anywhere within the PDP. Under HDR there are no provisions seeking minimum development yields, however, multi-unit developments are provide for.
- 7.67. The PDP urban zones that enable visitor accommodation and residential activities are the HDR and BMU and within the MDR or LDSR through the application of a Visitor Accommodation Subzone. The BMU is not considered appropriate due to the wide extent and range of activities enabled, including retail activities which enables large buildings and can generate large amounts of traffic and activity which is more appropriate to locate where it will support a neighbouring town centre area.
- 7.68. Both MDR and LDSR have density standards that would not encourage the multi-unit development types as sought for the Tourism and Community Facilities in the TPSZ. In addition, the overall bulk and scale of built form is different from that envisioned for TCFS.
- 7.69. HDR focuses on high-density residential development with good urban design and efficient land use, consolidating growth around existing town centres. The proposal to incorporate by reference the Urban Design Guideline for Residential Development in the HDR assessment matters would further strengthen this. Visitor accommodation, residential visitor accommodation and homestays are enabled within the zone recognising they are located near town centres which will make them attractive locations for visitor related accommodation.
- 7.70. Where the HDR and TCFS are not aligned is in terms of the general bulk and location of built form. Given the location of this area at the entrance of Wānaka the incorporation of more open

space and landscaping into development is considered an appropriate response. For this reason the proposals include the insertion of additional provisions into the HDR that provide for specific bulk and location requirements to help enable and encourage development to incorporate more open space and landscaping into development. Evaluation of the appropriateness of the objectives is provided in Section 9 of this report. The costs and benefits of the provisions proposed relating to the matter are set out in Section 10 of this report.

### **Summary**

- 7.71. The proposals seek to provide for a mix of land uses within the Three Parks zone within an overall structure plan framework that is generally consistent with the spatial layout of the Three Parks Special Zone. Existing PDP zones are proposed that would enable similar land use as intended under the ODP but in a way that is consistent with the more efficient and effective PDP style and format. The existing PDP zones that are included within Three Parks are LDSR, MDR, HDR, and BMU. In addition, the proposals introduce Three Park specific objectives and provisions through the introduction of a new Three Parks Commercial zone, use of GIZ and variation to the HDR in relation to controls on the bulk and location of development.

### **Issue 2 – The use of Structure Plan and Outline Development Plans as a spatial layout tool within Three Parks.**

- 7.72. The existing TPSZ includes a range of provisions to address broad spatial layouts across a development area within Three Parks. These include structure plans, requirements for outline development plans, and staging provisions. These provisions are relevant to both subdivisions and land use development.
- 7.73. The National Planning Standards provide for structure plans and outline development plans within a Development Area chapter in Part 3 'Area Specific Parts' of the plan. These are tools are generally intended for future development areas and should include mechanism for removal once development is completed.
- 7.74. Below sets out the specific spatial tools, their existing use in the TPSZ and an evaluation as to whether each tool is appropriate to be included in this proposal.

### **Structure Plan**

- 7.75. A Structure Plan can provide certainty and direction as to certain spatial outcomes, key connections and staging for an area. They are particularly useful for greenfield sites.
- 7.76. Within the PDP Structure Plans are predominantly used for special zones that include activity areas within an otherwise undifferentiated zone. They are located in Section 27.13 *Structure Plans* of Chapter 27 *Subdivision and Development*.

- 7.77. The existing TPSZ includes multiple Structure Plans that set out the following;
- a. Roading and transport links including location for the Main Street collector road, other collector roads, fixed connection points (with an allowed 20m variation) and indicative connection points (with a allowed 30m variation);
  - b. Spatial layout of subzones and an open space overlay;
  - c. Indicative staging; and
  - d. Open space plan- includes fixed open spaces, non- fixed open-spaces and open space opportunities.
- 7.78. Three Parks is bordered by State Highway 84 (**SH84**), Ballantyne Road and Riverbank Road. These are key roads within Wānaka, being State Highway and collector roads. Ensuring the function of these roads is important.
- 7.79. Given the importance of the roads within the development and roads that the area adjoins, providing certainty as to connection to the wider transport network is of critical importance. Incorporating a structure plan that applies to any subdivision of land into the district plan is a clear way of achieving this.
- 7.80. Both the existing TPSZ provisions and the strategic approach of the PDP seek transport connections for all modes of transport. Providing clear connection points for roads through incorporating a structure plan is one way of achieving this.
- 7.81. The Wānaka Master Plan, although not finalised, recognises the importance of transport connections and recommends that Riverbank Road be recognised as a key freight route.
- 7.82. Open spaces are also an important aspect of any development. The TPSZ identifies fixed areas of open space at the edges of the extent of Three Parks. These provide opportunity for pedestrian and cycle links, as well as adding amenity to the area.
- 7.83. Chapter 27 of the PDP has a strong set of objectives and policies for ensuring subdivision and development achieves the objectives of the PDP including in relation to providing appropriate transport linkages and open space. The framework within chapter 27 includes general provisions relating to subdivision as well as some area specific approaches.
- 7.84. Given the options considered under Issue 1 above, the inclusion of subzones is not considered necessary or the most appropriate way to achieve the relevant objectives. A complex framework of subzones is not considered an appropriate resource management response for the development of Three Parks. Open space is covered in more detail below.

- 7.85. Continuing to apply key aspects of the Structure Plan for Three Parks through the incorporation of a structure plan into Chapter 27 is considered appropriate to provide certainty around transport connections and open space.

### **Outline Development Plans**

- 7.86. With the intention of integrating the area into the PDP, it is important to note there are no PDP zones that utilise outline development plans as a method.
- 7.87. Outline development plan consent requirements can add to the complexity, time and costs of consenting processes. Often the level of detail required is not dis-similar to that necessary to authorise subdivision within the area. However, the extent of area that an outline development plan covers is generally much broader than for an individual subdivision consent.
- 7.88. Subsequent to the TPSZ becoming operative, the Environment Court has raised some issue with Outline Development Plan, specifically where they do not implement a land use. Any Outline Development Plan resource consent process that purely addresses spatial layout has been determined by the Courts to be ultra vires.
- 7.89. The way that outline development plans have been implemented to date within TPSZ has resulted in multiple outline development plan consents being granted. In addition, a high number of resource consents have been non-complying because they were inconsistent with an outline development plan or structure plan. There is often a tension between the extent of detail required to ensure effects can appropriately be assessed with outline development plans. However, the scope of land use that is approved is limited. This is primarily because an outline development plan provides for limited approval of a specific land use.
- 7.90. The main outline development plan resource consent<sup>27</sup> for TPSZ sets out a mix of residential uses that would provide for medium density residential and lower density mix throughout the zone. This does not cover the entire TPSZ. This consent involved over 100 hours of council officers processing time. A further 40 hours of Council officer time was involved in processing a variation<sup>28</sup>. The outline development plan consent does not authorise development and subsequent consents will still be required to develop these proposals.
- 7.91. As areas develop, often amendments or changes to outline development plans occur. This can reduce certainty and erodes the intent of the process to provide a greater degree of certainty at a broader spatial scale. To date a number of resource consent for outline development plans have been required and these have all been subject to multiple amendments.

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<sup>27</sup> RM140354

<sup>28</sup> RM171167

- 7.92. Plan users are required to reference the outline development plan for any consent application. In earlier stages, where there is often a single landowner, this will generally be easier as knowledge of the process and consents is known by the owner. Where sites are then sold, the consistency with an outline development plan is still necessary. As development continues and ownership diversifies the need to vary outline development plans can become complex for plan users. In addition to addressing what is required by the plan, consideration or variations to multiple resource consents are often necessary.
- 7.93. The matters considered under the TPSZ provisions for an outline development plan are broad. There are specific matters that are to be addressed through the outline development plan that directs the type or location of development within each subzone. These include location of visitor accommodation and retirement villages in the residential areas, the densities of development.
- 7.94. One of the areas where a specific land use was to be provided for through outline development plans was appropriate locations for visitor accommodation and retirement villages within the residential areas. The inclusion and location of these within the residential zones has been addressed under Issue 1 above.
- 7.95. Density through TPSZ was set through the outline development process. The only areas with minimum lot sizes were the Business subzone (1000m<sup>2</sup>) and tourism and community facility (2000m<sup>2</sup>). For all other zones the outline development plan would set the density with direction generally provided through assessment matters.
- 7.96. Within the PDP the common approach has been density and yield within development be set through rules in zone chapters (density) and in Chapter 27 (minimum lot size). This is considered an appropriate approach within Three Parks.
- 7.97. The objectives and provisions relating to subdivision within the PDP are located within Chapter 27. Directed by the strategic approach set out in Section 2 of the plan.

**Table 5 Broad Options Considered - Three Parks spatial layout tools**

<p>OPTIONS: Spatial Layout Tools</p>	
<p>Option 1: Status Quo - retain the Structure Plans and outline development</p>	<p>The level of certainty that an outline development plan provides is limited.</p> <p>Review of the current TPSZ provisions identify that they do not implement a land use for an outline development plan.</p>

plan provisions as set out in the TPSZ.	
Option 2: create new outline development plan and structural plan provisions using PDP style.	The PDP does not contain any outline development plans. The need for them to implement a land use, as determined by the Court, can still result in a type of deferral of the intention of zoning. This can add expense and uncertainty for landowners wishing to develop and complexity and inefficiency for plan users.
Option 3: retain a structure plan and remove outline development plan provisions.	Structure Plan are a mechanism already implemented in the PDP.  Provides a clear way to address potential adverse effects through ensuring appropriate transport connections and open spaces are provided.
Option 4: remove structure plan and outline development plan requirements entirely.	Reduced cost for developers but increased uncertainty that an appropriate broad spatial layout and an integrated approach to development will be achieved.

7.98. Option 3 is considered the most appropriate approach. The proposal includes variation to Chapter 27 to provide for the inclusion of the Three Parks Structure Plan and proposes objectives and policies to implement the Structure Plan. Evaluation of proposed objective 27.3.15 is set out in Section 9 of this report. The evaluation of the policies and rules are set out in Section 10 of this report.

**Issue 3 – Active transport routes are within and through the Three Parks development area.**

7.99. Active transport was encouraged within the THSZ of the ODP and introduced some of the first provisions requiring bike parking and facilities (shower, lockers etc.) within business developments. Both the PORPS and the strategic direction set by Part 2 of the PDP emphasise the importance of good connectivity and connection within and between urban developments.

7.100. Recent community engagement through the Wānaka Master Plan re-iterated that the community view that transport connections and active transport such as bikes and pedestrians are important throughout Wānaka. In addition, ensuring appropriate connectivity would better enable public transport services.

7.101. Three Parks will not only have mix of land uses where connection between developments will be important for residents and business. In addition, facilities and areas within Three Parks will

service the wider Wānaka community; key recreational facilities, a school, and additional commercial and business areas.

7.102. The proposal provides for active transport through the structure plan and subdivision provisions in the variations to Chapter 27. The focus on urban design within the TPC zone also includes provisions requiring good pedestrian links. Overall, the proposals are considered to provide an appropriate approach to ensuring active transport is provided within the Three Parks development.

## **8. SCALE AND SIGNIFICANCE EVALUATION**

8.1. The level of detailed analysis undertaken for the evaluation of the proposed objectives and provisions has been determined by an assessment of the scale and significance of the implementation of the proposed provisions. In making this assessment, regard has been had to whether the proposed objectives and provisions:

- result in a significant variance from the existing baseline in ODP Chapters 12.25 and 12.26
- have effects on matters of national importance
- adversely affect those with specific interests
- involve effects that have been considered implicitly or explicitly by higher order documents
- impose increased costs or restrictions on individuals, communities or businesses
- are more appropriate than the existing provisions.

8.2. The level of detail of analysis in this report reflects that the decisions versions of the existing provisions of the PDP have been subject to testing through the consideration of submissions and have already undergone adequate section 32 and section 32AA evaluation as part of their development. The examination therefore focusses on their appropriateness for addressing the issues rather than considering their substantive merit.

8.3. The ODP Chapter 12.25 and 12.26 have been used as a basis for the revised provisions and these provisions have also been subject to a section 32 evaluation and testing. The most notable changes from the ODP are the use of existing PDP zones instead of a special zone with numerous sub-zones. The other main area of difference from the existing TPSZ provisions is the removal of outline development plans.

8.4. The format and structure of the operative chapter has not been continued, and rather the chapter structure developed for the PDP has been used. Maintaining consistency with the PDP chapter structure is considered important to ensure that the PDP is presented as a coherent resource management document. Accordingly, the drafting style conventions established in Stages 1 and 2 of the district plan review have been applied to the Three Parks proposals.

- 8.5. The proposals will affect Wānaka generally, as the vacant land capacity contained within the zone is important to meet future housing and business growth requirements for the area. The extent that retail develops may impact on some existing retail operators within the Wānaka Town Centre. Within the zone there is a limited number of landowners that will be affected by the proposal.
- 8.6. An analysis of alternatives has been undertaken, including consideration of the options for the range of mixed-land uses anticipated within Three Parks.
- 8.7. In summary, the proposal will result in variance from the existing baseline, however in most instances the current approach to managing the effects of the mix of land use development within Three Parks is proposed to remain.

## **9. EVALUATION OF PROPOSED OBJECTIVES SECTION 32(1)(A)**

- 9.1. The identification and analysis of issues has helped define how Section 5 of the RMA should be applied. This has informed determination of the most appropriate objectives to give effect to Section 5 of the RMA in light of the issues.
- 9.2. Section 32(1)(a) requires an examination of the extent to which the proposed objectives are the most appropriate way to achieve the purpose of the Act. The following objectives serve to address the key strategic issues in the District:

<b><i>Proposed Objective</i></b>	<b><i>Appropriateness</i></b>
<p><u>Objective 9.2.9</u>  <b><u>The High Density Residential Zone at Three Parks Wānaka contributes to a quality environment at the entranceway to Wānaka.</u></b></p>	<p>Supports the purpose of the RMA through enabling people and communities to provide for their social and economic well-being.</p> <p>The objective recognises and provides the basis for a policy framework to implement the Council's function required under s31 of the RMA.</p> <p>Provides for development that would retain an appropriate level of amenity at the entranceway to Wānaka.</p> <p>Meets PORPS and strategic direction set by the PDP.</p> <p>Development of the area would be enabled through the HDR provisions with this objective ensuring the unique character and the location at the entranceway of Wānaka is recognised.</p>

<b><i>Proposed Objective</i></b>	<b><i>Appropriateness</i></b>
<p>19A.1.1</p> <p><b>Objective - Large format retail and complimentary business and retail activities meet the needs of the community in a way that complements the function of the Wanaka Town Centre.</b></p>	<p>Supports the purpose of the RMA through enabling people and communities to provide for their social and economic well-being.</p> <p>The objective recognises and provides the basis for a policy framework to implement the Council's function required under s31 of the RMA.</p> <p>Providing for large format retail in Three Parks will contribute to the variety of commercial land available in Wānaka as sought in PORPS 2019 Policy 5.3.2 that addresses the distribution of commercial activities.</p> <p>The objective gives effect to the Strategic Direction, Urban Development objectives and policies identified in part 5 of this evaluation. SO 3.2.1.4 in particular directs that the key function of the commercial core is focused on large format retail development and SO 3.3.7 seeks that large format retail is enabled. The objective ensures the role of Wanaka Town Centre is recognised as set out in P3.3.3.</p>
<p>19A.1.2</p> <p><b>Objective – Large format retail, business and commercial activities provide a high quality urban centre with a strong sense of place.</b></p>	<p>Supports the purpose of the RMA through enabling people and communities to provide for their social and economic well-being.</p> <p>The objective recognises and provides the basis for a policy framework to implement the Council's function required under s31 of the RMA. In particular through integrated management of effects of the use and development of land.</p> <p>The objective is the most appropriate way to meet the purpose of the RMA because it assists the Council to promote sustainable management through the control of actual and potential effects.</p> <p>Implements PORPS 2019 4.5.3 in relation to urban design.</p>

<b><i>Proposed Objective</i></b>	<b><i>Appropriateness</i></b>
<p>Objective 27.3.15</p> <p><b>Subdivision of Three Parks is consistent with the Three Parks Structure Plan and achieves integrated development.</b></p>	<p>The objective is the most appropriate way to meet the RMA because it provides for sustainable management in terms of section 5(1) and (2) in particular managing the use, development, and protection of natural and physical resource in a way which enables people and communities to provide for their social, economic and cultural well-being and for their health and safety.</p> <p>The objective recognises and provides the basis for a policy framework to implement the Council's function required under s31 of the RMA.</p> <p>Continues the existing Structure Plan for Three Parks. The PDP contains a number of area specific provisions. The objective provides a consistent approach to these provisions.</p> <p>Consistent with Objective 3.2.21. the use of a structure plan would provide for a well-designed and integrated urban form.</p> <p>Gives effect to Objective 4.2.2A</p>

## 10. EVALUATION OF THE PROPOSED PROVISIONS SECTION 32(1)(B)

- 10.1. The following tables consider whether the proposed provisions are the most appropriate way to achieve the relevant objectives. In doing so, it considers the costs and benefits of the proposed provisions and whether they are effective and efficient. For the purposes of this evaluation the proposed provisions are grouped by the resource management issue.

***Variation to Chapter 9 High Density Residential***

**Addressed issues:**

**Issue 1:** How to provide for an integrated approach to the development of Three Parks using separate PDP plan provisions.

**Issue 2:** How to provide for mixed-use development within Three Parks through the PDP.

A summary of proposed provisions and components of the proposal that address this issue and give effect to the objectives:

**Objective 9.2.9**

9.2.9.1 Avoid buildings within the Building Restriction Area so as to:

a. minimise adverse effects of road noise on residential amenity; and

b. ensure the land adjacent to State Highway 84 be landscaped so as to provide a high amenity sense of arrival into Wanaka.

9.2.9.2 Ensure buildings are dispersed across the zone to provide integrated with high quality landscaping.

Matters addressed in rules:

- Entranceway to Wānaka
- Built form
- Low - site coverage and high landscaped/permeable surface coverage.

<b><i>Proposed Provisions</i></b>	<b><i>Costs</i></b>	<b><i>Benefits</i></b>	<b><i>Effectiveness &amp; Efficiency</i></b>
Objective 9.2.9 Policy 9.2.9.1 & Policy 9.2.9.1	Reduces the land available for development within this area.	The amenity of the entranceway into Wānaka is retained with an open character.	The provisions are effective at providing for amenity values at the entranceway to Wānaka by providing for low site coverage and landscaping requirements, whilst enabling development

<p>Rules 9.5.2 &amp; Rule 9.5.4 non-complying activity for breach to site coverage and building coverage standards.</p> <p>Rule 9.5.8.3 – 5m setback from Sir Tim Wallis Drive</p> <p>Rule 25.5.5 earthworks standard</p>		<p>Inappropriate development that could reduce the amenity are non-complying activities.</p> <p>Retains the character intended under the ODP without the cost of an Outline Development Plan.</p> <p>Additional height is provided to enable high density and multi-unit development in a close proximity to the Three Parks Commercial Zone, providing more living options.</p>	<p>that would provide for a range of residential and visitor accommodation development to establish.</p>
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***Variation to Chapter 16 Business Mixed Use Zone***

**Addressed issues:**

**Issue 1:** How to provide for an integrated approach to the development of Three Parks using separate PDP plan provisions.

**Issue 2:** How to provide for mixed use development within Three Parks through the PDP.

A summary of proposed provisions and components of the proposal that address this issue and give effect to the objectives:

Policy

16.2.1.4 For site adjoining Gorge Road in Queenstown and Sir Tim Wallis Drive in Three Parks Wānaka, discourage the establishment of high density residential and visitor accommodation activities at ground floor level, except where commercial and/or business activities continue to have primacy at the interface with the street.

<p>Rule 16.5.3.2</p> <p>Matters addressed in rules:</p> <ul style="list-style-type: none"> <li>- Ensure retail and commercial activities have primacy along the main street of Three Parks (Sir Tim Wallis Drive)</li> </ul>			
<b><i>Proposed Provisions</i></b>	<b><i>Costs</i></b>	<b><i>Benefits</i></b>	<b><i>Effectiveness &amp; Efficiency</i></b>
<p>Policy 16.2.1.4</p> <p>Rule 16.5.3.2</p>	<p>Limits opportunities for developments that intended only to provide for residential or visitor accommodation activities.</p>	<p>Provides for a greater street connection for retail and commercial activities that can contribute to a vibrant commercial area.</p> <p>Still enables residential and visitor accommodation development whilst ensuring good connection at the street frontage for development.</p>	<p>The provisions provide a means to ensure appropriate activities are located along the main street of Three Parks.</p>

<p><b><i>Chapter 19A Three Parks Commercial</i></b></p> <p><b>Addressed issues:</b></p> <p><b>Issue 1:</b> How to provide for an integrated approach to the development of Three Parks using separate PDP plan provisions</p> <p><b>Issue 2:</b> How to provide for mixed use development within Three Parks through the PDP</p> <p>A summary of proposed provisions and components of the proposal that address this issue and give effect to the objectives:</p>
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**Objectives 19A.2.1 & 19A.2.2**

**Policies:**

- 19A.1.2.1 Provide for large format retail that supports and complements the role and function of the Wanaka Town Centre as Wānaka’s key commercial, civic and cultural centre.
- 19A.1.2.2 Restrict the establishment of individual retail activities which occupy less than 500m<sup>2</sup> of GFA, recognising that these activities are provided for in the Wānaka Town Centre Zone and the Business Mixed Use Zone.
- 19A.1.2.3 Restrict residential and visitor accommodation developments that could undermine the local service function of the Three Parks Commercial centre.
- 19A.1.2.4 Avoid activities that cause noxious effects or that would limit opportunities to realise or maintain large format retail activities.
- 19A.1.2.5 Ensure individual retail activities which occupy less than 500m<sup>2</sup> of GFA do not compromise the viability of the Zone, and support its key function, which is to provide for large format retail activities.
- 19A.2.2.1 Encourage high quality well-designed buildings that individually and collectively contribute to a high quality urban area.
- 19A.2.2.2 Ensure that development is people-orientated through the creation of shared spaces.
- 19A.2.2.3 Ensure that building designs contribute positively to the visual quality, vitality, safety and interest of streets and public spaces by providing active and articulated building frontages, avoid expanses of blank wall fronting public spaces and reduce adverse visual effects of large format retail buildings.

Matters addressed in rules:

- Large Format Retail activities are provided for in Three Parks.
- Protects Wānaka town centre restriction of smaller format retail.
- Restrict visitor accommodation and residential activities through a non-complying activity status.
- Avoids activities with noxious effects.
- Quality urban design through activity standards.

<i>Proposed Provisions</i>	<i>Costs</i>	<i>Benefits</i>	<i>Effectiveness &amp; Efficiency</i>
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<ul style="list-style-type: none"> <li>- Large Format Retail activities are provided for in Three Parks.</li> <li>- Protects Wānaka town centre restriction of smaller format retail.</li> </ul> <p>Policies 19A.1.1.1, 19A.1.1.2, and 19A.1.1.5</p> <p>Rules 19A.4.1, 19A.4.2, 19A.4.3 as permitted activities.</p> <p>Rule 19A.4.6 for retail activities with a GFA of less than 500m<sup>2</sup> as a discretionary activity.</p>	<p>The provisions provide for a range of retail activities that may have potential to impact on the vibrancy and viability of Wānaka Town Centre.</p> <p>Limits would restrict opportunities to establish a wider variety of businesses.</p>	<p>The provisions would enable a diversity of commercial land use including large format retail within Wānaka, where there is limited other areas for these activities to establish. The options this provides would benefit businesses and community.</p> <p>Providing an area for these activities would help avoid these activities locating in inappropriate areas.</p> <p>Will contribute to employment opportunities within close proximity to residential areas.</p> <p>Restricting development to smaller format retail would limit the extent that these types of activities can establish and limit potential adverse effects on the viability of Wānaka Town Centre.</p>	<p>The policies are effective in achieving the objectives by providing for retail and commercial activities.</p> <p>The approach to permitted activities is consistent with the PDP.</p> <p>Reducing flexibility within the zone could reduce land values. However, potential for reverse sensitivity effects could equally impact on the viability of the area to enable large format retail and related services.</p>
<ul style="list-style-type: none"> <li>- Restrict visitor accommodation and residential activities through a non-complying activity status.</li> </ul> <p>Objective 19A.2.1</p>	<p>Reducing flexibility within the zone could reduce land values. However, potential for reverse sensitivity effects could equally impact on the viability of the area</p>	<p>Reduces potential for competing land uses that can change the function of Three Parks Commercial centre from a service function to a residential or visitor centre</p>	<p>Provides for a high degree of certainty by making unanticipated activities non-complying.</p>

<p>Policy 19A.1.2.2</p> <p>Rule 19A.4.9 &amp; 19A.4.10 as non-complying activities</p>	<p>to enable large format retail and related services.</p>	<p>which would provide less certainty and could lead to reverse sensitivity effects.</p>	
<p>- Avoids activities with noxious effects.</p> <p>Objective 19A.2.1</p> <p>Policy 19A.2.1.4</p> <p>Rules 19A.4.12-19A.4.15 as prohibited activities</p>	<p>Imposes opportunity costs associated with not being able to undertake industrial and service activities that could seek to establish in the zone.</p> <p>Non-complying activities.</p>	<p>Prevents activities that could result in competing land uses.</p> <p>Management of environmental effects through avoidance of activities that could provide noxious effects.</p> <p>Limits reverse sensitivity issues by restricting land uses that are more sensitive.</p> <p>Prohibiting activities where it is evident that there are no circumstances in which a consent should be granted ensures these will not occur provides more certainty than a non-complying activity.</p>	<p>Simplifies the existing framework.</p> <p>The provisions enable retail and commercial activities.</p> <p>Provides for a high degree of certainty through prohibiting inappropriate activities.</p>
<p>- Quality urban design</p> <p>Objective 19A.2.2</p> <p>Policies 19A.2.2.1-19A2.2.9</p>	<p>May contribute to higher immediate costs for development.</p> <p>Costs associated with resource consent process and meeting requirements that seek to develop the</p>	<p>The provisions would help ensure that a quality urban built environment is encouraged through the consent process.</p> <p>Quality urban environments can positively contribute to</p>	<p>Amenity is protected by standards including maximum coverage and height in relation to boundary as well as retaining and refining the operative standards including maximum height and setbacks.</p>

<p>Rules 19A.4.4 Buildings as restricted discretionary activity.</p> <p>Rules 19A.5.1-19A.5.4 sets activity standards.</p>	<p>zone as per the objectives and policies.</p>	<p>economic and social wellbeing for current and future generations.</p>	
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**Issue 3:** The use of Structure Plan and Outline Development Plans as a spatial layout tool within Three Parks.

A summary of proposed provisions and components of the proposal that address this issue and give effect to the objectives:

**Objective 9.5.**

**Policy 9.2.9.1(b)**

**Objective 27.3.15**

**Policies:**

- 27.3.15.1 Ensure the provision of open spaces that are suitable for the whole community and that are located in safe and accessible areas.
- 27.3.15.2 Protect the character and amenity of the entrance to Wānaka through a Building Restriction Area along SH84.
- 27.3.15.3 Require integration of the Building Restriction Areas for developments within the High Density Residential Zone in Three Parks Wānaka and require high quality landscaping as part of development.
- 27.3.15.4 Develop an interconnected network of streets, footpaths, walkways and open space linkages that facilitate a safe, attractive and pleasant walking, cycling and driving environment.
- 27.3.15.5 Require the Three Parks Commercial Zone to include a public square that is greater than 900m<sup>2</sup>.
- 27.3.15.6 Recognise that relocation of fixed or collector roads may significantly affect the integrity of the Three Parks Structure Plan and any relocation should be restricted to;
  - a. no greater than 20m for any fixed road shown on the Three Parks Structure Plan; and
  - b. no more than 50m from any collector road location shown on the Three Parks Structure Plan.
- 27.3.15.7 Encourage subdivision design to ensure that sites front the road and restrict the creation of rear sites as follows;
  - a. no rear sites within a Medium Density Residential Zone contained within the Three Parks Structure Plan; and
  - b. no greater than 10% rear sites within all other zones within the Three Parks Structure Plan.

Matters addressed in rules:			
<ul style="list-style-type: none"> <li>- open space area are secured through the use of Building Restriction areas</li> <li>- transport routes and connections</li> <li>- subdivision in HDR</li> </ul>			
<b><i>Proposed Provisions</i></b>	<b><i>Costs</i></b>	<b><i>Benefits</i></b>	<b><i>Effectiveness &amp; Efficiency</i></b>
<ul style="list-style-type: none"> <li>- open space area are secured through the use of Building Restriction areas Areas (BRA)</li> </ul> <p>Objective 27.3.15</p> <p>Policies 27.3.15.1-27.3.15.3</p>	<p>Cost to developer as the BRA would restrict development in these areas.</p>	<p>Removes cost associated with resource consent process for outline development plans.</p> <p>Provides for areas free of built form that can contribute to a good urban form.</p>	<p>Simplifies the existing framework.</p> <p>The provisions will provide certainty through clearly showing the BRA areas.</p>
<ul style="list-style-type: none"> <li>- transport routes and connections</li> </ul> <p>Rule 27.7.17.1 subdivision as a restricted discretionary activity, including consistency with the Three Parks Structure Plan</p> <p>Rule 27.7.17.3 non-compliance with the structure plan</p> <p>Schedule 27.13 Structure Plan</p>	<p>Potential cost to the developer where specific designs would be required as part of subdivision that may be declined, rather than the general layout being considered through an outline development plan.</p>	<p>Structure Plan secures important transport routes and connections in keeping with the existing structure plan.</p> <p>Benefits through promotion of connections within and between areas.</p>	<p>Simplifies the existing framework.</p> <p>The proposed policy will be effective at providing an adequate level of detail to assist the assessment process.</p>

<p>- Subdivision in HDR</p> <p>Objective 27.3.15</p> <p>Policies 27.</p> <p>Rule 27.7.17.2 as a discretionary activity.</p>	<p>Cost to the subdivider where there may be uncertainty due to the Council having unlimited discretion.</p> <p>Uncertainty through no minimum lots size.</p>	<p>Less obligation to adhere to prescribed matters of control or discretion.</p> <p>Removal of the outline development process would streamline the consenting process.</p> <p>No minimum lot size provides for subdivision design that can respond to the particular character in terms of site coverage and landscaping requirements that are particular to this area.</p>	<p>The rule will be effective at encouraging good quality subdivision design with regard to the specific character and location of this area at the entranceway to Wānaka.</p>
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## **11. EFFICIENCY AND EFFECTIVENESS OF THE PROVISIONS**

- 11.1. The proposed provisions strike an appropriate balance to achieve the integrated management of the effects of the use, development, or protection of land and associated natural and physical resources of the district. In doing so, the proposed provisions are more appropriate than the alternatives considered.

## **12. THE RISK OF NOT ACTING**

- 12.1. Section 32(c) of the RMA requires an assessment of the risk of acting or not acting if there is uncertain or insufficient information about the subject matter of the provisions. It is not considered that there is uncertain or insufficient information about the subject matter of the provisions.
- 12.2. The issues identified and options taken forward are the most appropriate way to achieve the purpose of the RMA. If these changes were not made there is a risk the District Plan would fall short of fulfilling its functions.

## Appendix A

## **APPENDIX A**

### **QLDC PDP INDEPENDENT HEARINGS PANEL REZONING PRINCIPLES**

Decisions on Stage 1 and 2 of the PDP have included the development of a suite of recommended rezoning principles and factors. These have guided decision making for rezoning of the PDP to date and are considered an appropriate consideration for any proposal for rezoning.

They principles are as follows<sup>1</sup>:

- a. Whether the change implements the purpose of the PDP Strategic Direction, Urban Development and Landscape Chapters;
- b. The overall impact of the rezoning gives effect to the ORPS and the PRPS;
- c. Whether the objectives and policies of the proposed zone can be implemented on land;
- d. Economic costs and benefits are considered;
- e. Changes to the zone boundaries are consistent with the maps in the PDP that indicate additional overlays or constraints (e.g., Airport Obstacle Limitation Surfaces, SNA's, Building Restriction Areas, ONL/ONF);
- f. Changes should take into account the location and environmental features of the site (e.g., the existing and consented environment, existing buildings, significant features and infrastructure);
- g. Zone changes are not inconsistent with long term planning for the provision of infrastructure and its capacity;
- h. Zone changes take into account effects on the environment of providing infrastructure onsite;
- i. There is adequate separation between incompatible land uses;
- j. Rezoning in lieu of resource consent approvals, where a portion of the site has capacity to absorb development does not necessarily mean another zone is more appropriate; and
- k. Zoning is not determined by existing use rights, but these will be taken into account.

#### Other Factors:

Context of a site or geographic area.

Relevant local context factors include:

- a. The layout of streets and location of public open space and community facilities;
- b. Land with physical challenges such as steep topography, poor ground conditions, instability or natural hazards;
- c. Accessibility to centres and the multiple benefits of providing for intensification on locations with each access to centres; and
- d. The ability of the environment to absorb development.

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<sup>1</sup> Para 134 Report 17.1 Report and Recommendations of Independent Commissioners Regarding Queenstown (other than Wakatipu Basin) Planning Maps