LAND USE CONSENT APPLICATION
14 BARCLAY PLACE, WANAKA

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1.0 Introduction

This application is for landuse consent to undertake earthworks and construct a residential unit. Consent is required for a breach of the building length.

2.0 The Land

2.1 Location & Legal Description

The land is located at 14 Barclay Place, Wanaka in an established low density subdivision adjacent to Kirimoko Crescent. A Building Restriction Area borders the eastern boundary, where a walking/cycle trail is located.

The site is legally described as Lot 7 DP 502229 comprised in Record of Title 752826. Lot 7 is 870m^2 in area.

The site is currently vacant land covered in grass. The topography slopes moderately steeply, from the east down to the west boundary and the road. A sealed vehicle entrance from Barclay Place services the site.

2.2 Consent History

The site was created via subdivision consent RM150426, with the low density residential subdivision known as Peak View Heights.

3.0 The Proposal

3.1 Building Construction

The applicants propose to construct a new two storey residential unit. A future residential flat is proposed for the western side of the site.

The proposed maximum height of the building is 7m. The building length on the north west (front) elevation measures 19.47m across the first floor, and the length of the south east elevation (rear) measures 16.1m.

The proposed materials are:

Roof:	Prefinished metal;
Walls:	ACC render cladding;
	Brick cladding;
	Pre-finished metal Espan cladding;
	Vertical shiplap cladding; and
Features:	Powdercoated metal sliding screens; Breeze block entry screen.

Final colour selections are yet to be confirmed, and therefore the architects have provided several options. Performance Architecture plans, Sheet No. A72, Rev B provides the proposed colour scheme and perspective view of the front elevation.

3.2 Earthworks

The proposed earthworks volumes are as follows:

- Volume of cut 240m^3;
- Volume of fill 128m^3;
- Total cut to fill volume 368m^3;
- Remaining net cut: to be removed from site;
- Maximum cut height 2.742m;
- Maximum fill height 1m approx.

Attached is an Environmental Management Plan for the site earthworks.

CGW Consulting Engineers have prepared a geotechnical report for the residential dwelling, as attached.

4.0 District Plan & RMA Provisions

4.1 Proposed District Plan (PDP)

The site is zoned Lower Density Suburban Residential (LDSR) in the Proposed District Plan (PDP). The proposal requires resource consent for the following:

Chapter 7 – Lower Density Suburban Residential

- A **restricted discretionary** activity consent pursuant to Rule 7.5.10 for a breach of the building length above the ground floor level, exceeding 16m. The proposed building length on the north west (front) elevation measures 19.47m, and the length of the south east elevation (rear) measures 16.1m.

Chapter 25 – Earthworks

- A **restricted discretionary** activity consent pursuant to Rule 25.5.3 as the total volume of earthworks will exceed 300m^3 in volume; the proposed earthworks involve a volume of 368m^3 cut to fill; and

- A **restricted discretionary** activity consent pursuant to Rule 25.5.15 as the maximum depth of cut exceeds 2.4m. The proposed maximum cut is 2.742m.

5.0 Effects on Persons

Building Length

The very small breach of the building length rule in relation to the rear elevation will not be discernible from outside the site, given that it is only a 100mm difference to a complying building. The façade is not continuous, with the majority of the length being set back a further 2m. The materials are varied, with brick and vertical shiplap cladding and extensive glazing.

The building length across the first floor on the front elevation is 3.47m in breach of the zone rule. However, it is considered to have less than minor adverse effects in the context of the overall development. The design incorporates large areas of glazing, with powdercoated metal sliding screen features in a differing colour. There is also a balcony with glass balustrade further breaking up the façade. Direct views of the north west (front) elevation of the building from any neighbouring dwellings are unlikely to be dominant, or detract from the overall building appearance, given the layout of the surrounding properties, orientation of the buildings, and the significant setback on the site.

Earthworks

In relation to the earthworks, the intended finished development is unlikely to have adverse visual effects on the neighbouring sites. With the proposed finished ground levels and subsequent built development, any potential adverse effects on privacy, outlook and amenity on adjoining properties are considered to be less than minor.

Earthworks will be of a temporary timeframe, and with provision for sediment and dust control and appropriate hours of operation, nuisance effects will be lessened. Expected consent conditions, and Environmental Management Plan (EMP) conditions, should satisfactorily mitigate any short-term effects on persons from the earthworks, provided contractors adhere to the restrictions.

Overall, it is considered that any adverse effects on persons from this activity will be less than minor.

6.0 Assessment of Environmental Effects

6.1 Building Length

In terms of Rule 7.5.10, discretion is restricted to (relevant matter listed only):

a. external appearance, location and visual dominance of the building(s) as viewed from the street(s) and adjacent properties.

The very small breach of the building length rule in relation to the rear elevation will not be discernible from outside the site, given that it is only a 100mm difference to a complying building. The façade is not continuous, with the majority of the length being set back a further 2m. The materials are varied, with brick and vertical shiplap cladding and extensive glazing.

The building length across the first floor on the front elevation is 3.47m in breach of the zone rule. However, it is considered to have less than minor adverse effects in the context of the overall development. The design incorporates large areas of glazing, with powdercoated metal sliding screen features in a differing colour. There is also a balcony with glass balustrade further breaking up the façade. Direct views of the north west (front) elevation of the building from any neighbouring dwellings are unlikely to be dominant, or detract from the overall building appearance, given the layout of the surrounding properties, orientation of the buildings, and the significant setback on the site.

Direct public views of the front elevation of the building are unlikely to be dominant, or detract from the overall building appearance, given the design mitigation measures explained above. These assist to break up the front façade, presenting an aesthetic, modern finish to the appearance. The dwelling is also set back significantly from the road boundary, at approximately 20m. It is not considered that the building will be visually dominant in relation to the façade length.

Overall, the adverse effects of the building length encroachments are considered to be no more than minor.

6.2 Earthworks and Site Management

Matters of discretion from Part 25.7.1 of the PDP are as follows:

- Soil erosion, generation and run-off of sediment.
- Landscape and visual amenity values.
- Effects on infrastructure, adjacent sites and public roads.
- Land stability.
- Effects on water bodies, ecosystem services and biodiversity.
- Cultural, heritage and archaeological sites.
- Nuisance effects.
- Natural Hazards.
- Functional aspects and positive effects.

The proposed earthworks are required to effectively bench a sloping site for construction of the residential development.

Mitigation measures are included in the Environmental Management Plan (EMP) provided as part of this application. This includes sediment and dust control and appropriate hours of operation, lessening nuisance effects. Revegetation of the site around the building will follow upon completion of the building development. Visually there are no anticipated adverse effects, with the building and retaining construction to eventually mitigate visual effects of the exposed earthworks to an acceptable level. The proposed breach in earthworks rules is minor, and the overall nature and scale of the residential construction is compatible with the receiving environment. The resulting effect will be of a high quality finished development that does not detract from the pleasantness of the site as viewed from the adjoining sites and public roads.

Land stability is expected to be addressed via the structural and geotechnical engineering undertaken for the development and building consent process. CGW Consulting Engineers have prepared a geotechnical assessment for the development. This report investigates bearing capacity and soils as well as foundation/retaining wall recommendations. Comment is also included on natural hazards.

There are no known cultural or heritage sites in the vicinity.

Overall, the potential adverse effects of the proposed earthworks are considered to be no more than minor, provided they are undertaken in accordance with the EMP, the geotechnical and engineering design, and consent conditions.

6.3 Residential Zone Design Guide 2021

In accordance with Rule 7.5A.1 in the PDP, the following is a statement in relation to the Residential Zone Design Guide 2021. The elements of good design for the Lower Density Suburban Residential zone have been reviewed from the guide, and I comment as follows:

- **Entrances and detailing** – the entrance door is not clearly visible from the street due to the large setback, and building design, however from within the site, a sealed path and garden lead to the entry screen feature, clearly directing visitors to the entrance.
- **Building Height and roof form** – the simple mono-pitch roof form and adherence to height control is appropriate for the residential neighbourhood.
- **Sunlight and recession planes** – Recession plane rules are not relevant to the dwelling for sloping sites, therefore sunlight access is not impacted on neighbouring sites.
- **Site Coverage and low impact design -** the site coverage is appropriate and the site maintains sufficient landscaped permeable surface area.
- **Connections to open space** – the dwelling connects to public open space at the rear, with a patio overlooking the no build zone.
- **Outdoor living space -** there is ample north and west facing outdoor living space, accessed directly from the living areas, and affording prime views.
- **Accessibility** – garaging is not set back behind the front door, however the garage is not a dominant site feature given the large road setback. It is recessed into the slope, sitting below the main living areas and first floor deck.
- **Waste and service areas** – available inside garaging and screened from view.
- **Creating private and safe places** – Privacy is assisted by minimising glazing on the south west and north east elevations, where the building is closest to adjoining lots. Elevation on the site, windows and terracing provides opportunity for natural surveillance over the street.
- **Materials and environmental sustainability -** the design is of a high quality with solid and durable materials. Sunlight access is well-considered and a prominent design feature with the extent of north and west glazing and outdoor living space.
- **Landscape** – the site will be attractively landscaped, providing amenity and value.

Overall, the residential unit has been designed to optimise views and sunlight access, on a moderately steep site. The proposed building length is not anticipated to dominate the

environment, and with the quality, modern design and materials, it is considered that the proposal will be effectively absorbed within surrounding development.

Overall, given the assessment provided above it is considered that the potential adverse effects on the environment from this development are no more than minor.

7.0 Section 104 Assessment

7.1 Effects (s104(1)(a))

Actual and potential effects on the environment have been outlined in section 6 of this report.

7.2 Relevant Provisions (s104(1)(b))

The subject site is located within an established residential area. There is no indication of any site uses from the Hazardous Activities and Industries List (HAIL). Therefore, it is expected the subject site is not a HAIL site, and therefore the NES does not apply. No information has been found to indicate that past uses have contaminated the soil on this site to a level which poses a risk to human health.

7.3 Objectives and Policies of District Plan (s104(1)(b)(vi))

In terms of the **Proposed District Plan**, the application has been assessed in relation to the Policies and Objectives contained within *Chapter 7 (Lower Density Suburban Residential),* and *Chapter 25 (Earthworks).*

Lower Density Suburban Residential
Part 7 policies encourage an intensity of development that maximises the efficient use of the land in a way that is compatible with the scale and character of existing development, and maintains residential amenity values. This proposal provides for optimal building design on a sloping site, setting the building back into the slope, and maximising opportunity for views and outdoor living. The proposed two storey design is in keeping with the character of the neighbourhood and is appropriate in terms of residential amenity and character.

It is not considered that the proposed building length intrusions will have significant adverse effects on adjoining properties or the environment in terms of amenity, privacy, access to sunlight or visual dominance. The proposal meets the objectives and policies of Chapter 7.

Earthworks
The Earthworks objectives and policies, among other things, seek to ensure the activity minimises erosion, land instability, sediment generation and off -site discharge during construction activities; and encourage limiting the area and volume of earthworks being undertaken on a site at any one time to minimise adverse effects and nuisance effects of construction noise, vibration, odour, dust and traffic.

It is expected that consent conditions typical of such earthworks consents (including EMP requirements) will manage and mitigate any potential adverse effects and nuisance effects. The proposal is therefore in accordance with the relevant objectives and policies of Section 25.

Overall, the amenity values of the zone are protected and the proposal is in accordance with the relevant objectives and policies of the Proposed District Plan.

7.4 Part 2 of the RMA

The proposal will promote the purpose and principles of the Act. The development will result in sustainable management of natural and physical resources, whilst avoiding, remedying or mitigating adverse effects on the environment. The development avoids or mitigates adverse effects on the environment through design, use of varied materials, large road setback, and earthworks mitigation measures.

8.0 Conclusion

This application seeks approval to undertake earthworks and construct a residential unit. The design of the overall development makes efficient and practical use of a sloping residential site. The minor breaches are appropriately mitigated by general site location and design features.

Overall, it is considered that the proposal is an appropriate development for this site, with no more than minor adverse effects on the surrounding environment.



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