

Form 5

Submission on a Plan Change to the Operative Queenstown Lakes District Plan

Clause 6 of Schedule 1 Resource Management Act 1991

To: **Queenstown Lakes District Council**

Submitter: **WFH Properties Limited**

Introduction

1. This is a submission by WFH Properties Limited (“**WFH**”) on Private Plan Change 54 (“**PC54**”) to the Operative Queenstown Lakes District Plan (“**ODP**”) by Northlake Investments Limited.
2. WFH own a greenfield residential development block at Peak View Ridge, Wanaka, locally and historically known as ‘Allenby Farm’ (“**the site**”). The development block is located within the Northlake Special Zone in the ODP, and directly to the southeast of Sticky Forest.
3. WFH is directly affected by an effect the subject matter of this submission, and could not gain an advantage in trade competition through this submission.
4. WFH’s submission relates to the entirety of PC54, and in particular:
 - (a) matters relating to connectivity and integration between the site and the wider Northlake Special Zone (including exterior roading and access configurations); and
 - (b) matters relating to transport safety and efficiency, and urban design and amenity, arising from the additional roading and infrastructure corridors, and additional dwellings, associated with PC54.
5. WFH supports PC54, however requests minor amendments to expressly provide for an additional ‘Indicative Required Road Link’ and ‘Indicative Primary Entry’ from the Northlake Special Zone to Aubrey Road, to be located in the general vicinity of Peak View Ridge¹.

¹ We note for completeness that reference to ‘general vicinity’ in this context may include the land to the east of Peak View Ridge, legally described as Lot 1 DP 469578 as contained in Record of Title 632424. In this respect, we refer to Rule 12.34.4.2 ii(a) of the ODP which identifies that required roading links can be provided within 50m of their positions shown on the Northlake Structure Plan.



Reasons for submission

Introduction / context

6. The Allenby Farm site owned by WFH is located in the southwest corner of the Northlake Special Zone, and is legally identified as Lot 1 and 2 DP 529345 as contained in Records of Title 858370 and 858371 respectively. The site comprises a larger development block of approximately 37.3ha, with this having frontage and road access to the developed 'Northlake' development via Mount Nicholas Road and Northlake Drive. The site also comprises a smaller access lot of approximately 1ha, with this providing direct frontage to Aubrey Road to the south, and provides access rights for several properties along Peak View Ridge.
7. As identified in **Figure 1** below, the WFH site is within the Northlake Special Zone under the ODP, with the access lot / Peak View Ridge located within the Large Lot Residential A Zone under the Proposed Queenstown Lakes District Plan ("PDP").

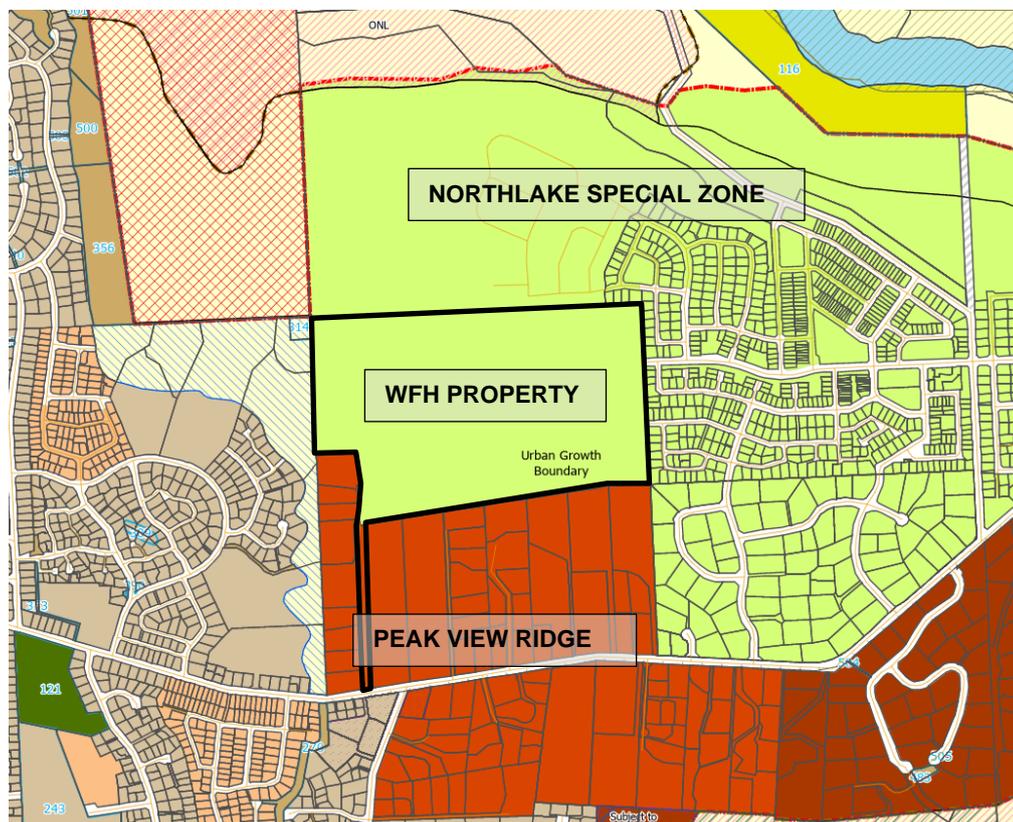
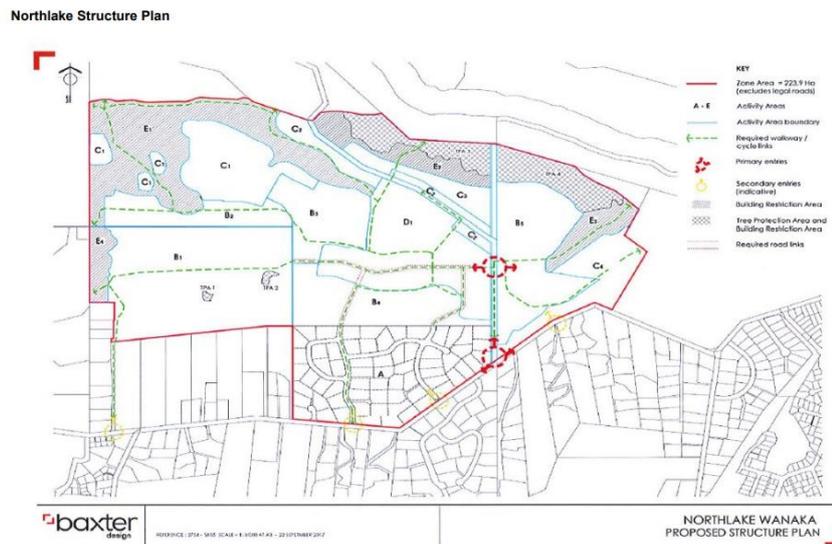


Figure 1 WFH Property (refer black outline)

8. As identified in **Figure 2**, under the Northlake Structure Plan in the ODP the site is subject to Activity Area B1 and Activity Area E4, with two Tree Protection Areas identified as TPA Areas 1 and 2. With respect to the focus of the submission, the Northlake Structure Plan identifies Peak View Ridge as subject to a 'Required walkway / cycle links', with the corresponding connection to Aubrey Road identified as a 'Secondary entries (indicative)'.

9. By way of context, there are three other secondary entries identified on the Northlake Structure Plan, two of which (Northburn Road and Mount Linton Avenue) were associated with existing access points at the time the Structure Plan was first developed. The third secondary entry is located to the east of the Outlet Road and Aubrey Road intersection, with this formed as part of the Hikuwai development. It is noted that this formed access is in a location slightly further to the east, and is called Joe Brown Drive. There are only two 'primary entries' identified by the Northlake Structure Plan, with these formed and located at the intersections of Northlake Drive and Outlet Road and Aubrey Road and Outlet Road.

NORTHLAKE SPECIAL ZONE - RULES 12



Queenstown-Lakes District Council – DISTRICT PLAN (May 2019)

12 - 385

Figure 2 Northlake Structure Plan, ODP

Outline Development Plan RM180502

10. The site is subject to an approved resource consent for an Outline Development Plan, with this granted 27 November 2018 and identified as RM180502. This resource consent approved an Outline Development providing for residential activity and a 354 residential allotment subdivision across the site (refer **Figure 3**).

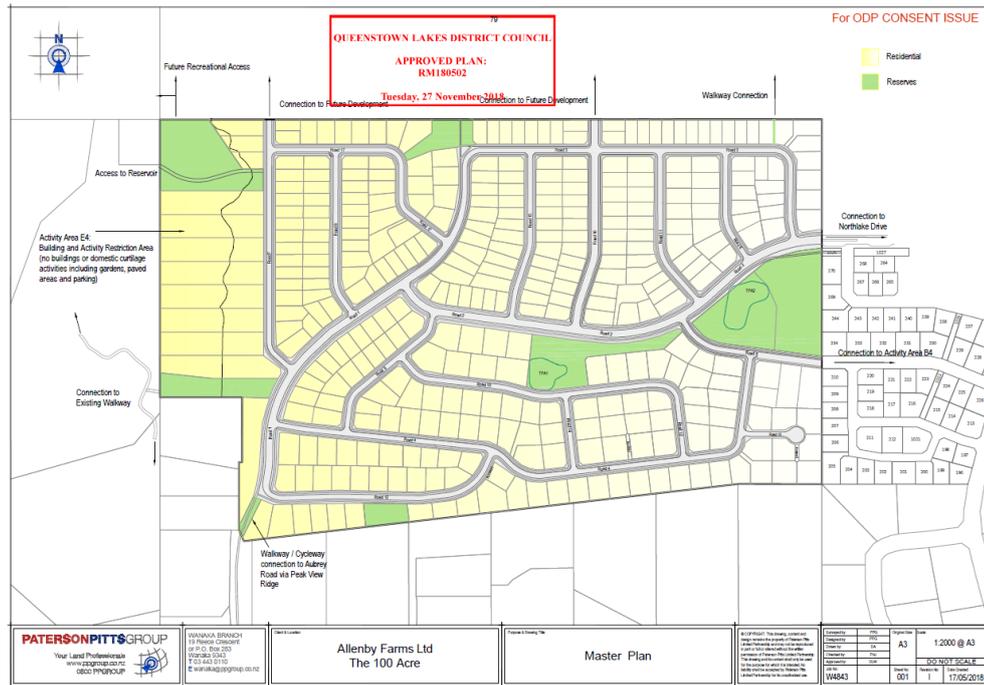


Figure 3 Outline Development Plan Resource Consent RM180502

11. The approved Outline Development Plan identified the provision of a walkway / cycleway connection to Aubrey Road via Peak View Ridge, but no roading connection.
12. It is noted that WFH have recently submitted a subdivision and land use consent application with QLDC for the first two stages of development, comprising 74 residential allotments (assigned the reference RM220913), in general accord with the Outline Development Plan.

Transportation / connectivity

13. By way of context to the focus of the submission from WFH, during the processing of the Outline Development Plan resource consent RM180502, it was identified that there was insufficient design capacity within the roading network (principally Mount Nicholas Avenue) to cater for the traffic generation arising from the site, despite this being anticipated by the Northlake Special Zone and Structure Plan.
14. In response to these concerns, and whilst not agreeing with them, a condition was volunteered by the Applicant as part of RM180502 which identified the need to upgrade Mount Nicholas Avenue and Northburn Road prior to commencing development of Stages 3-5. For completeness, this volunteered condition reads as follows:

Roading Upgrades

4. *At the time the subdivision application is lodged for the area covered by this Outline Development Plan, the roading plan for that application shall include indented parking, broken yellow no parking lines, and/ or additional footpath or shared path foot/cycle paths on Road 5, Mount Nicolas Avenue and Northburn Road necessary, to the satisfaction of Council, to address safety and efficiency effects arising from traffic generated by the*

development approved by Resource Consent RM180502 subject to the following.

(a) This condition shall only apply to:

(i) Any application for subdivision consent within stages 3, 4 and 5. For the avoidance of doubt it does not apply to any subdivision applications for stages 1 and 2;

(ii) Any earlier application for subdivision consent which includes any part of Road 5 shown on the ODP, but only in respect of that part of Road 5.

(b) This condition shall cease to have effect if and when a roading connection along Peak View Ridge, connecting the Northlake Special Zone with Aubrey Road, is consented and constructed. If such a road has been consented but not yet constructed, the required road upgrades necessary to comply with this condition may be delayed to be implemented through a consent notice condition registered against the balance title which allows an appropriate time for the Peak View Ridge Road to be constructed.

Condition 4 has been volunteered by the Applicant.

15. As evident from the above, Condition 4(b) specially refers to Peak View Ridge, and identifies that should a roading connection be provided between the Northlake Special Zone and Aubrey Road, the required road upgrades will not be necessary.
16. In terms of the future use of Peak View Ridge as a roading (vehicle) access to the Northlake Special Zone, Rule 12.34.3 specifies that if an Outline Development Plan includes Peak View Ridge for vehicle access, then those 'owners of land that gain access off Peak View Ridge' shall be considered to be potentially adversely affected and served notice.
17. The issue of vehicle access via Peak View Ridge arose during a boundary adjustment subdivision in 2017-18 (assigned the reference RM171015). The purpose of the boundary adjustment was to create a separate lot to accommodate a road to be constructed and vested (albeit noting the road would be built to serve only the ten allotments along Peak View Road and not be connected to the wider Allenby Farm site, despite the road having a design capacity for over 400 residential allotments). This application was processed on a limited notified basis, with the application served on the owners of properties along Peak View Ridge.
18. RM171015 was ultimately granted by Independent Commissioners, with the decision noting the following salient points relevant to WFH's submission / relief sought:
 - (a) *In our view, given the structure plan and its indicative roading notation, it is reasonable and appropriate for us to take into account the future use of the road as a connected road. That is, a new road which could service up to or over 410 dwellings. This, in our view would be a logical connection from the Aubrey Road (and the Wanaka Town centre) to the Northlake Special Zone².*

² RM171015, Paragraph 71



(b) *We accept the point made by the section 42A report that the 'indicative secondary' access notation of the Northlake Structure Plan is a reasonable signal that some form of connection is likely, and that given development in the area, a vehicle connection is a reasonable and logical proposition as well as walking and cycling connectivity. Wanaka is a rapidly urbanising settlement, and it is important that urban connectivity is provided for the long term³.*

19. Whilst RM171015 was granted by QLDC, it was subsequently appealed to the Environment Court. This appeal was settled by way of Consent Order, subject to a condition which states:

'Lot 1 is intended for the purpose of access'.

20. As evident from the above, the issue of a roading connection via Peak View Ridge to connect the Northlake Special Zone to Aubrey Road has been considered at length, with the same considered to be a reasonable, logical and appropriate outcome.

Specific submission points

21. PC54 provides for access and infrastructure corridors so as to integrate with Sticky Forest, along with the identification of additional suburban residential activity, directly to the north of the site. As a consequence, the roading network within the Northlake Special Zone and Allenby Farm will be subject to increased traffic generation within the existing and proposed roading network.

22. WFH support PC54, and considers the same presents an opportunity to: enhance and clarify the transport network outcomes anticipated by the Northlake Structure Plan, support the safety and efficiency of the transport network, and enhance urban design and amenity outcomes through greater connectivity across the Northlake Special Zone. This is considered important given the abovementioned transport constraints of the road network within Northlake.

23. The specific relief sought by the submission seeks to provide clear support and direction towards a roading connection via Peak View Ridge (or in the general vicinity), enhancing connectivity of the Northlake Special Zone with the wider Wanaka community, and avoiding the need for upgrades to the recently constructed road network within the existing Northlake development. This is considered to give rise to a range of positive effects, noting matters of detail relating to intersection treatment (i.e. priority t-intersection or roundabout) and ultimate alignment (i.e. Peak View Ridge or opposite Anderson Road) can be determined through a future consenting and engineering approval process.

Specific relief sought

24. WFH supports approval of PC54, subject to the following specific amendments:

(a) Amend the Northlake Structure Plan to identify a 'Indicative Required Road Link' and 'Indicative Primary Entry' from the Northlake Special

³ RM171015, Paragraph 72



Zone to Aubrey Road, with this to be located in the general vicinity of Peak View Ridge⁴, as identified in **Annexure [A]**; and

- (b) any and all consequential relief required to give effect to the matters raised in this submission, including alternative, further or consequential amendments to any relevant provisions of the Northlake Special Zone that address the matters raised by the submission.

Submitter wishes to be heard

25. WFH wishes to be heard in support of their submission at any hearing of PC54.
26. If others make similar submissions, WFH will consider presenting a joint case at any hearing.



Signature of person authorised to sign on behalf of submitter

DATED 24 November 2022

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⁴ We note for completeness that reference to 'general vicinity' in this context may include the land to the east of Peak View Ridge, legally described as Lot 1 DP 469578 as contained in Record of Title 632424.



Annexure [A]

Northlake Structure Plan

