Reference	22.054
Date	29 August 2025
Location	14 Reece Crescent, Wānaka
Legal Description	Section 87 Block XIV Lower Wanaka Survey District held in Record of Title OT13B/118
Applicant	Quarters Group Limited
Territorial Authority	Queenstown Lakes District Council
Plan	Queenstown Lakes District Plans – Operative and Proposed
Zoning	Business (Operative) and Business Mixed Use (Proposed)
Proposal	Resource consent is sought to construct 28 residential units with associated parking, manoeuvring, servicing and earthworks, and to undertake a subsequent subdivision Resource consent is also sought to undertake earthworks on a contaminated site
Activity Status	Discretionary Activity Land Use – Proposed District Plan Discretionary Activity Subdivision – Proposed District Plan Discretionary Activity - National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health 2021

1.0 INTRODUCTION

1.1 This application for resource consent is made pursuant to Section 88 of the Resource Management Act 1991 (the Act). Section 88 requires that any application for resource consent include an assessment of environmental effects in such detail as corresponds with the scale and significance of the effects that the activity may have on the environment, and shall be prepared in accordance with the Fourth Schedule to the Act.

2.0 LEGAL DESCRIPTION

2.1 The application site is legally described as Section 87 Block XIV Lower Wanaka Survey District held in Record of Title OT13B/118. A copy of the Record of Title is attached as **Appendix A** to this application.

3.0 SITE DESCRIPTION

3.1 The site is located at 14 Reece Crescent. Please refer to the location plan in **Figure 1** below.



Figure 1 : Application Site

3.2 The application site is 3,172m^2 in area and irregular in shape. The site's landform comprises two terraces that step down from the north-western boundary to the south-eastern corner. The site is currently occupied by a landscape business, which includes two small buildings, storage bins for landscaping materials, manoeuvring areas and a plant storage area.

3.3 There is an existing vehicle crossing onto the site from Reece Crescent in the south-east corner of the site. Council's reticulated water and wastewater networks are located within the Right of Way to the east and within Reece Crescent. Council's stormwater network is also available

within Reece Crescent. There are existing electricity and telecommunications connections to the site, as well as a fire hydrant located 38.5m to the east.

3.4 The application site was originally used as the Ministry of Works Depot. Following on from that, it has been used as a firewood operation and then a landscaping depot. Given the historic land use, activities listed on the MfE's Hazardous Activities and Industries List (HAIL) have been undertaken on the application site. A Preliminary Site Investigation has been undertaken and is attached as **Appendix D** to this application.

3.5 Resource Consent RM190443, granted on 1 November 2019, approved the construction of a mixed use residential and visitor accommodation development and subsequent unit title subdivision.

3.6 Resource Consent RM200225 was granted on 29 June 2020 to construct 15 units for residential and visitor accommodation use, and to subdivide the units. This consent was subsequently varied by RM211208, granted on May 2022, to change the layout and design of the approved development and to amend the subdivision from a unit title subdivision to a fee simple subdivision.

3.7 Resource consent RM230669 was granted on 22 December 2023 to change the layout of the units in order to provide for their use to be for worker accommodation rather than visitor accommodation, to enable home occupations from the units and to breach transport standards.

3.8 The surrounding environment is largely occupied by industrial and trade retail uses. There is a mechanic, an engineering shop and number of Trade Retail activities adjacent to the application site. In addition, the B Effect brewery and restaurant is located on the corner of Anderson Road and Reece Crescent.

4.0 PROPOSAL

4.1 Resource consent is sought to construct 28 residential units on the site with associated parking, maneuvering, servicing, and earthworks. Consent is also sought to subsequently subdivide the units. A copy of the proposed plans has been included as **Appendix B** to this application.

Buildings

4.2 It is proposed to construct 28 residential townhouses on site. The units will be comprised of two and three-bedroom designs, arranged around a central access courtyard.

4.3 The various building typologies are described as follows:

Standard Two Bedroom Unit – rectangular in shape with a floor area of approximately 124m^2 comprising 2 ensuite bedrooms (1 at ground floor and 1 at first floor level) a single car garage on the ground floor and an open plan kitchen, living and dining on the first-floor level. Decks are proposed on the first floor facing away from the central courtyard. A total of 19 of the proposed units would be of this typology.

Lot 7 Two Bedroom Unit - rectangular in shape with a floor area of approximately 124m^2 comprising 2 ensuite bedrooms on the ground floor with no garage and an open plan kitchen, living and dining on the first-floor level. Decks are proposed on the first floor facing away from the central courtyard.

Three bedroom Units – There are six three bedroom units with different configurations, four adjacent to Reece Crescent and tow at the rear of the site. These two units are located adjacent to the internal boundaries of the site and are comprised of 3 bedrooms (2 at ground floor and 1 at first floor level with an ensuite bathroom) a single car garage on the ground floor, and an open plan kitchen, living and dining on the first-floor level.

It is still intended for the units to provide accommodation for workers. However, the design approved by RM230699 had a number of challenges. Therefore, it is now proposed to provide for the accommodation in individual units with kitchen facilities and individual garages. The additional bedrooms can be used for accommodation or as office spaces.

4.4 The buildings would be clad in a combination of brick veneer, timber weatherboard and profiled steel, and have gable roofs with a maximum height of 7.5m above finished ground level.

4.5 The site layout approved by RM230699 and the proposed layouts are shown in **Figures 2** and **3** below.

4.6 The floor plan of the individual units will be flipped and/or mirrored as required to ensure that each unit obtains pedestrian and vehicle access from the central accessway. Where the units abut each other precast concrete party walls will be constructed.



Figure 2 : Site Plan approved by RM200225 as varied by RM230699



Figure 3 : Proposed Site Plan

Subdivision

4.7 The subdivision scheme plan has been updated in order to accommodate the amended building designs and layout. The amended scheme plan is attached as **Appendix C** to this application. The buildings would be accessed from a central accessway. The proposed residential units and lots will be configured as detailed in **Table 1** below.

Unit / Lot	Lot Net Area	Building Coverage (m^2)	Building Coverage (%)	Unit Type
1	155m^2	81.1m^2	53%	Three Bedroom Unit
2	164m^2	81.6m^2	50%	Three Bedroom Unit
3	81m^2	53.5m^2	66%	Standard Three Bedroom Unit
4	85m^2	53.3m^2	61%	Standard Three Bedroom Unit
5	87m^2	53.3m^2	61%	Standard Three Bedroom Unit
6	115m^2	53.2m^2	46%	Standard Three Bedroom Unit
7	92m^2	52.2m^2	57%	Standard Two Bedroom Unit
8	87m^2	52.7m^2	61%	Standard Two Bedroom Unit
9	84m^2	52.7m^2	63%	Standard Two Bedroom Unit

10	80m^2	52.7m^2	67%	Standard Two Bedroom Unit
11	76m^2	52.7m^2	69%	Standard Two Bedroom Unit
12	73m^2	52.7m^2	72%	Standard Two Bedroom Unit
13	70m^2	52.7m^2	75%	Standard Two Bedroom Unit
14	93m^2	52.2m^2	56%	Standard Two Bedroom Unit
15	133m^2	43.8m^2	71%	Three Bedroom Unit
16	113m^2	54.3m^2	75%	Three Bedroom Unit
17	76m^2	53.3m^2	70%	Standard Two Bedroom Unit
18	79m^2	53.3m^2	67%	Standard Two Bedroom Unit
19	81m^2	53.3m^2	53.3%	Standard Two Bedroom Unit
20	83m^2	53.3m^2	64%	Standard Two Bedroom Unit
21	86m^2	53.3m^2	62%	Standard Two Bedroom Unit
22	88m^2	53.3m^2	61%	Standard Two Bedroom Unit
23	88m^2	53.3m^2	61%	Standard Two Bedroom Unit
24	84m^2	53.3m^2	64%	Standard Two Bedroom Unit
25	158m^2	81.6m^2	52%	Large Reece Crescent Facing Unit
26	139m^2	81.1m^2	53%	Small Reece Crescent Facing Unit

Table 1 – Unit / Lot Configuration

4.8 A design statement has been prepared in accordance with Rule 16.5A.1 of the Proposed District Plan in relation to how the development interfaces with the relevant design elements in the QLDC Business Mixed Use Design Guide 2021. This has been included as **Appendix E** to this application.

4.9 It is proposed to enable the development to be staged. The infrastructure and roading will all be installed in the first stage, with each unit able to be subdivided off at such time as it is sole, with a maximum of 28 stages.

Access, Parking and Maneuvering

4.10 Access to the site is proposed from Reece Crescent. The crossing onto the site is proposed to be 9.7m where it meets Reece Crescent and 5.7m at the boundary. A shared accessway will extend through the middle of the site to the northern boundary. The accessway will be 5.7m in width and formed to Council Standards. Sufficient room has been provided within the driveway to ensure that all vehicles can safely reverse out of their garages and exit the site in a forward direction.

4.11 An indicative roading cross section and servicing design is attached as part of **Appendix C** to this application and demonstrate that the required carriageway and services can be accommodated within the proposed Right of Way.

4.12 Thirty-two car parks are proposed, one car park per unit, with two additional parks for the four units adjacent to Reece Crescent (Units 1, 2, 27 and 28). The car parks will be contained within the individual lots. No mobility parks are proposed.

4.13 A pedestrian link will be provided from the central accessway to Domini Park (QLDC reserve) to the west of the site with an associated pedestrian Right of Way to be registered over the Lot 6 accessway. The portion of jointly owned land between the accessway and the park is proposed to be retained as grass.

Servicing

4.14 Although 28 rather than 15 units are now proposed, the servicing arrangement will remain largely as consented. An updated servicing plan is attached as **Appendix C** to this application.

4.15 Each unit will be provided with an individual connection to Council's reticulated water and stormwater networks. Telecommunications and electricity connections will also be extended to each lot. There is a fire hydrant located to the east that can provide firefighting water access for all units.

4.16 With regard to stormwater, a stormwater disposal assessment has been undertaken Mr Gavin Tipett of Mt Iron Geodrill and included as **Appendix F** of this application. It is proposed to utilize three 8,000 litre Promax ENDURO super duty underground tanks to accommodate the stormwater from the hard surfacing associated with the development. The tanks will be located on the southern side of the site, within the accessway or in the areas of Lots 1 and 28 that do not accommodate built form. The exact location, layout and design of the system will be finalised through the EA process.

4.17 Earthworks

4.18 Resource consent is sought to undertake earthworks associated with a residential development over an area of 3,172m^2.

4.19 An Earthworks Plan is included in **Appendix C** to this application.

4.20 As shown on the Earthworks Plan approximately 640m^3 of cut and 375m^3 of fill are proposed with a maximum depth of cut of 1.41m and a maximum height of fill of 700mm. The proposed earthworks will generally be setback from the boundaries of the site, however cut earthworks are also required to form a driveway from Reece Crescent.

4.21 Standard sediment and erosion controls measures are proposed to be undertaken onsite to ensure the sediment laden water does not leave the site. The measures proposed to be installed onsite prior to and during works commencing include:

- Stabilized entrance way;
- Laydown area;
- Clean water diversion bunds;
- Dirty water diversion channels;
- Sediment basin and chemical treatment;
- Sediment fences;
- Stockpile management; and
- Progressive rehabilitation of the site.

4.22 An Environmental Management Plan (EMP) has been attached as **Appendix G** to this application.

Construction Noise and Vibration

4.23 A construction noise and vibration assessment was prepared by Acoustic Engineering Services (AES) in relation to the original multiunit development on the site and has been included as **Appendix H** to this application. It is considered that the construction methodology for the proposed development will not be substantially different from what was originally proposed.

5.0 DISTRICT PLAN ASSESSMENT

Proposed District Plan

5.1 The subject site is zoned Business Mixed Use in the Proposed District Plan and the proposed development requires the following resource consent:

Land Use

- A **restricted discretionary** activity land use consent pursuant to Rule 16.4.4 for the proposed buildings. Council's discretion is restricted to the following matters:
  - building materials;
  - glazing treatment;
  - symmetry;
  - vertical and horizontal emphasis;
  - location of storage;
  - signage platforms;
  - landscaping;
  - where residential units are proposed as part of a development, provision made for open space on site whether private or communal;
  - where applicable, integration of the development with Horne Creek, including site layout and landscaping; and
  - where a site is subject to any natural hazard and the proposal results in an increase in gross floor area:
    - the nature and degree of risk the hazard(s) pose to people and property;
    - whether the proposal will alter the risk to any site; and
    - the extent to which such risk can be avoided or sufficiently mitigated.
- A **discretionary** activity land use consent pursuant to Rule 16.5.4 as the development on future Lot 16 will have a building coverage of 77% following the completion of the subdivision and will, therefore, exceed the maximum building coverage.
- A **discretionary** activity land use consent pursuant to Rule 16.5.5 as the proposed building façade materials will not entirely meet the requirements of Rule 16.5.5.2 and no mechanical ventilation system is proposed.

Earthworks

- A **restricted discretionary** activity land use consent pursuant to Rule 25.4.2 for the proposed earthworks which exceed the maximum volume in a 12 month period, which is 500m^3. Council's discretion is restricted to the matters listed in Rule 25.7.1.

- A **restricted discretionary** activity land use consent pursuant to Rule 25.5.18 as earthworks are proposed up to the boundary of the site. Council's discretion is restricted to the matters listed in Rule 25.7.1.

- A **restricted discretionary** activity land use consent pursuant to Rule 25.5.21 as it is proposed to transport more than 300m^2 of cleanfill. Council's discretion is restricted to the matters listed in Rule 25.7.1.3, 25.7.1.7 and 25.7.1.9.

  The matters listed in Rule 25.7.1 are as follows:

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

Transport

- A **restricted discretionary** activity land use consent pursuant to Rule 29.5.6(e) as access to Lot 14 cannot be obtained with only one manoeuvre. Council's discretion is restricted to the following matters:

- Effects on the safety, efficiency, and amenity of the site and of the transport network, including the pedestrian and cycling environment, including any positive effects on the efficiency or amenity of the site.
- The design and location of required parking spaces, loading spaces, and on-site manoeuvring areas.

- A **restricted discretionary** activity land use consent pursuant to Rule 29.5.9 as no on-site loading is proposed. Council's discretion is restricted to the following matters:
  - The location, size, and design of the loading space and associated manoeuvring.
  - Effects on safety, efficiency, and amenity of the site and of the transport network, including the pedestrian and cycling environment.
- A **restricted discretionary** activity land use consent pursuant to Rule 29.5.13(c) as the proposed private way would service 28 units. Council's discretion is restricted to the following matters:
  - Effects, including positive effects on the safety, efficiency, and amenity of the site and of the transport network, including the pedestrian and cycling environment.
  - The design of the access, including the width of the formed and legal width.
  - The on-going management and maintenance of the access.
  - Urban design outcomes, including any positive effects on urban design quality.
  - The vesting of the access in Council.
  - Any positive effects on achieving planned intensification and compact urban form.

<u>Noise</u>

- A **discretionary** activity land use consent pursuant to Rule 36.5.13 for proposed construction noise exceedances.

<u>Subdivision</u>

- A **restricted discretionary** activity subdivision consent pursuant to Rule 27.5.7 for the urban subdivision. Council's discretion is restricted to the following matters:
  - subdivision design and any consequential effects on the layout of lots and on lot sizes and dimensions;

- Internal roading design and provision, relating to access to and service easements for future subdivision on adjoining land, and any consequential effects on the layout of lots, and on lot sizes and dimensions;
- property access and roading;
- esplanade provision;
- the adequacy of measures to address the risk of natural hazards;
- fire fighting water supply;
- water supply;
- stormwater design and disposal;
- sewage treatment and disposal;
- energy supply and telecommunications, including adverse effects on energy supply and telecommunication networks;
- open space and recreation;
- ecological and natural values;
- historic heritage;
- easements.

5.2 Overall the proposed development requires a **discretionary** activity consent under the Proposed District Plan.

Operative District Plan

5.3 The site is zoned Business under the Operative District Plan however none of the Proposed District Plan rules under which resource consent is required are subject to appeal. As such all relevant Proposed District Plan rules are operative pursuant to s86F of the Act and the corresponding Operative District Plan rules are inoperative. The proposed development does not therefore trigger a consent under the Operative District Plan.

National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health 2021

5.4 The proposed development requires the following resource consent under the NES:

- A **discretionary** activity consent pursuant to clause 11 for the disturbance of contaminated soil.

6.0 ASSESSMENT OF EFFECTS ON THE ENVIRONMENT

6.1 This Assessment of Effects on the Environment (AEE) accompanies an application for resource consent made under Section 88 of the Resource Management Act 1991 (the Act) and has been prepared in accordance with the Fourth Schedule of the Act in such detail as corresponds with the scale and significance of the effects that the activity may have on the environment.

Permitted Baseline

6.2 Pursuant to Section 104(2) of the Act, when considering the actual and potential effects of an application for resource consent, a consent authority may disregard an adverse effect of an activity on the environment if the plan permits an activity with that effect (the permitted baseline). In this case, resource consent is required for the construction of all buildings. However the following activities are permitted:

- Residential;
- Residential Visitor Accommodation;
- Office Activities;
- Retail and restaurant Activities;
- Service Activities.

6.3 Further to the above, there is no maximum density limit on development in the zone.

6.4 While there is no permitted baseline in relation to the development, the activities and built form enabled by the plan are relevant to the below assessment and has been referred to where relevant.

Existing Environment

6.5 The existing environment includes existing or consented development on the application site and comprises of the existing yard based landscaping business. However, the existing

environment also includes the developments approved on the site by RM190443 and RM200225 as varied by RM220208. Both these developments enable the construction of fifteen residential units on the site with associated manoeuvring, parking and servicing. Both developments enabled the use of the site for visitor accommodation purposes as well as residential. The development approved under RM190443 also included some commercial use and the buildings associated with this development have a maximum approved height of 11.9m above existing ground level.

6.6 These decisions were later varied by RM230669, which enabled the construction of 15 seven bedroom units which would have provided workers' accommodation for up to 210 people (if the rooms were shared by couples). While there were some complications to implementing the design, if the consent currently being applied for were refused the developer would likely proceed with the development approved by RM230669.

Receiving Environment

6.7 As a result of the preceding Business zoning under the Operative District Plan (ODP), the receiving environment is largely comprised of business and light industrial activities including an engineering firm to the north of the application site, a mechanic to the east and plumping trade supply retailer to the west. There are also a few retail activities interspersed throughout the area, including the Stihl shop and B Effect Brewery and restaurant on the opposite side of Reece Crescent. Residential activities have been slower to establish within the new Business Mixed Use Zone. There are, however, well established residential activities to the east of the application site on the opposite side of Anderson Road.

Actual and Potential Effects on the Environment

Design

6.8 The design and layout of the proposed buildings is not dissimilar to what was originally proposed. However instead of 15 semi-detached units there will be 28 individual units sharing party walls. As a result there will be more modulation in roof form, however the façade of the building will be longer. In addition to the roof form, the façade will be broken down with outdoor decks, glazing and landscaping. The units will offer a high level of interaction between the future residential use and Domini Park to the west.

6.9 Although most of the units interact with private lots or accessways used in association with industrial and service activities, these units have also been designed with a mix of materials and

a high level of glazing on the first level, with glazing reduced on the ground floor for privacy and acoustic insulation purposes.

6.10 The proposed development will create a positive street edge, with a mix of timber and profile metal cladding, substantial glazing and landscaping adjacent to Reece Crescent. The glazing and landscaping have been designed so as to create a positive interface with the street. This will provide natural surveillance of the street. The garages will be set back behind the front façade and glazing has been slightly reduced on the ground floor so as to encourage greater privacy within the units.

6.11 The variance in gable roof form and cladding will break up the built form. Glazing and outdoor living have been included along the elevations opening up onto the common area further providing a human scale to the buildings. Given the established and anticipated amenity in this area, and the proposed use of the buildings, this is considered sufficient to provide residential accommodation.

6.12 The proposed buildings will not approach or exceed the maximum height for the zone.

6.13 Outdoor space has been provided for each unit facing the exterior of the site. In addition, there is easy access to Domini Park (being a QLDC reserve) to the west, which has open space as well as a barbeque and picnic area.

6.14 The proposed development will be highly accessible by foot, bike and through the use of communal transport. It is anticipated that residents will have little need of private vehicles. As such parking supply will not be a dominant feature of the development.

6.15 Rubbish and recycling will primarily be stored in bins at the rear of each 2m wide space. The bins associated with Units 8 and 9 will be located between the car parks for those units and the building. With the exception of that associated with Unit 1, the waste and recycling will be screened from views from the street.

6.16 Overall, it is considered that the proposed development will maintain a reasonable level of amenity both internal and external to the site, while also enabling a more utilitarian use. Adverse effects in this regard are anticipated to be less than minor.

Parking

6.17 It is proposed to provide 32 car parks in association with the development, one for each unit with four units (1, 2, 27 and 28) having two car parking spaces. It is considered that this is sufficient given the small size of the units and their location relatively close to town. In addition there are an emerging range of complementary businesses and facilities in the wider Business Mixed Use Zone including grocers, cafés, childcare and community sports facilities that will be available to residents. Overall, therefore, it is considered that 32 car parks will be sufficient to service the proposed development and no adverse effects are anticipated in this regard.

Access

6.18 The proposed Joint Access Lot will be 5.7m in width and formed to Council standards. An area will be provided for reverse manoeuvring adjacent to Lot 14. QLDC's standard (E11) for access to 1 to 200 residential units requires a movement lane of between 5.5m and 5.7m wide with a 1.5m footpath required for pedestrians. Cyclists are anticipated to share the movement lane. The proposed access arrangement takes the parking out of the movement lane and provides greater space for pedestrians, cyclist, passing and loading. The typical cross section attached as **Appendix C** to this application demonstrates that access and servicing can be adequately accommodated within the 6m wide Right of Way.

6.19 A transport assessment has been prepared by Andy Carr of Carriageway Consulting and included with this response. Mr Carr considers the proposed layout to be safe and efficient from a transport perspective.

6.20 It is considered that the proposed access arrangements will help achieve intensification and a compact urban form and will provide greater space within the movement lane for pedestrians and cyclists than might otherwise occur. It is therefore considered that the effects of the proposed access arrangements will be less than minor.

Servicing

6.21 It is proposed to connect the units to Council's reticulated water and wastewater networks. Stormwater will be disposed on site into a centralised attenuation device sized at 30,000litres. In addition it is also proposed to install an additional fire hydrant so a hose can reach each unit. Telecommunications and electricity connections will also be extended under the access lot to each unit.

6.22 Each until will have an individual connection to the services within the JAL. Easements are proposed to protect the services within the access lot. Overall this is considered sufficient in relation to servicing.

Noise

6.23 An assessment of construction noise was been prepared in relation to the original proposal for multiple units on the site in 2020. As the construction methodology will not be substantially different from what was proposed then, it is considered reasonable in this instance to rely on this report for the purposes of this application and has been included as **Appendix H**.

6.24 The assessment concludes that the construction noise standards will be exceeded during the demolition of buildings and excavation.

6.25 AES has recommended that a construction noise and vibration management plan (CNVMP) be submitted prior to starting works on site to manage adverse effects associated with vibration and noise. This recommendation is adopted and a condition is volunteered that a CNVMP be submitted for Council certification prior to works starting on site.

6.26 While the proposal will exceed the noise limits for construction noise, the receiving activities are industrial and service activities that generate high levels of noise and are not noise sensitive. The levels of vibration will be within the acceptable range for construction projects. Therefore it is considered that any effects associated with construction noise and vibration will be less than minor.

Subdivision

6.27 The proposed subdivision design reflects the built form layout and design, which each unit to be located within its own freehold title. Some sites will include sufficient space for an additional tandem car parks. Each unit will have a small area of outdoor living between the unit and the site boundary, with first floor balconies extending into this space.

6.28 It is considered that the proposed subdivision design is practical and responds to the constraints and opportunities of the site, especially given the level of density proposed.

6.29 The Joint Access Lot and green space will be managed and maintained by an incorporated society made of the unit owners.

6.30 Overall adverse effects associated with the proposed subdivision design will be less than minor.

Natural Hazards

6.31 A geotechnical assessment has been undertaken by Gavin Tippett of Mt Iron Geodrill and included as **Appendix I** to this application. The geotechnical investigations that the site is comprised largely of glacial till with some uncontrolled fill above. No groundwater was encountered during investigations.

6.32 Mr Tippett has recommended that all existing fill be removed or founded through and that new fill be compacted.

6.33 Risk in relation to liquification and seismic events can be addressed though building and foundation design.

6.34 Overall, adverse effects in relation to natural hazards are considered to be less than minor.

Cultural Effects

6.35 The site is within an urban area and not identified on the District Plan maps of being Wāhi Tūpuna. Therefore it is considered unlikely that that adverse cultural effects would arise from the proposal and the associated earthworks. The accidental discovery protocol will be followed should anything unexpected by discovered.

6.36 Overall, adverse effects in relation to cultural matters will be less than minor.

Contaminated Soils

6.37 A Preliminary Site Investigation (PSI) was prepared by Claud Midgley of Insight Engineering in association with Resource Consent RM200225. While the proposal has changed considerably, the proposed land use, residential, has not and therefore this PSI is considered to still be relevant. It has been included with this application as **Appendix D**.

6.38 Mr Midgley confirmed that the removal of soil from the site would not meet the permitted activity criteria under the NES. However he considered it unlikely that significantly contaminated material would be found. Mr Midgley was also of the opinion that the contamination was highly unlikely that there would be a risk to human health.

6.39 Mr Midgley's assessment is adopted for the purposes of this assessment and adverse effects in relation to contaminated soils are considered to be less than minor.

Acoustic Insulation

6.40 The Acoustic Engineering Services (AES) prepared in association with RM200225 and included as **Appendix H** to this application included an assessment in relation to acoustic insulation and mechanical ventilation. AES considers that a 35 dB R_w+C_{tr} rating on the buildings in combination with an acoustic fence alongside the property boundary with the exception of alongside the reserve will be sufficient to maintain an appropriate level of amenity within the living environments. For those buildings facing the reserve, AES recommends a 30 dB R_w+C_{tr} rating. These recommendations have been adopted by the developer and the buildings will be constructed accordingly.

6.41 Overall, adverse effects in relation to noise and acoustic insulation will be less than minor.

Positive Effects

6.42 The proposed development would enable the construction of 28 two to three bedroom units in close proximity to the Wānaka Town Centre, business centres and community activities including primary and secondary schools. The proposal will make a positive contribution to housing diversity and affordability within the District. The proposal will therefore help alleviate the current housing crisis being faced within the Queenstown Lakes District, which would have a more than minor positive effect on housing choice and diversity in the District.

6.43 The proposal would also have positive effects in relation to supporting businesses and economic stability and growth in the area and achieving the mix of activities that the Business Mixed Use Zone anticipates.

Summary of Effects

6.44 Overall, it is considered that the actual and potential adverse effects of the proposed changes to conditions will be less than minor.

7.0 OBJECTIVES AND POLICIES

Proposed District Plan

7.1 The objectives and policies of the Proposed District Plan of particular relevance to the consideration of the proposed development are contained in Chapter 3 – Strategic Direction, Chapter 4 – Urban Development, and Chapter 16 – Business Mixed Use Zone, and are as follows:

Chapter 3 – Strategic Direction

3.2.1 Objective - The development of a prosperous, resilient and equitable economy in the District.

3.2.1.2 The Queenstown and Wānaka town centres are the hubs of New Zealand's premier alpine visitor resorts and the District's economy.

7.2 The proposal will support the Wānaka economy and assist it in becoming more equitable and resilient. The location of the residential accommodation will also support Wānaka as an economic hub.

3.2.2 Objective - Urban growth is managed in a strategic and integrated manner.

3.2.2.1 Urban development occurs in a logical manner so as to:

- ***a. promote a compact, well designed and integrated urban form;***
- ***b. build on historical urban settlement patterns;***
- ***c. achieve a built environment that provides desirable, healthy and safe places to live, work and play;***
- ***d. minimise the natural hazard risk, taking into account the predicted effects of climate change;***
- ***e. protect the District's rural landscapes from sporadic and sprawling urban development;***
- ***f. ensure a mix of housing opportunities including access to housing that is more affordable for residents to live in;***
- ***g. contain a high quality network of open spaces and community facilities; and***
- ***h. be integrated with existing, and proposed infrastructure and appropriately manage effects on that infrastructure.***

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

3.2.3.2 Built form integrates well with its surrounding urban environment.

7.3 The development is consistent with the density anticipated in this location and its location is strategic in that it enables easy access to the town centre, Three Parks, the commercial and community activities and services provided within the Business Mixed Use Zone and the transportation corridors for active and collective transportation. The development will be compact and well-integrated with the surrounding environment. The residential accommodation will provide a healthy and safe place to live at an affordable cost so as to ensure it is financially feasible to build and sell or rent at a more affordable price point. Risk from natural hazards is minimal and the proposal will ensure the provision of new affordable housing opportunities that are currently rare in Wānaka. The development is located adjacent to a high quality open space and will be integrated with existing infrastructure. Overall, the proposal is considered to be consistent with these provisions.

7.4 Overall, the proposal is considered to be consistent with the objectives and policies of Chapter 3 of the PDP.

Chapter 4 – Urban Development

4.2.2A Objective – A compact, integrated and well designed urban form within the Urban Growth Boundaries that:

(i) is coordinated with the efficient provision, use and operation of infrastructure and services; and

Policies

4.2.2.3 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.

4.2.2.4 Encourage urban development that enhances connections to public recreation facilities, reserves, open space and active transport networks.

4.2.2.7 Explore and encourage innovative approaches to design to assist provision of quality affordable housing.

4.2.2.8 In applying plan provisions, have regard to the extent to which the minimum site size, density, height, building coverage and other quality controls have a disproportionate adverse effect on housing affordability.

7.5 The proposal relates to a compact urban development in a location where there is sufficient infrastructure to accommodate it. The development is consistent with the density enabled in this location and is in close proximity to the town centre, and community and education facilities. The development responds to the character of the site and surrounding area. The proposal includes a connection to Domini Park, Council's recreation reserve to the west. The proposal will substantially assist with the provision of affordable housing for seasonal or longer term workers in the District. While the plan enables a substantial amount of built form on sites in this zone and therefore no additional breaches in this regard are proposed, it is noted that efforts to create more variation in the façade or roof line would reduce the amount of housing that could be provided by the proposal. Overall, the proposal is considered to be consistent with these provisions.

Chapter 16 – Business Mixed Use Zone

16.2.1 Objective - An area comprising a high intensity mix of compatible residential and non-residential activities is enabled.

Policies:

16.2.1.1 Accommodate a variety of activities while managing the adverse effects that may occur and potential reverse sensitivity.

16.2.1.2 Enable a range and mix of compatible business, residential and other complementary activities to achieve an urban environment that is desirable to work and live in.

16.2.1.6 Ensure that residential development and visitor accommodation provide acoustic insulation over and above the minimum requirements of the building Code to limit the potential for reverse sensitivity effects.

16.2.1.7 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 views of the night sky and provide a safe and well-lit environment for pedestrians.

16.2.1.9 Minimise opportunities for criminal activity through incorporating Crime Prevention through Environmental Design (CPTED) principles as appropriate in the design of lot configuration and the street network, carparking areas, public and semi-public spaces, accessways/pedestrian links/lanes, and landscaping.

7.6 The proposed development is considered to be compatible with the other businesses in the area. Acoustic insulation will be included to ensure the interior environments of the dwellings provide a safe and healthy living environment. Lighting will be in keeping with Council's lighting policy but will also be used to provide a safely lit environment for pedestrians, particularly along the access way. Opportunities for incorporating CPTED into the development have been used, including facing glazing towards the accessway and spaces between buildings. Overall, the proposal is considered to relate to a residential activity that will be compatible with and integrate well with the surrounding activities. The proposal is considered to be consistent with these provisions.

16.2.2 Objective – New development achieves high quality building and urban design outcomes that minimises adverse effects on adjoining residential areas and public spaces.

Policies:

16.2.2.1 Require the design of buildings to contribute positively to the visual quality, vitality, safety and interest of streets and public spaces by providing active and articulated building frontages, and avoid large expanses of blank walls fronting public spaces.

16.2.2.2 Require development close to residential zones to provide suitable screening to mitigate adverse visual effects, loss of privacy, and minimise overlooking and shading effects to residential neighbours.

16.2.2.3 Require a high standard of amenity, and manage compatibility issues of activities within and between developments through site layout, landscaping and design measures.

16.2.2.4 Utilise and, where appropriate, link with public open space nearby where it would mitigate any lack of open space provision on the development site.

16.2.2.5 Incorporate design treatments to the form, colour or texture of buildings to add variety, moderate their scale and provide visual interest from a range of distances.

16.2.2.10 Require consideration of the relevant design elements identified in the Business Mixed Use Design Guide 2021.

7.7 The proposed buildings will contribute positively to the visual quality and vitality of the area. The development is close to a residential zone and is residential in nature. The proposal includes a link to the public open space network. The buildings have been designed so that they are cost effective to build but also include variation in roof form and materials to provide visual interest. The proposal has been considered against the Business Mixed Use Design Guide 2021 and is considered consistent with those guidelines. The proposed development will achieve urban design and built environment outcomes that are consistent with the Business Mixed Use Zone and the intended use. Adverse effects on the adjoining park have been minimised. Overall, the proposal is considered to be consistent with this objective and the associated policies.

Chapter 25 - Earthworks

25.2.1 Objective – Earthworks are undertaken in a manner that minimises adverse effects on the environment, including through mitigation or remediation, and protects people and communities.

Policies:

25.2.1.1 Ensure earthworks minimise erosion, land instability, and sediment generation and off-site discharge during construction activities associated with subdivision and development.

25.2.1.2 Manage the adverse effects of earthworks to avoid inappropriate adverse effects and minimise other adverse effects, in a way that:

a. Protects the values of Outstanding Natural Features and Landscapes;
b. Maintains the amenity values of Rural Character Landscapes;
c. Protects the values of Significant Natural Areas and the margins of lakes, rivers and wetlands;
d. Minimises the exposure of aquifers, in particular the Wakatipu Basin, Hāwea Basin, Wānaka Basin and Cardrona alluvial ribbon aquifers;

Note: These aquifers are identified in the Otago Regional Plan: Water for Otago 2004.

e. *Protects Māori cultural values, including wāhi tapu and wāhi tūpuna and other sites of significance to Māori;*

f. *Protects the values of heritage sites, precincts and landscape overlays from inappropriate subdivision, use and development; and*

g. *Maintains public access to and along lakes and rivers.*

25.2.1.3 Avoid, where practicable, or remedy or mitigate adverse visual effects of earthworks on visually prominent slopes, natural landforms and ridgelines.

25.2.1.4 Manage the scale and extent of earthworks to maintain the amenity values and quality of rural and urban areas.

25.2.1.5 Design earthworks to recognise the constraints and opportunities of the site and environment.

25.2.1.6 Ensure that earthworks are designed and undertaken in a manner that does not adversely affect infrastructure, buildings and the stability of adjoining sites.

25.2.1.7 Encourage limiting the area and volume of earthworks being undertaken on a site at any one time to minimise adverse effects on water bodies and nuisance effects of adverse construction noise, vibration, odour, dust and traffic effects.

25.2.1.8 Undertake processes to avoid adverse effects on cultural heritage, including wāhi tapu, wāhi tūpuna and other taonga, and archaeological sites, or where these cannot be avoided, effects are remedied or mitigated.

25.2.1.9 Manage the potential adverse effects arising from exposing or disturbing accidentally discovered material by following the Accidental Discovery Protocol in Schedule 25.10.

25.2.1.10 Ensure that earthworks that generate traffic movements maintain the safety of roads and accesses, and do not degrade the amenity and quality of surrounding land.

25.2.1.11 Ensure that earthworks minimise natural hazard risk to people, communities and property, in particular earthworks undertaken to facilitate land development or natural hazard mitigation.

7.8 The proposed earthworks will be undertaken in a manner that will minimise any adverse effects on the environment. Sediment and erosion control measures will be put into place to ensure that no sediment laden stormwater leaves the site. The earthworks will not result in erosion or land instability. The excavated land will be covered with built form, access or landscaping on completion of the project. The earthworks will also not affect infrastructure or the structural integrity of adjacent buildings. The accidental discovery protocol will be followed should any unanticipated archaeological material be found.

7.9 While the proposed earthworks will generate traffic, the roading network can accommodate the truck movements in this location and the character of the area will be unaffected by additional truck movements. The earthworks will not increase natural hazard risk in any way.

7.10 Overall, the proposal is considered to be consistent with this objective and the associated policies.

25.2.2 Objective – The social, cultural and economic wellbeing of people and communities benefits from earthworks

Policies:

25.2.2.1 Enable earthworks that are necessary to provide for people and communities wellbeing, having particular regard to the importance of:

a. Nationally and Regionally Significant Infrastructure;

b. tourism infrastructure and activities, including the continued operation, and provision for future sensitive development of recreation and tourism activities within the Ski Area Sub Zones and the vehicle testing facility within the Waiorau Ski Area Sub Zone;

c. minimising the risk of natural hazards;

d. enhancing the operational efficiency of farming including maintenance and improvement of track access and fencing; and

e. the use and enjoyment of land for recreation, including public walkways and trails; and

f. maintaining or enhancing the operational efficiency of existing infrastructure.

7.11 The proposed earthworks are necessary in order to accommodate the proposed higher density development. The construction of affordable housing will contribute to the communities wellbeing. The proposal is considered to be consistent with this objective and policy, and the objectives and policies of Chapter 25 overall.

Chapter 27 – Subdivision

27.2.1 Objective - Subdivision that will enable quality environments to ensure the District is a desirable place to live, visit, work and play.

Policies:

21.2.1.1 Require subdivision infrastructure to be constructed and designed so that it is fit for purpose, while recognising opportunities for innovative design.

27.2.1.2 Enable urban subdivision that is consistent with the QLDC Subdivision Design Guidelines 2015, recognising that good subdivision design responds to the neighbourhood context and the opportunities and constraints of the application site.

27.2.1.3 Require that allotments are a suitable size and shape, and are able to be serviced and developed for the anticipated land use under the applicable zone provisions.

27.2.1.4 Discourage non-compliance with minimum allotment sizes. However, where minimum allotment sizes are not achieved in urban areas, consideration will be given to whether any adverse effects are mitigated or compensated by providing:

a. desirable urban design outcomes;

b. greater efficiency in the development and use of the land resource;

c. affordable or community housing.

27.2.1.5 Recognise that there is an expectation by future landowners that the key effects of and resources required by anticipated land uses will have been resolved through the subdivision approval process.

27.2.1.6 Ensure the requirements of other relevant agencies are fully integrated into the subdivision development process.

27.2.1.7 Recognise there will be certain subdivision activities, such as boundary adjustments, that will not require the provision of services.

7.12 The proposed subdivision will create a residential environment that will be a desirable place to live, work and play. The associated infrastructure will be fit for purpose. The subdivision reflects the design of the development, and responds to the constraints and opportunities of the site to the extent possible. The allotments will be of a suitable size and shape to accommodate the proposed residential uses. Overall, the proposal is considered to be consistent with these provisions.

27.2.2 Objective - Subdivision design achieves benefits for the subdivider, future residents and the community.

Policies:

27.2.2.1 Ensure subdivision design in urban areas provides a high level of amenity for future residents by aligning roads and allotments to maximise sunlight access.

27.2.2.2 Ensure subdivision design maximises the opportunity for buildings in urban areas to front the road.

27.2.2.3 Locate open spaces and reserves in appropriate locations having regard to topography, accessibility, use and ease of maintenance, while ensuring these areas are a practicable size for their intended use.

27.2.2.4 Urban subdivision shall seek to provide for good and integrated connections and accessibility to:

a. existing and planned areas of employment;
b. community facilities;
c. services;
d. trails;
e. public transport; and
f. existing and planned adjoining neighbourhoods, both within and adjoining the subdivision area.

27.2.2.5 Urban subdivision design will integrate neighbourhoods by creating and utilising connections that are easy and safe to use for pedestrians and cyclists and that reduce vehicle dependence within the subdivision.

27.2.2.6 Encourage innovative subdivision design that responds to the local context, climate, landforms and opportunities for views or shelter.

27.2.2.7 Promote informal surveillance for safety in urban areas through overlooking of open spaces and transport corridors from adjacent sites and dwellings and by effective lighting.

7.13 The proposed subdivision will achieve a high level of amenity. The design responds to the characteristics of the site and the surrounding area. Opportunities for buildings to front the road have been maximised. The development will integrate well with the urban fabric and provide connections to the local active transportation network. The subdivision will also result in residential units overlooking the park, the street, and the central accessway. Effective lighting will also be installed. Overall the proposal is considered to be consistent with this objective and the associated policies.

Chapter 29 – Transport

29.2.2 Objective - Parking, loading, access, and onsite manoeuvring that are consistent with the character, scale, intensity, and location of the zone and contributes toward:

- ***a. providing a safe and efficient transport network;***
- ***b. compact urban growth;***
- ***c. economic development;***
- ***d. facilitating an increase in walking and cycling and the use of public transport; and***
- ***e. achieving the level of residential amenity and quality of urban design anticipated in the zone.***

Policies:

29.2.2.1 Manage the number, pricing, location, type and design of parking spaces, queuing space, access, and loading space in a manner that:

a. *is safe and efficient for all transport modes and users, including those with restricted mobility, and particularly in relation to facilities such as hospitals, educational facilities, and day care facilities;*
b. *...*
c. *contributes to an increased uptake in public transport, cycling, and walking in locations where such alternative travel modes either exist; are identified on any Council active transport network plan or public transport network plan; or are proposed as part of the subdivision, use, or development;*
d. *...*
e. *...*
f. *...*
g. *avoids or mitigates adverse effects on the amenity of the streetscape and adjoining sites; and*
h. *provides adequate vehicle access width and manoeuvring for all emergency vehicles.*

7.14 It is considered that the proposed access and parking arrangement are safe and efficient and that the development as a whole will encourage residents to use active and/or shared transport options. The access and parking arrangements will result in no adverse effect on the amenity of the streetscape or adjoining sites. The width of the proposed movement lane complies with Council's standards and will adequately provide for emergency vehicles.

29.2.2.5 Enable a reduction in the minimum number of car parking spaces required only where:

a. *There will be positive or only minor adverse effects on the function of the surrounding transport network and amenity of the surrounding environment; and/or*
b. *there is good accessibility by active and/or public transport and the activity is designed to encourage public and/or active transport use and projected demand can be demonstrated to be lower than the minimum required by the rules; and/or*
c. *the characteristics of the activity or the site justify less parking and projected demand can be demonstrated to be lower than the minimum required by the rules; and/or*

d. there is an ability for shared or reciprocal parking arrangements to meet on-site car parking demands at all times and demand can be demonstrated to be lower than the minimum required by the rules.

7.15 The shortfall in mobility parking spaces will result in less than minor adverse effects on the function of the surrounding transport network and the amenity of the surrounding environment. The site is well positioned relative to the established business area, Three Parks, the town centre and surrounding schools and active and/or shared modes of transport will be encouraged.

29.2.2.11 Mitigate the effects on safety and efficiency arising from the location, number, width, and design of vehicle crossings and accesses, particularly in close proximity to intersections and adjoining the State Highway, while not unreasonably preventing development and intensification.

7.16 It is considered that the width of the proposed access will result in no adverse effect on the safety and efficiency of the wider roading network. Overall it is therefore considered that the proposal is consistent with Objective 29.2.2 and its associated policies.

29.2.3 Objective – Roads that facilitate continued growth, are safe and efficient for all users and modes of transport and are compatible with the level of amenity anticipated in the adjoining zones.

Policies

29.2.3.1 Establish design standards for roads and accesses, including those in Table 3.2 of the QLDC Land Development and Subdivision Code of Practice (2018), and require adherence to those standards unless it can be demonstrated that the effects of the proposed design on:

a. the active and public transport networks and the efficiency and safety of the roading network are no more than minor; and
b. amenity values, urban design, landscape values are appropriately mitigated.

7.17 The proposed access meets the relevant standard in terms of the width of the movement lane while the JAL width does not meet the 9m width requirement. It is considered that the reduced width of the JAL will result in less than minor adverse effects of the efficiency and safety of the

roading network and will result in no adverse effects on amenity values or urban design outcomes.

29.2.3.4 Provide for services and new linear network utilities to be located within road corridors and, where practicable, within the road reserve adjacent to the carriageway in a manner consistent with the provisions of Chapter 30.

7.18 Given the layout of the site and the proposed access and parking arrangements it is not considered practicable or efficient to provide a Right of Way that could accommodate services outside of the carriageway.

7.19 Overall it is considered that the proposal is consistent with Objective 29.2.3 and its associated policies.

29.2.4 Objective – An integrated approach to managing subdivision, land use, and the transport network in a manner that:

- ***a. supports improvements to active and public transport networks;***
- ***b. promotes an increase in the use of active and public transport networks and shared transport;***
- ***c. reduces traffic generation; and***
- ***d. manages the effects of the transport network on adjoining land uses and the effects of adjoining land-uses on the transport network.***

Policies

29.2.4.6 Encourage compact urban growth through reduced parking requirements in the most accessible parts of the District.

7.20 The site is well positioned relative to businesses, services, schools, reserves and community facilities. It is therefore considered that the site is within part of the District that is very accessible. It is therefore considered that the proposal is consistent with Objective 29.2.4 and its associated policies.

<u>Chapter 36- Noise</u>

36.2.1 Objective - The adverse effects of noise emissions are controlled to a reasonable level to manage the potential for conflict arising from adverse noise effects between land use activities.

Policies:

36.2.1.1 Avoid, remedy or mitigate adverse effects of unreasonable noise from land use and development.

36.2.1.2 Avoid, remedy or mitigate adverse noise reverse sensitivity effects.

7.21 The noise associated with the construction of the buildings will be controlled to a reasonable level. Any conflict with noise generated by surrounding activities will be adequately reduced by the noise insulation of the buildings and the acoustic fence. The proposal is considered to be consistent with these provisions.

Summary

7.22 Overall, the proposal is considered to be consistent with the relevant Objectives and Policies of the Proposed District Plan as a whole.

Operative District Plan

7.16 The objectives and policies of the Operative District Plan of particular relevance to the consideration of the proposed development are contained in Section 11 Business and Industrial Areas. These provisions seek to provide for a range of business and industrial activities while encouraging a standard of amenity that is pleasant. While residential activities were not provided for in this zone, it is considered that the proposed development would maintain and enhance the character and amenity of the area. Notwithstanding this, it is considered that these provisions can be accorded limited weight as the provisions of the PDP are no longer subject to challenge.

8.0 OTHER MATTERS

National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health

8.1 A Preliminary Site Investigation (PSI) report prepared by Claude Midgley of Insight Engineering was supplied with the original consent application. The PSI concluded that while HAIL activities had occurred in three locations on site, any associated contamination was not likely to pose a significant threat to human health. No significant changes to the layout of the development are proposed by way of this variation. Therefore it is considered that any risk posed by soil contaminants would remain unlikely and the development of the site for residential purposes is permitted under the NES.

8.2 While consent pursuant to the NES is required for the associated earthworks, no changes in this regard are proposed by way of this variation and it considered that the conditions imposed under RM230669 are sufficient to manage any adverse effects in this regard.

National Policy Statement on Urban Development

8.3 The National Policy Statement on Urban Development 2020 (NPS UD) supersedes the National Policy Statement on Urban Development Capacity 2016 (NPS UDC) and directs local authorities to provide sufficient development capacity for housing within urban areas. Amendments to the provisions of the Business Mixed Use Zone, including greater height limits and enabling residential use without a minimum density, were considered and approved in light of the NPS UDC which had similar objectives to the NPS UD in terms of the provision of development capacity. These provisions are intended to contribute to development capacity by enabling infill development, subdivision and intensification.

8.4 Policy 6 of the NPS UD is of particular relevance to the consideration of the proposal and is as follows:

Policy 6: When making planning decisions that affect urban environments, decision-makers have particular regard to the following matters:

(a) The planned urban built form anticipated by those RMA planning documents that have given effect to this National Policy Statement.

(b) That the planned urban built form in those RMA planning documents may involve significant changes to an area, and those changes:

(i) *May detract from amenity values appreciated by some people but improve amenity values appreciated by other people, communities, and future generations, including by providing increased and varied housing densities and types; and*

(ii) *Are not, of themselves, an adverse effect*

(c) the benefits of urban development that are consistent with well-functioning urban environments (as described in Policy 1)

(d) any relevant contribution that will be made to meeting the requirements of this National Policy Statement to provide or realise development capacity

(e) the likely current and future effects of climate change.

8.4 Local authorities must give effect to the provisions of the NPS UD through District Plans and decision making on development proposals. Policy 6 directs local authorities to have particular regard to the planned urban built form anticipated by the planning documents that give effect to the NPS. As outlined above, the proposal is consistent with the density and extent of built development anticipated and provided for in the Business Mixed Use Zone. Overall, it is considered that granting consent for the proposal will assist Council in achieving its obligations in terms of giving effect to the NPS UD and realising the necessary development capacity for housing, particularly in relation to workers' accommodation.

QLDC Urban Intensification Variation to the Proposed District Plan

8.5 During the full Council meeting on 1 June 2023, QLDC confirmed that they endorse the notification of a variation to the Proposed District Plan that will enable urban intensification in line the requirements of Policy 5 of the NPS UD. While these provisions have not been notified and, therefore have no legal effect at this stage, an assessment in relation to these matters is considered to be an "other" matter under Section 104(1)(c).

8.6 The provisions relating to the Business Mixed Use Zone include the following:

16.2.2 Objective – New development achieves high quality building and urban design outcomes that minimises impacts on infrastructure and roading networks and minimises adverse effects on adjoining residential areas and public spaces.

Policies

16.2.2.1 *Require development to provide or enhance connections to active transport networks (walking, trails and cycleways) where appropriate and encourage the provision of facilities that would help facilitate mode shift;*

16.2.2.2 *Require the site layout and design of development provides low impact approaches to stormwater management through providing permeable surface areas on site and the use of a variety of stormwater management measures.*

8.7 The proposed development is close to two cycle links and is walking distance to the town centre and supermarket. Stormwater will be attenuated onsite through stormwater management measures. The proposal is considered to be in keeping with these amendments.

8.8 A number of additions to the rule framework have been included in the variation, including increased height and a requirement to provide outlook space from habitable rooms. However these provisions have not been subject to any testing and do not, at this stage, have any legal weight.

8.9 Overall, it is considered that the proposed changes would be consistent with the direction signalled by the proposed amendments to the PDP.

9.0 CONSULTATION

9.1 Section 95B of the Act requires that, should the consent authority determine that public notification is not necessary, it must decide whether there are any affected persons in relation to the activity. Section 95E requires that a person is an affected person if the adverse effects of the activity on the person are minor or more than minor (but not less than minor) and affected party approval has not been provided.

9.2 The properties located at 2, 6 and 20 Reece Crescent as well as Domini Park are located adjacent to the application site, as shown in **Figure 4** below. The property at 3 Reece Crescent is located on the opposite side of the road.



Figure 4 : Application Site and Neighbouring Properties

9.3 The activities accommodated on these properties are industrial and service in nature. The proximity of a high density residential development adjacent to their operations will not affect the amenity experienced by the owners or occupants of these sites. The proposed development will comply with relevant bulk and location controls and would not result in a greater reverse sensitivity effect than what was originally consented under RM200225. Overall, therefore, it is considered that the proposed changes to the development would not result in noticeable effects on the owners or occupiers of adjacent properties.

9.4 Adverse effects on persons are considered to be less than minor and therefore no consultation has been undertaken.

10.0 PART 2 OF THE RESOURCE MANAGEMENT ACT 1991

10.1 Under Part 2 of the Resource Management Act 1991 Section 5 sets out the purpose of the Act as follows:

> ***5 Purpose***
>
> *(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.*

10.2 In order to achieve the purpose of the Act, the proposed development must be considered in the context of Section 5 above. Paragraphs (a), (b) and (c) of Section 5(2) are to be afforded full significance and applied accordingly in the circumstances of the particular case so that promotion of the Act's purpose is effectively achieved.

10.3 It is considered that the proposal appropriately sustains the potential of natural and physical resources to meet the reasonably foreseeable needs of future generations while avoiding adverse effects on the life-supporting capacity of air, water, soil and ecosystems and adverse effects on the environment generally. It is therefore considered that the proposed development represents the sustainable management of the District's natural and physical resources as defined in Section 5 of the Act.

10.4 Section 6 of the Act sets out matters of national importance which must be taken into consideration in achieving the purpose of the Act. There are no Section 6 matters relevant to the subject application.

10.5 Having had regard to the other matters set out in Section 7 of the Act, in particular 7(b), 7(c) and 7(f), it is considered that the proposed development will result in the efficient use of land (being a finite resource) while maintaining and enhancing amenity values and the quality of the environment.

10.6 The proposal is in keeping with the principles of the Treaty of Waitangi. It is therefore considered that the proposed development achieves the purpose of the Resource Management Act 1991.

11.0 CONCLUSION

11.1 Resource consent is sought to construct 28 residential units and undertake a subsequent subdivision at 14 Reece Crescent, Wānaka. The proposal requires a discretionary activity land use and subdivision consent under the Proposed District Plan.

11.2 It is considered that the proposal will result in less than minor adverse effects on the environment and is consistent with the relevant objectives and policies of the Operative and Proposed District Plans.

11.3 The proposal is not precluded from public or limited notification under s95A and s95B of the Act however it is considered that the proposal will result in less than minor adverse effects on the environment and therefore can be processed without public or limited notification.

11.4 Therefore it is requested that, pursuant to Section 104B of the Act, resource consent be granted for the variation as proposed.

Yours faithfully,

Edgar Planning Ltd,



Erin Stagg
Planner



Scott Edgar
Planner