

BEFORE THE QUEENSTOWN LAKES DISTRICT COUNCIL

IN THE MATTER

of the Resource Management Act 1991

AND

IN THE MATTER OF

Queenstown Lakes Proposed District Plan –
Chapter 13 – Wanaka Town Centre Zone and
Chapter 15 – Local Shopping Centre Zone

**STATEMENT OF EVIDENCE OF IAN GREAVES
ON BEHALF THE FOLLOWING SUBMITTERS:**

240 – Gem Lake Limited

622 – Stuart and Melanie Pinfold and Satomi Enterprises Limited

18 November 2016

Introduction

- 1 My name is Ian Christopher Greaves. I hold the qualification of Bachelor of Applied Science (Environmental Management (Hons)) from the University of Otago. I am a full member of the New Zealand Planning Institute.
- 2 I hold the position of Resource Management Consultant at Southern Planning Group. I have over ten years' experience as a planner in roles with Southern Planning Group, Queenstown Lakes District Council, the Environment Agency (UK) and Opus International Consultants (NZ). This experience includes over six years based as a planner in Wanaka.
- 3 Throughout my professional career, I have been involved in a range of resource consent and policy matters. I have made numerous appearances in front of hearing panels and I have also given evidence in the Environment Court.
- 4 I have read the Code of Conduct for Expert Witnesses outlined in the Environment Court's Consolidated Practice Note and have complied with it in preparing this evidence. I have read the Section 32 report and the Section 42A reports prepared by the Council officers with respect to the Wanaka Town Centre Zone and Local Shopping Centre Zone of the Proposed District Plan ("PDP"). I have considered the facts, opinions and analysis in this documentation when forming my opinions which are expressed in this evidence.

Scope of Evidence

Chapter 13 – Wanaka Town Centre Zone

- 5 I have been engaged by Gem Lake Limited (#240) to provide expert planning evidence on the proposed Wanaka Town Centre Zone and in particular the issue of building height.
- 6 Gem Lake Limited own 28 Helwick Street (the old Wanaka Police Station site) and plan to redevelop this site over the coming years.
- 7 The key matters to be addressed in this evidence are:

- The location and extent of the Wanaka Town Centre Height Precinct
 - The efficiency and effectiveness of Rule 13.5.8 that specifies a maximum building height of 8m to an eave line and 10m to a ridge line.
- 8 Gem Lake Limited primary submission opposed the Wanaka Town Centre objectives, policies and rules that inform and support Rule 13.5.8 and 13.5.9 in relation to maximum building height. Gem Lake Limited seek that the proposed Wanaka Town Centre Height Precinct is expanded to include the Wanaka Town Centre Zone of Helwick Street (sites on both sides of this road). This evidence will also discuss changes to Rule 13.5.8.

Chapter 15 – The Local Shopping Centre Zone

- 9 I have also been engaged by Stuart and Melanie Pinfold and Satomi Enterprises Limited (#622) to provide expert planning evidence on the proposed Local Shopping Centre Zone (LSCZ) and in particular the proposed Cardrona Valley Road LSCZ and potential effects this zone will have on the submitters' properties.
- 10 My brief of evidence provides comment on a suitable setback distance and height control between the LSCZ and the submitters' properties.
- 11 My brief of evidence is set out as follows:
- Higher Order PDP Provisions
 - Chapter 13 – Wanaka Town Centre Zone
 - The Existing Wanaka Town Centre
 - The Proposed Wanaka Town Centre Height Precinct
 - Rule 13.5.8 – Building Height
 - Chapter 15 – Local Shopping Centre Zone
 - The PDP Objectives and Policies
 - Rule 15.5.1 – Building Coverage
 - Rule 15.5.2(a) and (b) – Setbacks and Sunlight Access
 - The relevant Resource Management Act 1991 (**Act**) considerations
 - Summary of my opinions.

Higher Order PDP Provisions

- 12 Before embarking on an evaluation of the Wanaka Town Centre Zone and the Local Shopping Centre Zone it is important to consider the provisions of the Strategic Direction chapter of the PDP.
- 13 The Strategic Direction Chapter encourages a planning framework for the Queenstown and Wanaka central business areas that enables quality development and enhancement of the centres as the key commercial hubs of the District. This chapter also promotes growth in the visitor industry and encourage investment in lifting the scope and quality of attractions, facilities and services within the Queenstown and Wanaka central business areas. This chapter encourages a wide variety of activities and sufficient capacity within the commercial areas to accommodate business growth and diversification. A built environment is also encouraged that ensures our urban areas are desirable and safe places to live, work and play.
- 14 I support the rationale and intent of these higher order provisions in terms of promoting growth and appropriate development within the District's key commercial centres. The application of height limits is an important outcome in terms of achieving this outcome. As will be discussed below setting an appropriate height limit will facilitate positive building and streetscape design and therefore promoting a positive contribution to the character and vitality of the Wanaka Town Centre.
- 15 Furthermore, the interface between commercial areas and residential activities is an important part of ensuring the District's urban areas are a desirable and safe places to live, work and play. This issue will be discussed in this evidence within the context of the Local Shopping Centre Zone.

Chapter 13 – Wanaka Town Centre Zone

The Existing Wanaka Town Centre

- 16 The Wanaka Town Centre is a compact commercial area characterised by low built form of one to two storeys and occasional buildings of three storeys. The town centre fronts onto Lake Wanaka with unparalleled views of the lake and

surrounding mountainous landscape. The existing built form is a mix of older style buildings and newer buildings that are simple forms using local materials such as stone and unpainted timber.

17 Helwick Street is the main retail strip of the town centre with a number of boutique clothing and art stores. Helwick Street provides an important gateway into the Wanaka Town Centre and focal view shaft from the top end of the Town Centre (adjoining Brownston Street) towards Lake Wanaka. The built form on Helwick Street consists of both single storey and double storey buildings that differ in age and appearance.

The Wanaka Town Centre Height Precinct

18 Building height in the Wanaka Town Centre is controlled by Rule 13.5.8 of the PDP that specifies a maximum building height of 8m to an eave line and 10m to a ridge line. In addition to this Rule 13.5.9 allows for a greater height limit of 12m to an eave and 14m to a ridgeline in the proposed Wanaka Town Centre Height Precinct. The PDP Map 21 sets out the Wanaka Town Centre Height Precinct which includes the lakefront along Ardmore Street, Dungarvon Street and the block bounded by Ardmore Street, Dunmore Street, Dungarvon Street and Helwick Street.

19 Rules 13.5.8 and 13.5.9 give effect to the following objectives and policies of Chapter 13:

13.2.3 Objective – *Wanaka town centre retains a low scale built form that maintains a human scale.*

Policies

13.2.3.1 – *Ensure that development generally comprises a scale of two to three storeys, with potential to develop a recessed fourth storey in the Wanaka Height Precinct.*

13.2.3.2 – *Provide for consideration of minor height infringements where they help achieve higher quality design outcomes and do not significantly adversely affect amenity values.*

- 20 Overall, I am supportive of objective 13.2.3 and policy 13.2.3.1. I see the importance in maintaining appropriate built form scales to protect the character and style of the Wanaka Town Centre. I do see some problems with policy 13.2.3.2 that I will discuss in more detail in the following section.
- 21 In my view Council have provided very little (if any) analysis within the Section 32 Assessment and the Section 42A report of the rationale for the location and extent of the Wanaka Height Precinct. Within these reports there is limited analysis on why the proposed height precinct area was chosen. Whilst I support the basis of enabling great height within the Wanaka Town Centre to support greater development opportunities and better design outcomes I think it is important that the location and extent of the Wanaka Height Precinct is given further consideration.
- 22 Mr Timothy Church an urban designer contracted to Council has addressed Gem Lake's submission and concluded that the lower part of Helwick Street should be included within the Wanaka Height Precinct to match the southern side of the street. At this stage Mr Church does not support Gem Lake's submission for this area to be expanded to the top end of Helwick Street (both sides of this road) to incentives the consolidation of the town centre redevelopment in the block close to the Lake and Pembroke Park.
- 23 I agree with Mr Church in his view that Helwick Street does act, and will to a greater degree in the future, as a gateway to the Wanaka Town Centre and the Lakefront. I believe Ardmore Street and particular the Lakefront edge of Ardmore Street over time will become less of a through road with cars that travel through the Wanaka Town Centre using Brownston Street rather than Ardmore Street. This is highlighted with some of the recent Lakefront Re-development Plans produced by QLDC with emphasis placed on reducing traffic along Ardmore Street and closing the gap between the town centre and the Lakefront.
- 24 Helwick Street acting as an important gateway into the Wanaka Town Centre and as the town's 'central' retail space in my view provides a rationale for its inclusion in the Wanaka Height Precinct. By enabling buildings of three storeys and in some cases four storeys along Helwick Street overtime will provide greater emphasis of the street hierarchy within the Wanaka Town Centre by better

defining Helwick Street as the central retail space and making this area more legible. It will strengthen the view shaft down Helwick Street emphasising its gateway into the town centre and strengthening the town centres link to the Lakefront. Ultimately as taller buildings begin to develop along Helwick Street it will naturally define this street as a central part of Wanaka.

25 Ms Louise Wright has been engaged by Gem Lake Ltd to provide architectural design advice on future building design for 28 Helwick Street and the wider application of the proposed height rules under the PDP. Ms Wright outlines that different height limits within a town centre can confuse the town hierarchy and lead to developments of varying quality. Ms Wright's view is that with the proposed Height Precinct (and resulting hierarchy), that buildings on Dungarvon and Ardmore Streets will appear to have greater importance and development potential than the rest of the town centre (including Helwick Street as the retail hub). Ms Wright supports the inclusion of Helwick Street within the Wanaka Height Precinct to support a consistent height control along its length and its importance as the main retail street and gateway into the Wanaka Town Centre. Ms Wright also opines that the Height Precinct should also apply across whole blocks. As a consequence (and if there is scope) there may be benefit to extend Height Precinct to include the town centre block between Brownston Street, Dungarvon, Dunmore and Helwick Streets to afford a consistent town edge treatment.

26 Ms Wright's evidence also discusses potential effects in terms of shadowing as a result of increased building height limits along Helwick Street. Shading diagrams have been prepared that confirms there will be limited difference in shadowing effects between a lower limit of 8 – 10m verse 12 – 14m.

27 In terms of effects on views and outlook, higher building will undoubtedly result in some reduction in views of the surrounding mountainous landscape from certain locations. However, the extent of this effect in my opinion will not be significant in the context of commercial centre and a District Plan that encourages investment in lifting the scope and the quality and attractiveness of buildings within the central business areas. View shafts through the Town Centre and unparalleled views from the Wanaka Lakefront will be maintained.

28 I also think it is important to recognise that there will not be immediate uptake of any increased building height limit and this will roll out slowly as sites redevelop. I

believe it is important the PDP allows quality development outcomes in the Town Centre that will outlive the PDP and responds to Wanaka's character and sense of place.

29 Overall, as outlined above I believe there is a strong rationale to include Helwick Street within the Wanaka Height Precinct. In my view this outcome aligns with the key principles and provisions of both the Strategic Direction and Wanaka Town Centre Chapters of the PDP. In particular Objective 3.2.1.1 and policies 3.2.1.1.1 and 3.2.1.1.3 of the Strategic Direction Chapter that encourages a planning framework that enables quality development and enhancement of the districts commercial centres as the key commercial hubs of the District. I also consider this change aligns with Objective 13.2.4 and associated policies where new developments are encouraged to achieve high quality urban design outcome that respond to the town's built character and sense of place.

Proposed Height Rule 13.5.8

30 I would also like to briefly address Rule 13.5.8 for further consideration by the Hearings Panel. Policy 13.2.3.1 states – *Ensure that development generally comprises a scale of two to three storeys, with potential to develop a recessed fourth storey in the Wanaka Height Precinct.* Rule 13.5.8 gives effect to this policy by specifying a maximum building height of 8m to an eave line and 10m to a ridge line. In consideration of the design evidence by Ms Wright in my view Rule 13.5.8 does not effectively or efficiently achieve good three storey design outcomes and therefore in my view fails to effectively achieve this policy and those encouraging good design outcomes with this zone. As a result of the expert information and analysis by Ms Wright, I opine that a general maximum height limit of 12m to the ridge line and 10m to an eave for all buildings in the Wanaka Town Centre Zone is more appropriate with a further restriction that buildings should not exceed three storeys.

31 Ms Wright's evidence discusses in some detail the building heights required to support quality two, three and four storey commercial buildings. Ms Wright opines that the proposed height controls for the town centre (excluding proposed Height Precinct) can support a quality two storey building, or a lesser quality 3 storey building. Therefore, enabling buildings to build to 10m height limit (8m to the eave line) can in a constrained manner fit the construction of a three storey building

with either a flat roof or a basic mono pitch and constrained internal floor spaces. Essentially, the potential result of the notified 10m height limit is essentially a box shaped development with a flat roof because the proposed 10m height limit does not afford sufficient ability for articulation of the roof form and floor levels with low and inefficient ceiling heights. The potential consequence of this is a poorly designed building to achieve three storeys within the 8 – 10m height limit.

- 32 There is recognition in both the Section 32 report and Section 42a report that town centre buildings exceeding the proposed 10m maximum height limit are often appropriate subject to good design outcomes. I agree with this position. I am aware through my involvement with various developments in the Wanaka Town Centre Zone that height breaches are often looked upon favourably by the Wanaka Urban Design Plan and QLDC consent planners subject to good design. This raises questions with regards to the non-complying status of Rule 13.5.8 and its relationship to policy 13.2.3.2 that states – *provide for consideration of minor height infringements where they help achieve higher quality design outcomes and do not significantly adversely affect amenity values*. In my view a non-complying consent status for a building height breach on the basis of this policy wording is not efficient or effective.
- 33 In my view policy 13.2.3.2 should be deleted, Rule 13.5.8 should be amended to a building height of 12m to the ridge line and 10m to the eave line and be restricted to building no higher than three storeys with the rules non-complying status retained. This will provide an appropriate building envelope to achieve good three storey building design outcomes, with appropriate roof articulation and internal floor heights outside of the Wanaka Height Precinct without the significant hurdle of a non-complying consent status. In my view this change will better achieve the intention of Policy 13.2.3.1. It is also relevant to note that this would not result in uncontrolled three storey building outcomes as all buildings will still be subject to a restricted discretionary activity consent (Rule 13.4.4) with the key consideration being good urban design outcomes. Consideration of Objective 13.2.4 and associated policies will be paramount to this assessment process.

Chapter 15 – Local Shopping Centre Zone

34 The key issue to be addressed within this part of my evidence is "amenity", in particular the need for an appropriate buffer distance between development within the Proposed Cardrona Valley Road LSCZ and Stuart and Melanie Pinfold and Satomi Enterprises Limited (the submitters') properties legally described as Lot 1 DP 301095 and Lot 2 DP 301085. Figure 1 depicts the location of the submitters' properties relevant to the proposed Cardrona Valley Road LSCZ.

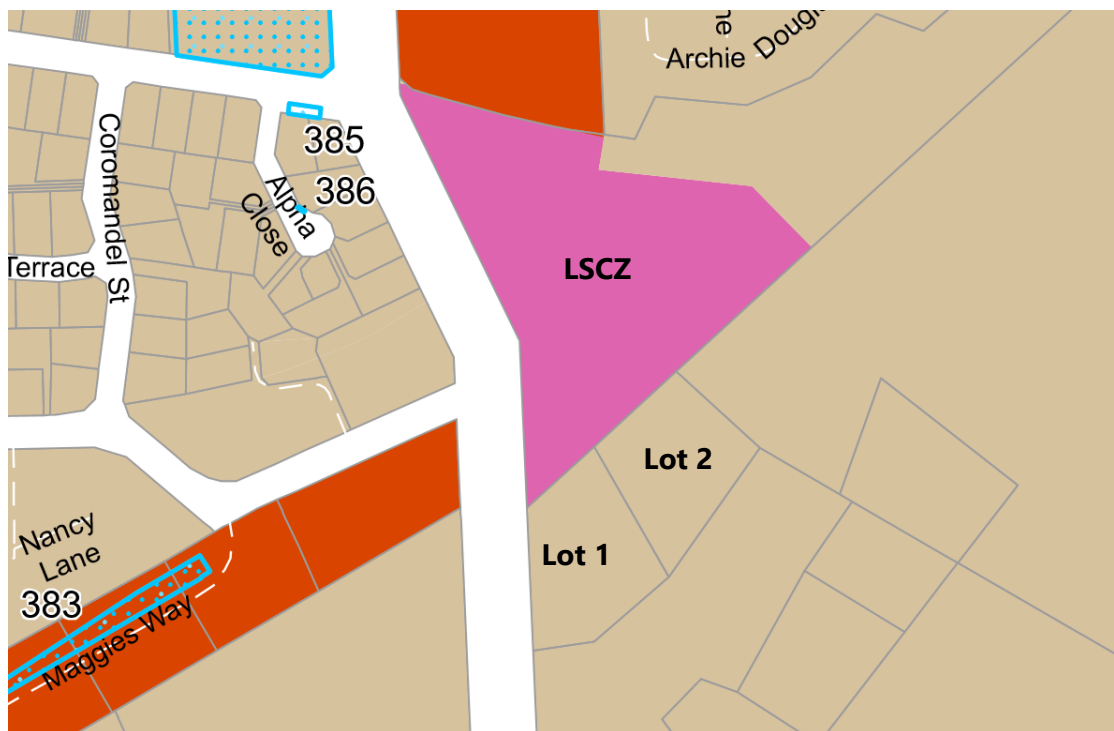


Figure 1: Site Location Plan

PDP Objective and Policies

35 The Section 32 report identifies the relevant issues for the LSCZ and "amenity" is included in the list of issues. The PDP describes the purpose of the LCSZ as enabling small scale commercial and business activities that are accessible to residential areas. The zone purpose specifically references the use of zone standards limiting the potential adverse effects on residential amenity and discouraging the establishment of inappropriate activities.

36 The key PDP planning provisions that relate to the above issue are:

Chapter 3 - Strategic Direction Chapter

3.2.3 Goal - A quality built environment taking into account the character of individual communities

3.2.3.1 Objective - Achieve a built environment that ensures our urban areas are desirable and safeplaces to live, work and play.

3.2.3.1.1 Policy – Ensure development responds to the character of its site, the street, open space and surrounding area, whilst acknowledging the necessity of increased densities and some change in character in certain locations.

Chapter 15 - Local Shopping Centre Chapter

15.2.2 Objective – Buildings respond to the existing character, quality and amenity values of their neighbourhood setting.

Policies -

15.2.2.1 - Control the height, scale, appearance and location of buildings in order to achieve a built form that complements the existing patterns of development and is consistent with established amenity values.

15.2.2.2 - Ensure that development generally comprises a scale that is commensurate with the receiving built environment.

15.2.2.3 - Provide for consideration of minor height infringements where they help achieve higher quality design outcomes and do not significantly adversely affect amenity values.

15.2.2.4 - Place specific controls on the bulk and location of buildings on sites adjoining Residential zoned properties to ensure that an appropriate standard of residential amenity is maintained.

15.2.2.5 - Control the design and appearance of verandas so they integrate well with the buildings they are attached to complement the overall streetscape and

do not interfere with kerbside movements of high-sided vehicles, while providing appropriate cover for pedestrians.

15.2.2.6 - Ensure that outdoor storage areas are appropriately located and screened to limit any adverse visual effects and to be consistent with established amenity value

15.2.3 Objective – Appropriate limits are placed on activities to minimise adverse environmental effects received both within and beyond the zone.

Policies-

15.2.3.1 - Provide appropriate noise limits to control adverse noise effects generated by activities occurring within the Local Shopping Centre Zone and received by nearby properties.

15.2.3.2 - Require acoustic insulation for critical listening environments (including residential activities and visitor accommodation) to limit the impact of noise generated within the Zone on occupants.

15.2.3.3 - Ensure that the location and direction of lights does not cause significant glare to other properties, roads, and public places and promote lighting design that mitigates adverse effects on the night sky.

15.2.3.4 - Avoid the establishment of activities that are not consistent with established amenity values, cause inappropriate environmental effects, or are more appropriately located in other zones.

37 Overall, I am supportive of these provisions and believe subject to two amendments (addressed below) they provide an appropriate framework to ensure development within the LSCZ will protect the character, quality and amenity values of adjoining properties. I suggest two minor changes to policies 15.2.2.4 and 15.2.2.6. The first change is to policy 15.2.2.4 to recognise that adjoining sites and nearby properties may not be zoned residential, the term 'residential activities' rather than "residential zoned properties" is therefore more appropriate. For example the submitters' properties are zoned Rural General under the ODP. The following amendment is suggested:

15.2.2.4 - Place specific controls on the bulk and location of buildings on sites adjoining ~~Residential zoned properties~~ residential activities to ensure that an appropriate standard of residential amenity is maintained.

38 I also consider that policy 15.2.2.6 should be amended to include 'car parks'. Car parks have the potential to result in adverse visual and amenity activities for adjoining residential properties The following amendment is suggested:

15.2.2.6 - Ensure that outdoor storage areas and car parks are appropriately located and screened to limit any adverse visual effects and to be consistent with established amenity value

Local Shopping Centre Zone Rules

39 In order to give effect to the objectives and associated policies of the LSCZ noted above I believe amendments to the following rules of the LSCZ are required:

- Rule 15.5.1 – Building Coverage
- Rule 15.5.2 (a) and (b) Setbacks and Sunlight Access

Rule 15.5.1 – Building Coverage

40 Whilst I have no particular concern with a specified maximum building coverage of 75% or the rule's restricted discretionary activity status I believe the matters of discretion are inadequate. In my opinion a development proposal that exceeds 75% building coverage has the potential to result in adverse effects beyond the quality of the streetscape and outdoor storage requirements (these are the matters Council has currently reserved control to). Exceeding 75% building coverage has the potential to result in adverse shadowing, dominance, views, outlook and privacy effects. I therefore believe Rule 15.5.1 should be reworded as follows:

Building Coverage

Maximum building coverage - 75%.

*Discretion is restricted to consideration of all of the following:

- The effects on the quality of the overall streetscape; and
- The ability to meet outdoor storage requirements.
- Impacts on adjoining properties in respect of privacy and overlooking
Impacts on views from adjoining properties
- Impacts on adjoining properties in respect of dominance
- Access to sunlight and impacts of shading

Assessment matters could also be included to give greater guidance and more certainty in respect of these matters.

41 It is also my opinion given the potential effects outlined above that a breach in building coverage should be removed from the non-notified provisions under Rule 15.6.2 and included under Rule 15.6.3. This would allow limited notification on neighbours. Effects such as shadowing, dominance, views and outlook and privacy can all significantly impinge on the amenity of a neighbouring property and those persons should be afforded the opportunity to be involved in any resource consent process.

Rule 15.5.2 (a) and (b) – Setbacks and Sunlight Access

42 In my opinion proposed Rule 15.5.2 (a) and (b) which set a 35 degree recession plane and 3m boundary setback for buildings from residential properties does not adequately give effect to the objectives and associated policies of the LSCZ in the context of the Cardrona Valley Road LSCZ and its receiving environment. There is a disconnect between the policies and rules in this respect and I believe the interface between the Cardrona Valley Road LSCZ and the residential sites to the south requires further attention.

43 Policies 15.2.2.1, 15.2.2.2 and 15.2.2.4 are particularly relevant in respect of this matter. They promote commercial development outcomes in the LSCZ that:

- *'complements the existing patterns of development and is consistent with established amenity values;*
- *comprises a scale that is commensurate with the receiving built environment.*
- *ensure that an appropriate standard of residential amenity is maintained'.*

- 44 The s42A report addresses submission #622 by comparing the bulk and location controls of the LSCZ to the Low Density Residential Zone and then uses the comparison as justification for rejecting this submission. I think this comparison is flawed for two reasons.
- 45 The first reason is that part of the receiving environment and in particular the submitters' properties and those adjoining areas within 'Heritage Park' are currently zoned Rural General. Although proposed to be zoned Low Density Residential they do not represent a typical Low Density Residential receiving environment.
- 46 Heritage Park is lifestyle lots set within a park like setting. It is best defined by its large lots (Lot 1 and Lot 2 owned by the submitter are 0.66ha and 0.63ha receptively) and a spacious relationship between dwellings, their landscape setting and their outlook. There are consent notice restrictions and private land covenants that restrict further subdivision and the number of dwellings per lot to one single private dwelling. Therefore, the nature and scale of the receiving environment is significantly different from a 'typical' Low Density Residential environment where you could expect residential dwellings at 1 per 450m² of land area. In my opinion providing commercial built development at a 3m setback from Lot 1 DP 301095 and Lot 2 DP 301085 with no restriction on building length does not complement the existing pattern of development in this area, nor is it commensurate with the scale of the receiving built environment and nor does it ensure that an appropriate standard of residential amenity is maintained (discussed further below).
- 47 The second reason I believe the comparison is flawed is there is considerable difference in effects between commercial buildings and their use compared to residential and visitor accommodation buildings and activities. Commercial buildings and their associated activities result in a character and amenity that is significantly different to that anticipated in a controlled residential/visitor accommodation environment.
- 48 Commercial use tends to result in a much busier environment with an increase in the number of people that visit the site, including increased vehicle movements when compared to a residential baseline. The nature of built form outcomes are

also significantly different with commercial development tending to result in much bulkier and dominant buildings compared to a residential dwelling.

49 The proposed LSCZ on Cardrona Valley Road as it stands potentially results in one or a number of commercial buildings 3m from the northern boundaries of Lots 1 and 2 (owned by the submitter) for their full boundary length of approximately 120m combined. In my opinion this scenario will create a range of effects on the adjoining sites through the loss of privacy and views and outlook and building dominance, lighting and noise effects. There are also a range of commercial activities that could establish within this zone as a permitted activities (Rule 15.4.1). For example, a service station is permitted in this zone and without an appropriate setback from the submitters' properties the adverse amenity effects on the submitters' could potentially be significant. Furthermore, there are no provisions preventing roading or car parking being positioned right up to the submitters boundaries although the dwellings of the submitters' properties are setback from their northern boundaries both properties have outdoor areas to the north that would be affected.

50 Whilst I am aware that the extent of the Cardrona Valley Road LSCZ is not being considered in this hearing the scale of the proposed zone exacerbates the potential effects on the submitters' properties. The Section 32 assessment and justification for the size and extent of the Cardrona Valley Road LSCZ in my opinion is light. The proposed LSCZ at Cardrona Valley Road will provide 2.7 hectares of land for a range of commercial uses. Broadly speaking this area has the potential to house a vast array of commercial buildings and uses. I have compared the size of this zone with the Wanaka Town Centre (14ha approximately) and Anderson Heights Business Zone (10ha approximately). The size of the zone is approximately 20% of the Wanaka Town Centre and 27% of Anderson Heights Business Zone. In my view this is not a small commercial zone and will result in a busy environment with a high level of people and traffic movements and noise from commercial activities. This is in addition to potential dominance and outlook effects as a result of a commercial built form than can cover 75% of this zone.

51 The size of any setback / buffer distance between the LSCZ and the submitters' properties to mitigate effects needs to reflect the scale LSCZ. A much smaller LSCZ that provided for a small number commercial shops (on a similar scale to

the existing Fernhill LSCZ of the proposed Lake Hawea LSCZ) in my view would require a smaller setback / buffer distance than that needed for the proposed Cardrona Valley Road LSCZ.

52 In my opinion the Cardrona Valley Road LSCZ as it currently stands creates a 'hard' edge of a relatively large commercial zone with no transition into the receiving environment to the south. As outlined above this receiving environment is not a low density residential environment but is a spacious and open landscape setting interspersed with dwellings. In my opinion a more appropriate planning outcome is that the interface between these areas is 'softened'. This outcome would also be consistent with the proposed policy outcomes.

53 Submission #622 requests the following relief:

- *The Proposed District Plan is modified to include rules that require landscaping of the 20m buffer setback prior to any development within the Local Shopping Centre Zone commencing with the form of the landscaping being sufficient to screen development from the submitters' land, and*
- *The Proposed District Plan is modified to add rules that if breached trigger non-complying activity consent that ensure:*
 - *the 20m setback (noted above) only contains landscaping and therefore remains free of any buildings, structures or car parking,*
 - *the maximum height of any building or structure within 15m of the 20m setback shall not exceed 5.5m.*

54 On the basis of my assessment above I believe a setback control for the Cardrona Valley Road LSCZ is suitable and will ensure commercial buildings and activities in the LSCZ respond appropriately to the existing receiving environment and the quality and amenity values of the submitters' land.

55 The proposed 20m setback / buffer strip will provide an efficient and effective mechanism to separate the LSCZ buildings and activities from the submitters' land to maintain and protect privacy and amenity values. The distance of 20m was requested as this is consistent with other buffer strips separating residential

and commercial activities in this District, for example activities in the Industrial B Zone from adjoining residential activities. It also provides sufficient space to successfully establish planting and mounding to both screen buildings and potentially buffer any nuisance effects (noting there are few limits on the types of activities provided for in the zone, the example of a service station has been outlined above). To put the requested 20m buffer strip in perspective, I note the Cardrona Valley Road frontage of this LSCZ is approximately 270m wide and therefore the 20m strip represents a small portion of the zone.

56 The additional height control requested will ensure future commercial buildings within the zone maintain an adequate height scale in relation to the submitters' sites to reduce potential adverse effects in terms of building dominance, views and outlook and privacy from building 'overlooking' the submitters' sites. A specified height limit of 5.5m within 15m of the 20m buffer is recommended as it will provide a suitable transition between zones and retain views of the mountains from the submitters' properties. This was modelled by Assembly Architects and a cross section plan was attached to the submitter's primary submission. For completeness I attach this plan to my evidence as Attachment [A].

57 As a result of my assessment above and to achieve the outcomes anticipated by the LSCZ objectives I recommend the following new rules are included in the LSCZ of the PDP. I have refined the amendment sort in the original submission so that the rules are easier to interpret and enforce:

Buffer Zone – Cardrona Valley Road Local Shopping Centre Zone

No buildings, structures, roads or carparks are permitted within 20 meters of the zone's south eastern boundary.

Non compliance with this rule shall be a non-complying activity.

Building Height – Cardrona Valley Road Local Shopping Centre Zone

The maximum height of any building or structure within 15m of the northern boundary of the 20m setback referred to in rule [x] shall not exceed 5.5m.

Non compliance with this rule shall be a non-complying activity.

58 The s42a report levels some criticism at this submission for not providing any evidence with regards to the impact on the economic viability of the LSCZ that might result from the proposed development controls. Although I am not an expert in economic viability of commercial zones, I note the 20m requested setback / distance is relatively small in comparison to the overall size of the Cardrona Valley LSCZ. I also note the economic report attached the Council's Section 32 assessment by McDermott Consultants (dated March 2014) concludes there is no projected economic commercial demand for this zone. The zone appears to reflect cadastral boundaries rather than any economic viability analysis.

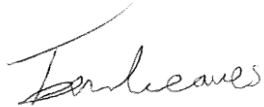
Summary

59 Overall, in my opinion the amendments to the provisions of the Wanaka Town Centre and Local Shopping Centre Chapters as outlined in this evidence will result in a more efficient and effective regulatory environment ensuring appropriate development within these zones. I consider that the changes I have proposed are required for the PDP to be consistent with Part 2 of the Act, in particular the sustainable management 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 avoiding, remedying or mitigating adverse effects on the environment. I believe the changes outlined represent the most appropriate method for achieving the objectives of the PDP, having regard to efficiency and taking into account costs and benefits in terms of section 32 of the Act.

60 I support the expansion of the Wanaka Height Precinct to include the full length of Helwick Street contained in the Wanaka Town Centre Zone. By enabling building of three storeys and in some cases four storeys along Helwick Street overtime this will provide greater emphasis of the street hierarchy within the Wanaka Town Centre by better defining Helwick Street as the central retail space and making this area more legible. It will also help strengthen the view shaft down Helwick Street towards Lake Wanaka in terms of the town centres link to the Lakefront and its gateway into the town centre. I also recommend Rule 13.5.8 should be amended to a building height of 12m to the ridge line and 10m to the eave line (restricted to building no higher than three storeys) with the rules non-complying status being retained. This will provide an appropriate building envelope to

achieve good three storey building design outcomes, with appropriate roof articulation and internal floor heights outside of the Wanaka Height Precinct.

61 In my opinion the Cardrona Valley Road LSCZ as it currently stands creates a 'hard' edge of a relatively large commercial zone with no appropriate transition into the receiving environment to the south. I recommend amendments and new rules are added to LSCZ as set out in my evidence and attached as Appendix [B] (additions shown as track changes and deletions are strikethrough). These controls are recommended to protect the amenity and outlook of the residential properties to the south and will in my opinion better achieve the proposed policy outcomes. Those policy outcomes are intended to address the higher order issues I have outlined above.

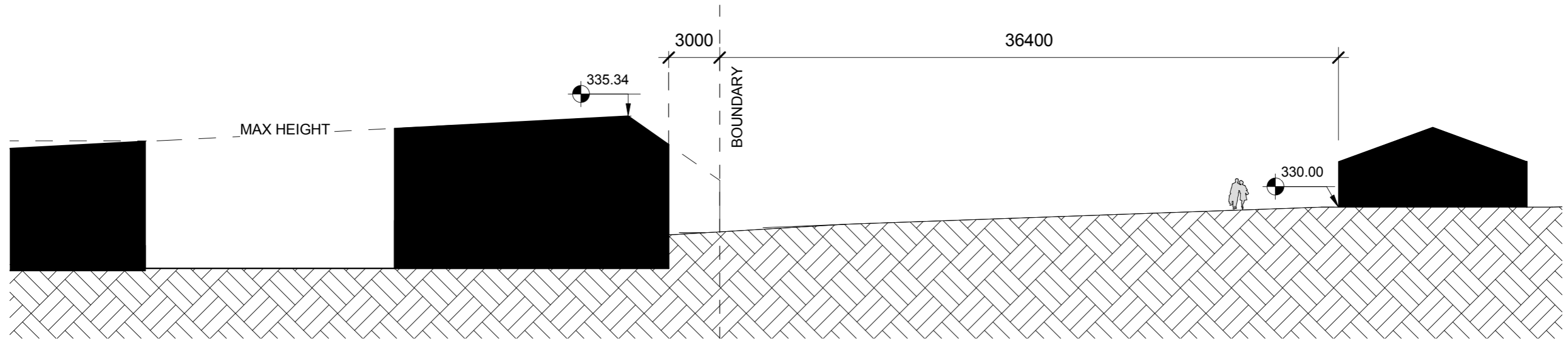


Ian Greaves

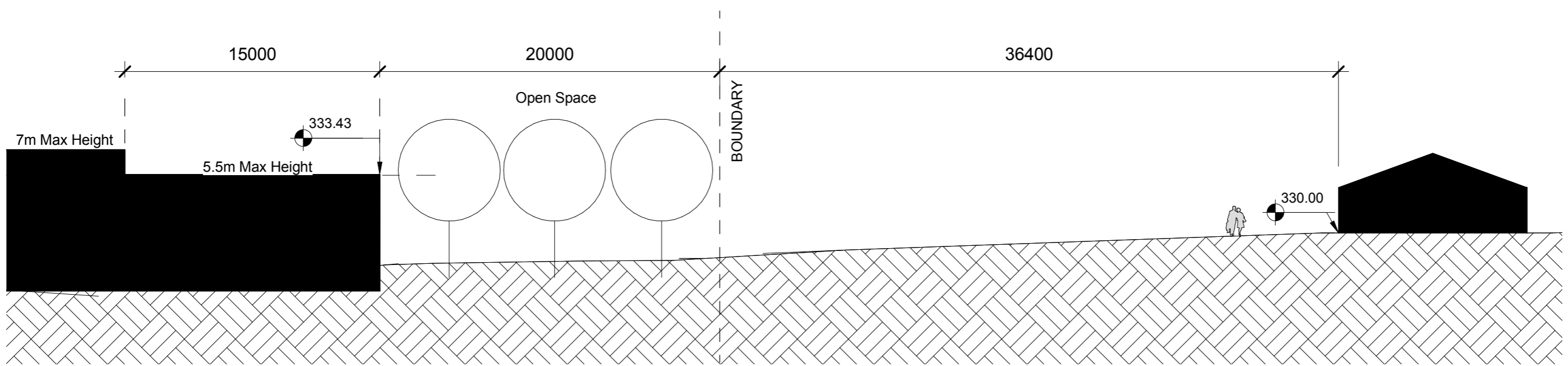
18 November 2016

Attachment [A] – Local Shopping Centre Zone – Cross Section Plan

Attachment [B] – Relief sought – Amended PDP provisions



1 3M Set Back
1 : 250



2 20M Set Back
1 : 250

Attachment [B] – Proposed Changes to Chapter 13 (Wanaka Town Centre) and Chapter 15 (Local Shopping Centre Zone) of the PDP

*Added text underlined and deleted text ~~strikethrough~~

Chapter 13 – Wanaka Town Centre

13.2.3 Objective – *Wanaka town centre retains a low scale built form that maintains a human scale.*

Policies

13.2.3.1 – *Ensure that development generally comprises a scale of two to three storeys, with potential to develop a recessed fourth storey in the Wanaka Height Precinct.*

~~**13.2.3.2** – *Provide for consideration of minor height infringements where they help achieve higher quality design outcomes and do not significantly adversely affect amenity values.*~~

Rule 13.5.8 - Maximum building height for all buildings other than those in the Wanaka Height Precinct

The maximum building height shall be:

13.5.8.1 ~~8m~~ 10m to the eave line

13.5.8.2 ~~10m~~ 12m to the ridge line

Chapter 15 – Local Shopping Centre

Policies

15.2.2.4 - *Place specific controls on the bulk and location of buildings on sites adjoining ~~Residential zoned properties~~ residential activities to ensure that an appropriate standard of residential amenity is maintained.*

15.2.2.6 - *Ensure that outdoor storage areas and car parks are appropriately located and screened to limit any adverse visual effects and to be consistent with established amenity value*

Rule 15.5.1 - Building Coverage

Maximum building coverage - 75%.

*Discretion is restricted to consideration of all of the following:

- The effects on the quality of the overall streetscape; ~~and~~
- The ability to meet outdoor storage requirements.
- Impacts on adjoining properties in respect if privacy and overlooking
- Impacts on views from adjoining properties
- Impacts on adjoining properties in respect of dominance
- Access to sunlight and impacts of shading

Assessment matters could also be included to give greater guidance more certainty in respect of these matters.

Rule - 15.6.2 - The following Restricted Discretionary activities shall not require the written consent of other persons and shall not be notified or limited notified:

15.6.2.1 Buildings.

~~15.6.2.2 Building coverage.~~

Rule - 15.6.3 - The following Restricted Discretionary activities will not be publicly notified but notice will be served on those persons considered to be adversely affected if those persons have not given their written approval:

15.6.3.1 Setbacks and sunlight access – sites adjoining any Residential zone, Township Zone or public open space.

15.6.2.2 Building coverage.

New Rule - Setback – Cardrona Valley Road Local Shopping Centre Zone

No buildings, structures, roads or car parks are permitted within 20 metres of the zones south eastern boundary.

Non compliance with this rule shall be a non-complying activity.

New Rule - Building Height – Cardrona Valley Road Local Shopping Centre Zone

The maximum height of any building or structure within 15m of the northern boundary of the 20m setback referred to in rule [x] shall not exceed 5.5m.

Non compliance with this rule shall be a non-complying activity.