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Surveying, Planning and
Land Development
Central Otago

LAND USE CONSENT APPLICATION

20 Lismore Street, Wānaka

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TABLE OF CONTENTS

1 INTRODUCTION 4

1.1 Purpose of Report 4

1.2 Site Details 4

2 DESCRIPTION OF PROPOSAL 5

2.1 Overview 5

2.2 Building Design 5

2.3 Access and External Works 6

2.4 Earthworks 7

3 3. SITE AND LOCALITY DESCRIPTION 8

3.1 Site Characteristics 8

3.2 Services 8

3.2.1 Wastewater 8

3.2.2 Water 8

3.2.3 Stormwater 8

3.2.4 Electricity and Telecommunications 8

3.3 Surrounding Environment 9

3.4 Established Development Pattern 9

3.5 Consent History 9

4 ACTIVITY STATUS 10

4.1 Operative PDP Provisions 10

4.2 Summary of Resource Consents Required 10

5 STATUTORY FRAMEWORK 16

5.1 Resource Management Act 1991 16

5.2 Transitional Planning Framework 16

5.3 Operative PDP Objectives and Policies 16

5.3.1 Objective 9.2.1 17

5.3.2 Objective 9.2.2 17

5.3.3 Policy 9.2.3.1 17
5.3.4 Policy 9.2.3.2 18
5.3.5 Policy 9.2.3.3 18
5.3.6 Summary 18
5.4 UIV Objectives and Policies 18
5.5 Comparison of Operative PDP Provisions and UIV Decisions Version Objectives and Policies 19
5.6 Residential Zone Design Guide 2021 20
6 PRECEDENT 22
7 DISTRICT PLAN ASSESSMENT MATTERS 23
7.1 Earthworks 23
8 ASSESSMENT OF MATTERS OF DISCRETION (RULE 9.5.3) 27
8.1 Building Design and Appearance 27
8.2 Building Dominance and Sunlight Access 27
8.3 Housing Diversity and Sustainability 28
8.4 Response to the Sloping Landform 28
8.5 Privacy 28
8.6 Effects on Significant Public Views 29
8.7 Positive Effects of Additional Development Intensity 31
9 ASSESSMENT OF ENVIRONMENTAL EFFECTS 32
9.1 Effects on Neighbours 32
9.2 Written Approvals 32
9.3 Visual and Amenity Effects 33
9.4 Road setback effects 34
9.5 Height Effects 34
9.6 Earthworks Effects 35
9.7 Land Stability 35
9.8 Construction Effects 35
9.9 Positive Effects 36

10 OTHER MATTERS 37
11 SECTION 104 ASSESSMENT 38
12 NOTIFICATION 39
13 PART 2 OF THE RESOURCE MANAGEMENT ACT 40
14 CONCLUSION 41

1 INTRODUCTION

1.1 Purpose of Report

This report has been prepared in support of a land use consent application for the construction of a three-level residential dwelling and associated earthworks at 20 Lismore Street, Wānaka. The purpose of this report is to assess the proposal under Section 104 of the Resource Management Act 1991 (RMA), having regard to the actual and potential environmental effects of the proposal, the relevant provisions of the Queenstown Lakes District Plan, and other relevant matters.

1.2 Site Details

Applicant:	Ickworth Trust
Legal Description:	Lot 1 DP 21105
Area:	557m²
Site Location:	20 Lismore Street, Wānaka
Computer Freehold Register:	OT12D/1504
Zoning (PDP):	High Density Residential
Description of Proposal:	Application for breaches to height standards and earthworks standards.
Activity Status:	**Restricted Discretionary**

2 DESCRIPTION OF PROPOSAL

2.1 Overview

This application seeks land use consent for the construction of a new three-level residential dwelling and associated earthworks at 20 Lismore Street, Wānaka. The proposal involves demolition of the existing dwelling and its replacement with a contemporary dwelling that has been specifically developed in response to the site's topography, outlook, neighbouring built form, and the planning outcomes sought in the High Density Residential Zone.

2.2 Building Design

The proposed dwelling comprises a basement, ground floor and first floor, with a total gross floor area of approximately 417m² (refer Architectural Plans – Floor Plans, Elevations, Sections and Height Diagrams). The dwelling has been designed as a stepped building form that follows the natural fall of the land rather than imposing a singular vertical mass on the site. Lower levels are partially embedded into the hillside, which reduces apparent height and visual bulk and allows the building to read more modestly from the street than it does from the lake-facing side.

The internal layout has been organised as a clear vertical sequence of spaces. The lower level contains secondary accommodation, including bedrooms and shared living space. The middle level contains the principal entry, garaging, service functions and primary sleeping spaces. The upper level contains the main open-plan living, dining and kitchen areas oriented toward the lake. This arrangement provides a functional and adaptable residential layout that supports a range of occupancy patterns, including extended family and guest accommodation, while also taking maximum advantage of sunlight and outlook.



Figure 1. Visualisation of proposed house viewed from North west

2.3 Access and External Works

Access is provided from Lismore Street to a double garage located at the middle level. External areas include balconies, decks, patios and landscaped planting areas that are integrated with the architecture and reinforce the relationship between the dwelling and its setting.

Although located on Lismore Street, the property is accessed via Hedditch Street, to achieve a lower level of Lismore. This access is shared with 10 Lismore St. The section of Hedditch Street providing access to 10 and 20 Lismore Street is formed and sealed. A gravel driveway currently is formed to allow access and parking to the existing dwelling on 20 Lismore Street. It is proposed that this will be sealed at the completion of the dwelling construction.



Figure 2. Aerial photo with boundary overlay. Subject property is 20 Lismore Street.

(refer Site Plan – Sheet A001).

2.4 Earthworks

Earthworks are required to establish a suitable building platform and to accommodate the stepped design. These comprise approximately 424m³ of cut and 51m³ of fill. The extent of earthworks is a direct consequence of the site's steep topography and the need to provide a stable and functional foundation for the dwelling. Importantly, the design has been developed to work with the site's landform, which assists in reducing the scale of excavation that might otherwise be required if a more conventional or levelled building platform were pursued. (refer Environmental Management Plan, Geotechnical Report and Architect's Cut and Fill Plan (Sheet1 of 7)). Discussions with the owners of neighbouring 22 Lismore Street who completed similar earthworks on their property reveal that no groundwater was detected.

3 3. SITE AND LOCALITY DESCRIPTION

3.1 Site Characteristics

The subject site is located within an established hillside residential environment that is characterised by steep topography and a consistent pattern of multi-level development. The site is characterised by a pronounced slope, falling approximately 7 to 8 metres from Lismore Street to the rear boundary. This is confirmed by the Topographical Survey and is a defining feature of both the site and the surrounding area.

3.2 Services

The existing dwelling on the property was constructed in 1952 and extended in 1990. The existing service connections will be repurposed for the new dwelling.

3.2.1 Wastewater

The dwelling was connected to town sewer in 1978. A legal easement is registered to drain sewage over the property below (23 Lakeside Drive), which then connects to Councils wastewater system via a 150mm pipeline.

3.2.2 Water

Water supply is from Council's 200mm pipeline in Lismore Street, which branches to a 40mm ridermain.

3.2.3 Stormwater

Stormwater is currently managed on site to a soakpit located to the south west of the property. This will be inspected, tested and renewed as appropriate.

3.2.4 Electricity and Telecommunications

These services exist to the dwelling and will be disconnected while the works are taking place.

3.3 Surrounding Environment

The surrounding environment comprises established residential development comprising multi-level dwellings that respond to similar topographical constraints. Development in the locality commonly presents as two storeys from the road and steps down the slope toward the west, where views toward Lake Wānaka are available. The adjoining property to the north at 22 Lismore Street contains a comparable three-level dwelling. To the south, 10 Lismore Street contains an existing dwelling. To the west, 23 Lakeside Road consists of multiple units is located approximately 10 metres lower in elevation. These units are oriented toward Lake Wānaka (refer Figure 2).

3.4 Established Development Pattern

The locality exhibits a consistent pattern of development whereby buildings step down the hillside, with garages typically located near the road and living areas oriented to maximise views. The proposal is consistent with this established urban pattern and does not represent an outlier in terms of scale or form.

3.5 Consent History

In 1992 QLDC granted an application to reduce the road setback to accommodate additions / renovations to the building. This has resulted in the front yard being only 2.7m from the Lismore Street boundary which is 1.8m less than the required road setback of 4.5m. This consent was granted on 28 October 1992. It does not have a reference number, but a copy is attached.

4 ACTIVITY STATUS

4.1 Operative PDP Provisions

Under the Operative Proposed District Plan (PDP), the proposal requires land use consent in relation to both earthworks and built form controls.

The proposed earthworks exceed the permitted volume threshold under Rule 25.5.3, and also exceed the permitted cut and fill standards under Rules 25.5.15 and 25.5.16. These matters are confirmed by the earthworks quantities shown on the plans, together with the information contained in the Geotechnical Report and Environmental Management Plan. As a consequence, the earthworks component of the proposal is a Restricted Discretionary Activity under Rule 25.4.2.

The proposed dwelling also breaches the 7 metre height control under Rule 9.5.3, although it remains compliant with the maximum building height of 10 metres. In addition, the building does not comply with the required 4.5 metre setback from the Lismore Street road boundary, resulting in an infringement of Rule 9.5.9.2. These matters are demonstrated on the architectural plans, including the height diagrams and site layout.

Recession planes do not apply to the site under the Operative PDP, due to the sloping site exemption in Rule 9.5.6.2.

Overall, the proposal is appropriately classified as a Restricted Discretionary Activity under the Operative PDP provisions.

4.2 Summary of Resource Consents Required

Under the Operative PDP, the following resource consents are required:

- Restricted Discretionary Activity consent under Rule 25.4.2 because the proposed earthworks exceed the permitted earthworks volume under Rule 25.5.3.
- Restricted Discretionary Activity consent under Rule 25.4.2 because the proposed cut exceeds the maximum depth permitted by Rule 25.5.15.
- Restricted Discretionary Activity consent under Rule 25.4.2 because the proposed fill exceeds the maximum height permitted by Rule 25.5.16.
- Restricted Discretionary Activity consent under Rule 9.5.3 because the proposed building exceeds the 7 metre height control, while remaining below the 10 metre maximum height standard.

- Restricted Discretionary Activity consent under Rule 9.5.9.2 because the proposed building does not comply with the required 4.5 metre road boundary setback.

For completeness, although the emerging UIV framework introduces changes to the applicable rules, the operative activity status for the purposes of this application is that the proposal is a Restricted Discretionary Activity.

Assessment against Chapter 9 High Density Residential Rules			
Reference	Standard	Non-Compliance Status	Comment
9.5.1	Building Height — Flat Sites in Queenstown	RD	N/A
9.5.2	Building Height — Flat Sites in Wānaka	RD	N/A
9.5.3	Building Height — Sloping Sites in Queenstown and Wānaka 9.5.3.1 A height of 7m, except as specified in Rules 9.5.3.2, 9.5.3.3 and 9.5.3.4	RD	Infringes. The dwelling results in exceedances to the 7m building height.
9.5.3.4	Maximum building height of 10m.	D	Complies. Building does not exceed 10m
9.5.4	Building Height - Frankton North		N/A
9.5.5	Building Coverage. A maximum of 70% site coverage	NC	Complies. Site coverage is 44%
9.5.6	Recession plane: 9.5.6.2 No recession plane for sloping sites	RD	Complies. Site is a sloping site.
9.5.7	Landscaped permeable surface coverage At least 20% of site area shall comprise landscaped (permeable) surface.	NC	Complies. Landscaped permeable surface is approximately 40%.
9.5.8	Building Length The length of any building facade above the ground floor level shall not exceed 30m.	RD	Complies. Maximum building façade length is 16.58m (south elevation)

9.5.9	Minimum Boundary Setbacks 9.5.9.1 All boundaries 2 metres except for State Highway road boundaries where the minimum setback shall be 4.5m. 9.5.9.2 Garages shall be at least 4.5m back from a road boundary.	RD	Road boundary does not comply. The garage is located 3.771m from the road boundary. South boundary complies. Building is located 2.55 from boundary. North boundary complies. Building is located 2.0m from north boundary. West boundary complies. Building is located 6.8m from west boundary.
9.5.10	Waste and Recycling Storage Space 9.5.10.1 Residential activities of three units or less shall provide, a minimum of 2m² waste and recycling storage per residential unit or flat. 9.5.10.2 Waste and recycling bins shall be: a. Located where it is easy to manoeuvre for kerbside collections and avoid impeding vehicle movements within and through the site; and b. Not directly visible from adjacent sites, roads and public spaces; or c. Screened with materials that are in keeping with the design of the building.	NC	Complies. Screened waste and recycling storage is identified on the plans. (ground floor NW corner, External Storage)
9.5.11	Lighting and Glare 9.5.11.1 All exterior lighting shall be directed downward and away from adjacent sites and roads. 9.5.11.2 No activity on any site shall result in greater than a 3.0 lux spill (horizontal or vertical) of lights onto any other site measured at any point inside the boundary of the other site.	RD	All lighting is to be directed downward and away from adjacent sites and roads. Sensor lighting is to be used for external lighting.
9.5.12	Sound Insulation and Mechanical Ventilation	NC	N/A

9.5.13	Building Restriction Area	NC	N/A
9.5.14	Flood Risk	PR	Complies. Proposed building is located above 281.9masl
9.5.15	Residential Visitor Accommodation	RD	N/A
9.5.16	Homestay	RD	N/A
9.5.17	Development on land at Frankton North shall be undertaken in accordance with the Frankton North Structure Plan	NC	N/A
9.5A.1	For all restricted discretionary and discretionary activities under Rules 9.4 and 9.5, applications for resource consent shall include a statement confirming that the relevant design elements from the Residential Zone Design Guide 2021 have been considered, including a summary of any particular aspects of the proposal that have resulted from that consideration.	NC	Complies. Architect statement attached.

Chapter 25: Earthworks			
Reference	Standard	Non-Compliance Status	Comment
25.5.3	Total volume not to exceed 300m³	RD	Does not comply. Earthworks volume is Cut 424³, Fill is 51m³, total 475m³.
25.5.11	Earthworks shall not exceed 2500m² where the slope is 10º or greater	RD	Earthworks extend over an area of 500m²
25.5.12	Areas of exposed soil to be revegetated	RD	Complies. Exposed soil will be built upon, paved or revegetated within 12 months of earthworks commencing.
25.5.13	Erosion and sediment control.	RD	Complies. Appropriate erosion and sediment control measures will be implemented prior to earthworks commencing.
25.5.14	Protection of archaeological sites.	RD	Complies. It is extremely unlikely that there will be any archaeological site on

			the property given the extensive earthworks which have occurred during the construction of the Northlake Development.
25.5.15	Maximum cut not to exceed 2.4m	RD	Does not comply. Maximum cut exceeds 3.5m and is less than 4.0m
25.5.16	Maximum fill not to exceed 2.0m	RD	Geotech report identifies the potential for filling in excess of 2.0m although this is not shown on the architect's cut/fill plan.
25.5.17	Farm tracks	RD	Not applicable
25.5.18	Setbacks from boundaries	RD	Complies. Cut slopes are to be supported by retaining walls or temporary shoring.
25.5.19	Water bodies	RD	Not applicable
25.5.20	Earthworks below water table	RD	The preliminary report from Mt Iron Geodrill does not anticipate groundwater to be present at this site.
25.5.21	Cleanfill	RD	No more than 300m³ will be imported to the site.
Chapter 29: Transport			
Reference	Standard	Non-Compliance Status	Comment
29.5.3	Gradient of Parking spaces	RD	A flat, two car garage is proposed. Complies.
29.5.6	Reverse manoeuvring	RD	The property fronts a private section of Lismore Street at an elevation lower than the main roadway. Vehicles can reverse out of the garage and enter Lismore Street forwards. On-site manoeuvring is not required.
29.5.7	Residential parking space design	RD	Internal dimensions of the two car garage are 8.19m x 7.40m. Complies
29.5.16	Maximum gradient for access	RD	The existing driveway has a maximum gradient no greater than 1 in 6.

29.5.17	Sight distances from access point	RD	45m sight distance is required in each direction. In excess of 60m is possible.

5 STATUTORY FRAMEWORK

5.1 Resource Management Act 1991

Section 104(1) of the Resource Management Act 1991 requires that, when considering an application for resource consent, the consent authority must have regard to any actual and potential effects on the environment, the relevant provisions of planning documents, and any other matter considered relevant and reasonably necessary to determine the application.

In addition, sections 95A to 95E of the Act establish the framework for determining whether an application should be publicly notified, limited notified, or processed on a non-notified basis. These provisions require an assessment of the scale and significance of environmental effects and whether any persons are adversely affected.

5.2 Transitional Planning Framework

This application is being lodged during the transitional period following the release of decisions on the Urban Intensification Variation (UIV). During this period, both the Operative PDP provisions and the UIV Decisions Version provisions are relevant and must be considered.

The Operative PDP provisions are afforded primary weight because they currently have full legal effect. The UIV provisions, while reflecting the most recent expression of Council's planning intent, are subject to potential appeal and do not yet carry full legal effect. Accordingly, this assessment relies primarily on the Operative PDP provisions, while also acknowledging the direction of the UIV objectives and policies. The Operative PDP Objectives and Policies are assessed in Section 5.3 below. The UIV Objectives and Policies are assessed in Section 5.5. A comparison of the two versions is included in Section 5.6.

5.3 Operative PDP Objectives and Policies

The High Density Residential Zone is intended to provide for more intensive urban living in locations close to town centres while still achieving quality urban design and maintaining an appropriate level of amenity for neighbours.

5.3.1 Objective 9.2.1

High density housing development occurs in urban areas close to town centres, to provide greater housing diversity and respond to expected population growth.

Objective 9.2.1 promotes higher density residential development in appropriate urban locations. The proposal is clearly consistent with this objective. It provides a substantial dwelling on a serviced residential site that is close to the Wānaka town centre and within a zone specifically intended to accommodate greater development intensity. The proposal therefore makes efficient use of urban land and existing infrastructure.

5.3.2 Objective 9.2.2

High density residential development provides a positive contribution to the environment through quality urban design.

Objective 9.2.2 seeks to ensure that high density residential development contributes positively to the environment through quality urban design. The proposal responds strongly to this objective. The architectural design is not generic or imposed without regard to context. Rather, it has been specifically resolved to engage with the site's slope, outlook and surrounding built form. The building has been articulated in plan and elevation, incorporates a restrained material palette, and avoids large unbroken façades. The perspective views and elevations demonstrate that the design provides visual interest and a clear architectural logic while remaining appropriately contained within its setting. (refer Elevations A301–A304 and Architect's Visualisations).

5.3.3 Policy 9.2.3.1

Apply recession plane, building height, yard setback and site coverage controls as the primary means of ensuring a minimum level of neighbours' outlook, sunshine and light access, and privacy will be maintained, while acknowledging that through an application for land use consent an outcome superior to that likely to result from strict compliance with the controls may well be identified.

Policy 9.2.3.1 recognises that built form controls such as height planes and setbacks are the primary means of managing neighbour amenity, while also acknowledging that a better design outcome may be achieved through consent. That policy is particularly relevant here. While the proposal breaches the 7 metre height plane, the actual design response produces a more coherent and site-responsive outcome than would likely be achieved by forcing strict compliance. The building follows the natural slope of the site, breaks down its mass through stepping and articulation, and remains within the 10 metre maximum height limit.

5.3.4 Policy 9.2.3.2

Ensure the amenity values of neighbours are adequately maintained.

Policy 9.2.3.2 seeks to ensure that the amenity values of neighbours are adequately maintained. The proposal is consistent with this policy. The adjoining neighbours to the north, south and west have provided written approvals, which is strong evidence that the proposal's actual effects in terms of dominance, shading and privacy are acceptable. It is worth noting that the western property is located substantially below the subject site and is not materially affected.

5.3.5 Policy 9.2.3.3

Ensure built form achieves privacy for occupants of the subject site and neighbouring residential sites and units, including through the use of building setbacks, offsetting habitable windows from one another, screening, or other means.

Policy 9.2.3.3 requires built form to achieve privacy for the occupants of the subject site and neighbouring sites. This has been addressed through the placement of openings, the organisation of living areas, and the building's separation from neighbouring dwellings. The plans indicate a deliberate arrangement of spaces and glazing that provides outlook for the subject site without creating unreasonable overlooking effects.

5.3.6 Summary

The proposal is consistent with the objectives and policies of the High Density Residential Zone. It enables intensification within an appropriate urban location, achieves a high standard of urban design, responds effectively to site constraints, and represents efficient use of serviced land. These outcomes are clearly demonstrated in the architectural plans and supporting documentation.

5.4 UIV Objectives and Policies

The UIV strengthens the policy direction toward enabling intensification, improving housing supply, and supporting efficient use of land in urban areas. The proposal is consistent with that direction. It provides a well-designed residential outcome on a site within an established urban area and does so in a manner that responds carefully to the site and neighbourhood context.

While the UIV places increased emphasis on design quality, permeability, and contextual response, the proposal is already strongly aligned with those outcomes. The design has been informed by a site-specific architectural response and supported by a formal architect's statement addressing the Residential Zone Design Guide 2021.

5.5 Comparison of Operative PDP Provisions and UIV Decisions Version Objectives and Policies

A comparison of the Operative PDP Provisions and the UIV Decisions Version confirms that there has not been a fundamental shift in the strategic intent of the High Density Residential Zone as it applies to this site. In both versions, the core direction remains to enable more intensive residential development in urban areas close to town centres, while also requiring a high standard of design and maintaining an appropriate level of amenity for neighbouring properties.

The most notable changes in the UIV Decisions Version are refinements of emphasis rather than wholesale changes in policy direction. For example, the wording of the primary objectives has been broadened so that they refer more generally to "high density development" and "development" rather than only "high density housing development" or "high density residential development". In practical terms, however, the objectives continue to support the same essential outcomes, namely intensification in suitable urban locations and high-quality urban design.

The neighbour amenity provisions are also materially consistent between the two versions. Objective 9.2.3 and the associated policies continue to recognise recession plane, building height, setbacks and site coverage as the primary controls used to maintain a minimum level of outlook, sunlight, privacy and amenity for neighbouring properties. Importantly, both versions also continue to acknowledge that, through the resource consent process, an outcome superior to strict compliance may be identified. That policy position is directly relevant to the present application, where the building has been carefully designed to respond to the site's topography and surrounding context notwithstanding the identified rule infringement.

The principal refinements introduced by the UIV are in relation to urban design detail and infrastructure integration. The UIV places greater emphasis on landscaped areas providing permeable surface coverage and contributing to stormwater disposal, and it also adds a clearer focus on providing a high level of day-to-day amenity for occupants. In infrastructure terms, the UIV more expressly addresses public transport, infrastructure capacity, low impact

stormwater design, and efficient use of potable water. These refinements do not diminish support for the proposal. Rather, they reinforce the relevance of the site-specific design response, the proposed landscaped areas, and the supporting technical material relating to servicing and site management.

In my opinion, the significance of these changes is that the UIV Decisions Version does not undermine the policy support available under the Operative PDP Provisions. Instead, it confirms and strengthens the importance of design-led intensification, contextual response, integrated stormwater management, and a high standard of residential amenity. The proposal is consistent with that direction.

It is also relevant to note that the most consequential change for this site arises from the UIV rule framework, particularly the removal of the sloping-site recession plane exemption, rather than from any substantial change in the objectives and policies themselves. In other words, the policy framework remains broadly supportive of contextual, well-designed residential intensification, even though the emerging rule framework is more restrictive in some respects.

5.6 Residential Zone Design Guide 2021

Rule 9.5A.1 requires that applications for restricted discretionary and discretionary activities include a statement confirming that the relevant design elements of the Residential Zone Design Guide 2021 have been considered. A formal architect's statement has been prepared for this proposal and confirms that the Design Guide has been actively considered and embedded within the final design outcome.

That statement is important because it provides a professional design rationale for the proposal. It explains that the building's form has been calibrated to the slope, that the roof has been resolved as a low-pitch form to reinforce a horizontal expression, and that the façades have been modulated through changes in plane and material to avoid long, unarticulated surfaces. It also records that the building has been positioned toward the northern boundary to optimise solar access and outlook, while the upper level is recessed from the southern boundary to reduce perceived and actual dominance and shading.

The architect's statement further confirms that the internal organisation of the dwelling supports adaptability and a range of living patterns, thereby aligning with the Design Guide's objectives relating to housing diversity. It also explains that the relationship between the building and the ground has been carefully managed so that the dwelling reads as two storeys from the street and three storeys from the lake side, which is an appropriate response to the topography rather than an attempt to maximise built form without regard to context.

In my view, the architect's statement materially strengthens the application because it demonstrates that the design has not simply been justified after the fact; rather, the relevant design outcomes have informed the design from the outset.

6 PRECEDENT

A highly relevant precedent exists at 22 Lismore Street (RM181281). That consent approved a three-level dwelling on an adjacent site with similar topographical characteristics, comparable earthworks and a built form that also responded to the slope and streetscape of Lismore Street.

The Topographical Survey and site overlay information demonstrate that the relationship between the subject site and 22 Lismore Street is closely comparable in terms of elevation, building siting and urban context. That precedent is not determinative, but it is highly informative. It demonstrates that Council has already accepted this form of development on an immediately adjoining site and has found that the resulting effects can be appropriately managed.

The current proposal is therefore not seeking to establish a new pattern of development. Rather, it is consistent with an already established and consented pattern of hillside residential development within the immediate locality.

7 DISTRICT PLAN ASSESSMENT MATTERS

7.1 Earthworks

Clause	Assessment Matter	Response
25.8.2	Soil erosion and generation of sediments	
25.8.2.1	Extent to which the proposal achieves effective erosion and sediment management.	The EMP includes silt fencing along the downslope boundary, a stabilised aggregate entrance, runoff diversion bunds, and progressive stabilisation. These measures will effectively prevent sediment discharge beyond the site.
25.8.2.2	Whether earthworks will be completed within a short period.	The works are scheduled for approximately four weeks during dry months, minimising the exposure period and risk of sediment generation.
25.8.2.3	Whether seasonal or staged works mitigate effects.	Earthworks are planned for the drier season (Oct–Apr). Staging will ensure disturbed areas are stabilised promptly.
25.8.2.4	Whether erosion/sediment design corresponds to scale, area, and sensitivity.	At 475 m^3 total, the scale is small. The EMP was prepared with standard residential best-practice measures appropriate to the site's medium-risk setting and distance from waterbodies.
25.8.3	Landscape and visual amenity values	
25.8.3.1	Design sympathetic to natural topography.	Cuts and fills follow the natural slope and are concealed by the dwelling and landscaping. Finished ground levels merge with surrounding ground.
25.8.3.2	Rehabilitation or landscaping to mitigate effects.	All exposed surfaces will be topsoiled and planted with low-flammability species
25.8.3.3	Duration and timeframes for remedial works.	Rehabilitation will occur immediately following earthworks, with planting in the first available season.
25.8.3.4	Effects within ONL/ONF/RCL.	Not applicable – the site is within the High Density Residential Zone, not an ONL/ONF or RCL.

25.8.3.5	Sensitivity of landscape to absorb change.	The local environment already contains modern dwellings and driveways; the minor earthworks will be readily absorbed.
25.8.3.6	Cumulative effects on landscape form.	Given the modest volume and residential context, cumulative effects are negligible.
25.8.3.7	Opportunity to modify track/road design.	Access aligns with the approved driveway, minimising disturbance.
25.8.3.8	Effects on public or private views and final landform consistency.	The works are small-scale and not visible from public viewpoints. The finished form will match natural topography and adjoining developed sites.
25.8.4	Effects on infrastructure, adjacent sites and public roads	
25.8.4.1	Effects on stormwater and overland flow.	Final levels maintain natural drainage; stormwater will be managed via on-site systems.
25.8.4.2	Effects on existing infrastructure.	Earthworks avoid existing easements and underground services. No adverse effects expected.
25.8.4.3	Off-site disposal of material.	All surplus cut material will be taken to a licensed cleanfill using the existing legal access.
25.8.4.4	Need for bonds or legal instruments.	Not necessary – small residential site with low risk of non-completion.
25.8.4.5	Sensitive receivers (e.g. aircraft).	Not applicable.
25.8.4.6	Proximity to electricity infrastructure.	Not applicable – no sub-transmission lines within 9.5 m.
25.8.5	Land stability	
25.8.5.1–25.8.5.4	Compliance with QLDC Code of Practice and avoidance of instability.	Design complies with the QLDC Code of Practice. The slope is moderate (< 18.5°) and will remain stable. Works will be supervised by Mt Iron Geodrill, a SEQP. Retaining / shoring will be installed on the cut faces as directed by the SEQP.
25.8.6	Effects on water bodies, ecosystem services and biodiversity	
25.8.6.1	Effectiveness of sediment control techniques.	Silt fences, diversion drains, and staged stabilisation as per the EMP will prevent sediment entering off-site drainage.
25.8.6.2	Effects on groundwater.	Excavation depths are well above groundwater level; no effect anticipated. Should

		groundwater be encountered, work will stop and further advice will be sought from the supervising geo professional and the environmental representative as per the EMP.
25.8.6.3–25.8.6.4	Effects on wetlands, lakes, rivers, or SNAs.	No waterbodies or SNAs occur nearby. No ecological effects expected.
25.8.7	Cultural, heritage and archaeological values	
25.8.7.1–25.8.7.6	Effects on wāhi tapu, archaeological or heritage features.	The site is located within the Take Kārara – Central Wānaka Wāhi Tūpuna area, however no recorded archaeological sites are present. An Accidental Discovery Protocol (Schedule 25.10) will be implemented as detailed in the EMP.
25.8.8	Nuisance effects	
25.8.8.1	Noise, vibration, dust, lighting and traffic.	Dust will be managed by watering. Traffic limited to small plant movements via the existing access. Effects will be minor and temporary.
25.8.8.2	Duration and hours of operation.	Works restricted to 0730–1800 Monday–Saturday, no Sundays/public holidays. Duration short; effects minor.
25.8.9	Natural Hazards	
25.8.9.1–25.8.9.4	Hazard mitigation and flood risk.	The site is not hazard-prone and not within flood, erosion or instability overlays. Earthworks will not alter hazard risk.
25.8.10	Functional aspects and positive effects	
25.8.10.1–25.8.10.2	Necessity for development.	The earthworks are required to form the building platform and access for the proposed dwelling. These are activities anticipated by the zoning.
25.8.10.3–25.8.10.6	Other purposes (farming, firebreaks etc.).	Not applicable.
25.8.11	Manawhenua values within identified wāhi tūpuna areas	
25.8.11.1	Effects on identified values.	Not applicable. Take Kārara - central Wānaka area has experienced extensive levels of modification. Schedule 39.6 of the District Plan advises that there are no potential threats listed for

		this wāhi tūpuna and the rules specific to wāhi tūpuna do not apply.

8 ASSESSMENT OF MATTERS OF DISCRETION (RULE 9.5.3)

Rule 9.5.3 identifies a series of specific matters of discretion for building height on sloping sites. Each of those matters has been considered below.

8.1 Building Design and Appearance

Building design and appearance, including roof form articulation and the avoidance of large, monolithic building forms;

The proposal performs well in terms of building design and appearance. The elevations and perspective views demonstrate that the building is not expressed as a singular vertical mass. Instead, the design incorporates a series of stepped floor levels, horizontal roof lines, articulated façade planes, and changes in material that collectively reduce apparent scale. The stacked schist elements provide a strong anchoring effect to the building, while the plaster façade and vertical shiplap timber cladding soften and break down the overall composition. The aluminium joinery is contemporary and recessive, and the glazing contributes to visual permeability rather than heaviness.

This approach is entirely consistent with the discretion matter relating to roof articulation and the avoidance of large, monolithic building forms.

8.2 Building Dominance and Sunlight Access

Building dominance and sunlight access relative to neighbouring properties and public spaces including roads;

The management of dominance and sunlight has clearly been a central driver of the design. The architect's statement explains that the building has been located toward the northern boundary to optimise solar access and outlook, while the upper level is recessed from the southern boundary. This reduces both perceived and actual dominance on the southern neighbour. The sectional drawings and perspective views support that explanation.

In addition, the adjoining northern, southern and western neighbours have provided written approvals. That is significant evidence that, when the proposal is assessed in practical rather than purely theoretical terms, the actual effects are acceptable to the parties most likely to be affected.

8.3 Housing Diversity and Sustainability

How the design advances housing diversity and promotes sustainability either through construction methods, design or function;

The proposal contributes positively to housing diversity by providing a dwelling capable of accommodating a range of living arrangements, including extended family and private guest accommodation. The internal organisation of the building across multiple levels allows for both shared living and separation of spaces, which is a positive outcome in a high density residential setting.

The design also demonstrates an element of sustainability through its site-responsive form, orientation of living spaces to maximise solar gain, and use of durable external materials. While the proposal is not being advanced as a specialised sustainability project, it nonetheless responds sensibly to environmental conditions and long-term durability considerations.

8.4 Response to the Sloping Landform

How the design responds to the sloping landform so as to integrate with it;

This is one of the strongest aspects of the proposal. The building has not been forced onto a large artificially levelled platform. Instead, the floor levels have been set to work with the site's natural fall, allowing each level to engage directly with the landform. This reduces the perception of height and bulk and results in a built form that is clearly derived from, and integrated with, the slope.

The architect's statement expressly notes that the building reads as two storeys from the street and three storeys from the lake side. That is a logical and appropriate outcome for a site of this nature.

8.5 Privacy

Privacy for occupants of the subject site and neighbouring sites;

Privacy effects are appropriately managed through the location of windows, the arrangement of principal internal spaces, and the separation achieved between the dwelling and adjoining buildings. There is no evidence of significant overlooking or loss of privacy, and the written neighbour approvals reinforce that conclusion.

8.6 Effects on Significant Public Views

Effects on significant public views, in particular from Lismore Park (based on an assessment of public views undertaken at the time of the proposal, in addition to any specified significant public views identified within the District Plan);

The relevant public view consideration is primarily from Lismore Park. The proposal does not adversely affect significant public views in a manner that is more than minor. Lismore Park is at a significantly higher level that the proposed building, due to the split-level road formation.



Figure 3. Architect visualisation of the building viewed from the upper level of Lismore Street.



Figure 4. Existing dwelling viewed from Hedditch Street. Proposed building is approximately 700mm lower than 22 Lismore Street (building to right of photo)



Figure 5. View from Lismore Park. 22 Lismore Street is to right of image. Proposed building would be to the left of 22 Lismore Street, and approximately 700mm lower.



Figure 6. View from Lismore Park. 10 Lismore St is not visible. Proposed building would be located behind existing street planting. 22 Lismore Street is to right of photo.

The building remains within the 10 metre discretionary height limit, its mass is moderated by stepping and articulation, and the surrounding urban environment already contains substantial built development. In that context, the proposal does not create an inappropriate intrusion into public views.

8.7 Positive Effects of Additional Development Intensity

The positive effects of enabling additional development intensity within close proximity to town centres.

The proposal produces positive effects by enabling a high-quality residential development within an area specifically intended to accommodate greater density. It makes efficient use of urban land, supports housing supply, and aligns with the strategic direction of consolidating growth within established urban areas rather than expanding outward.

Overall, the proposal responds positively to all of the matters of discretion under Rule 9.5.3.

9 ASSESSMENT OF ENVIRONMENTAL EFFECTS

9.1 Effects on Neighbours

The proposal has been assessed with particular regard to the properties adjoining the site, namely those to the north, south and west. These are the parties most likely to experience any direct effects associated with the built form, including dominance, shading, privacy and outlook.

Written approvals have now been obtained from all neighbouring properties. That is a significant and practical indication that the parties most directly affected by the proposal are satisfied that any potential effects are acceptable in the context of the site and the established pattern of development along Lismore Street.

In addition to those written approvals, the physical relationship between the subject site and neighbouring properties further supports the conclusion that adverse effects are limited. The property to the west is located materially lower than the subject site, and the topographical separation between the sites substantially reduces the potential for adverse shading, dominance or loss of outlook. The properties to the north and south form part of the same hillside development pattern and are already characterised by multi-level residential built form, meaning the proposal will be seen within an established context of stepped urban development rather than as an isolated or unexpected form of development.

Accordingly, the effects on neighbouring properties are considered to be less than minor.

9.2 Written Approvals

Written approvals have been obtained from all adjacent owners. In accordance with Section 104 (3)(a)(ii), the consent authority may not have regard to any effect on these owners.

Owner	Legal Description	Title Reference
Sir Ian Farrant	Lot 3 DP 211105	OT12D/634
WBC Trustee Limited	Lot 3 DP 26746	OT18D/407
Lakeside Property Limited	Lots 1-6 DP 332808	RTs 134455-134459

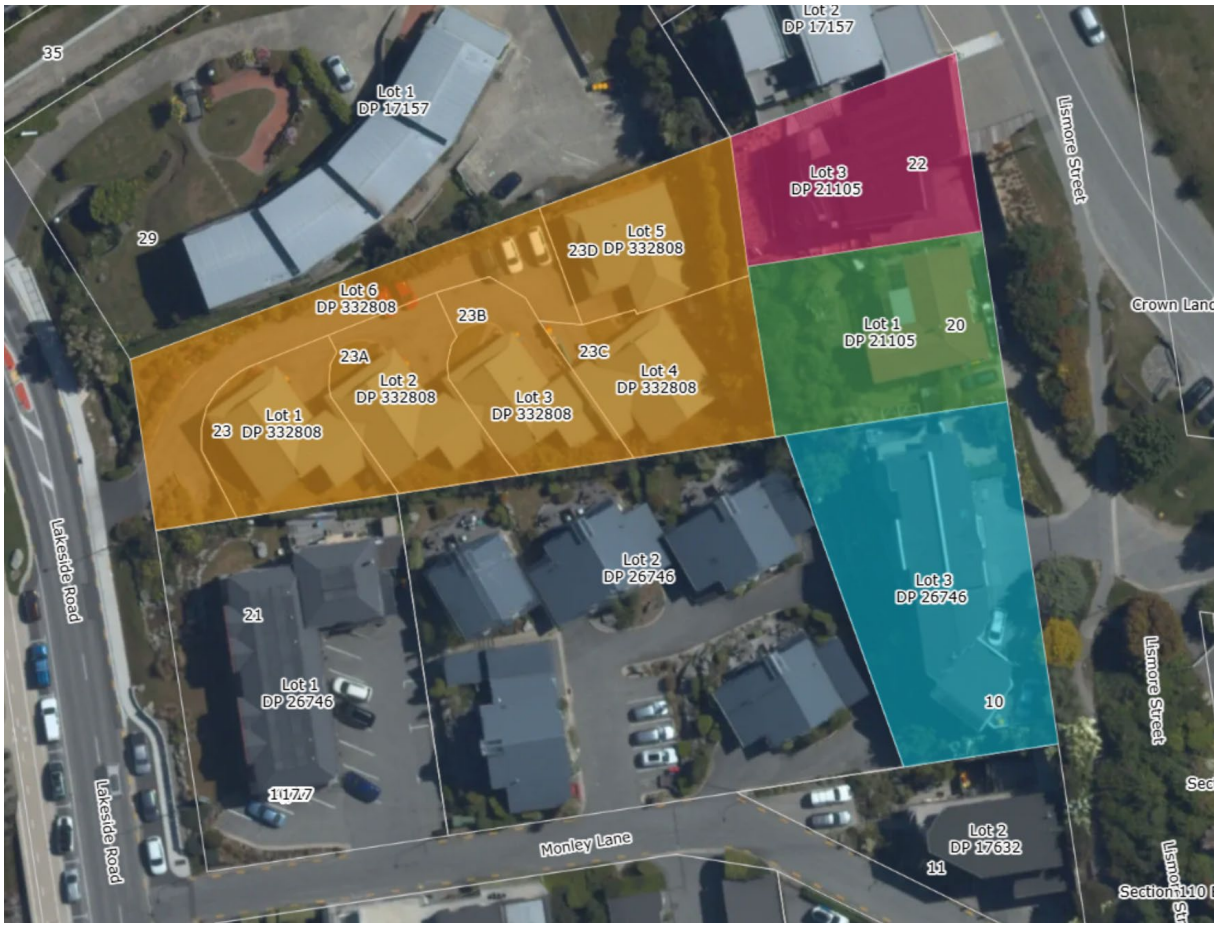


Figure 7. Written approvals provided. Subject site in Green

9.3 Visual and Amenity Effects

The visual effects of the proposal have been carefully managed through the design response. The building does not present as a blunt three-storey wall to the street or surrounding properties. Rather, it has been composed as a layered and articulated form, with clear variation in massing and materials. The perspective views are particularly helpful in illustrating that the dwelling has a refined and contemporary architectural character that sits comfortably within the context of modern hillside development in Wānaka.

The proposed material palette of stacked schist, plaster façade, vertical shiplap timber and aluminium joinery is both durable and visually appropriate. The schist elements provide solidity and grounding, while the lighter plaster and timber elements reduce visual heaviness. The result is a dwelling that has a strong architectural presence without appearing excessive or overbearing.

In terms of broader amenity, the High Density Residential Zone anticipates a more urban form of development and accepts that existing amenity values will evolve as that intensification occurs. The proposal is consistent with that anticipated outcome.

9.4 Road setback effects

The proposed dwelling is setback 3.7 metres from the Lismore Street road boundary and therefore breaches the 4.5 metre road setback standard by 0.8 metres. In my opinion, the effects of this infringement are no more than minor. The extent of non-compliance is modest, and it is important to note that the existing dwelling on the site was previously authorised by resource consent to be located only 2.7 metres from the road boundary. In that context, the current proposal represents an improvement on the previously consented position, as the new dwelling will be located 1.0 metre further back from the street than the building it replaces.

The proposal must also be considered in the context of Lismore Street, where development commonly responds to the steep topography by locating garaging and built form relatively close to the road boundary. The proposed setback is therefore consistent with the established pattern of hillside development in the locality and will not appear incongruous within the streetscape. Given the modest extent of the infringement, the previously consented position of the existing dwelling, and the established character of the area, I consider that the road setback breach will not result in adverse streetscape or amenity effects that are more than minor.

9.5 Height Effects

The breach of the 7 metre height plane is, in large part, a technical consequence of the site's topography rather than an indicator of unacceptable effects. The building remains within the 10 metre maximum height and has been designed in a way that visually moderates its overall scale.

The actual effects of the height breach are limited because the design integrates with the landform, the most affected neighbours have approved the proposal, and the locality already contains comparable multi-level development.

9.6 Earthworks Effects

Earthworks effects are addressed through both design and management responses. At the design level, the building has been configured to work with the slope, reducing the need for a larger artificially levelled platform. At the management level, the Environmental Management Plan sets out best-practice measures for erosion and sediment control, dust suppression, site stabilisation, spill response and monitoring.

The Geotechnical Report confirms that the site is suitable for the proposed development, subject to detailed design and standard engineering controls. In that context, the earthworks effects are capable of being appropriately managed and are not considered to be more than minor.

9.7 Land Stability

Land stability is a critical issue on a site of this nature. The Geotechnical Report concludes that the site is suitable for the proposed development and identifies the expected subsurface profile, likely founding conditions and preliminary design parameters. It also recommends that detailed geotechnical investigation be undertaken as construction progresses. Those recommendations are standard and do not indicate any unusual or unmanageable risk.

Accordingly, I am satisfied that land stability effects can be appropriately addressed through detailed design and construction controls.

9.8 Construction Effects

Construction effects such as noise, dust, traffic and temporary visual disturbance will arise during the implementation phase. However, these effects are temporary, typical of residential development, and capable of being managed through the measures set out in the Environmental Management Plan. Those measures include staging of works, dust suppression, erosion and sediment controls, hours of operation, and incident response procedures.

Given the scale of the project and the controls proposed, construction effects are considered to be no more than minor.

9.9 Positive Effects

The proposal will provide a high-quality dwelling on a site within an established urban environment and will contribute to the efficient use of urban land. It also represents a positive architectural outcome that is responsive to site and context. More broadly, the proposal aligns with the planning direction of accommodating growth and housing within existing urban areas.

10 OTHER MATTERS

The National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health applies to applications where earthworks are proposed on sites where hazardous substances have been or may have been stored.

The site has been occupied by a residential dwelling for at least 70 years. This dwelling is to be demolished to make way for the earthworks and new dwelling. Other than the usual protocols for demolishing a building, there is nothing to suggest that the soil may be contaminated in any way. While contaminants are not anticipated to be encountered, if contaminants are accidentally uncovered the EMP provides detailed management procedures and contingency measures to follow.

There are no hazardous substance uses or storage associated with this site, and therefore the NES does not apply.

11 SECTION 104 ASSESSMENT

Having regard to the matters in section 104(1) of the RMA, I consider that the proposal results in adverse effects on the environment that are no more than minor. The proposal is supported by detailed architectural drawings, a topographical survey, a geotechnical report, an environmental management plan, a formal architect's statement addressing the Residential Zone Design Guide 2021 and written neighbour approvals.

The proposal is also consistent with the relevant objectives and policies of the Operative PDP and aligns with the broader strategic direction of the UIV. In my opinion, the proposal is an appropriate and well-reasoned use of the site.

12 NOTIFICATION

A consent authority must publicly notify an application if it concludes that under s95D of the Resource Management Act 1991 that the proposed activity will have or is likely to have adverse effects on the environment that are more than minor. Additionally, Section 95B (1) requires a decision to be made as to whether any persons are adversely affected (s95E) in relation to the activity. The proposed activity as outlined above, is not likely to have adverse effects on the environment that are more than minor. Any potential effects associated with the proposal will be internalised within the subject site. The building is similar to others in the vicinity. Written approvals have been obtained from all neighbouring property owners. In these circumstances no persons are considered adversely affected.

The applicant has not requested public notification (s95A (2)(b)), no rule or national environmental standard requires public notification of the application (s95A(2)(c)) and there are no special circumstances that exist in relation to the application that would require public notification (s95A (4)).

The application should therefore proceed on a non-notified basis.

13 PART 2 OF THE RESOURCE MANAGEMENT ACT

The application must be considered with respect to the purpose of the Resource Management Act 1991, as stated in Part 2 (Section 5), along with the relevant matters in Sections 6, 7, and 8.

The proposal is consistent with the purpose of the Resource Management Act 1991 (RMA), being able to "promote the sustainable management of natural and physical resources".

The matters of national importance listed in section 6 and the principles of the Treaty of Waitangi referred to in section 8 are upheld by this proposed rural subdivision.

The directly relevant "other matters" in Section 7 are:

b) the efficient use and development of natural and physical resources.

c) the maintenance and enhancement of amenity values.

f) maintenance and enhancement of the quality of the environment.

The proposal is for earthworks and construction of a residential building. The proposal will not cause any effects outside of the site. Slope stability and sedimentation will be managed by effective design and construction management in accordance with standard QLDC requirements. The proposal is consistent with the purpose of the RMA because it makes efficient use of the land resource and will have no detrimental effect on the environment.

14 CONCLUSION

The proposed development represents a carefully considered response to the physical and planning context of 20 Lismore Street. The design has been developed in direct response to the site's topography, outlook and surrounding built form. It demonstrates a high standard of architectural quality, responds positively to the Residential Zone Design Guide 2021, and appropriately manages all potential adverse effects.

The proposal is supported by a comprehensive body of information, including architectural plans, perspective views, a topographical survey, a geotechnical report, an environmental management plan, and written neighbour approvals. Collectively, that material demonstrates that the proposal is appropriate for the site and that any adverse effects can be appropriately avoided, remedied or mitigated.

For those reasons, consent should be granted.

Yours faithfully

COTERRA LIMITED



Matthew Suddaby

Managing Director / Registered Professional Surveyor (RP Surv.)