

APPLICATION FOR

LAND USE RESOURCE CONSENT

APPLICANT: Richard Thomas

LOCATION: 1 Divers Lane, Wanaka 9305

Date: 30th April 2026

Location: 1 Divers Lane, Wanaka 9305

Attention: QLDC – Wanaka Planning Department

Document Quality Assurance

Project Reference: Richard Thomas - Dwelling

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30th April 2026

Queenstown Lakes District Council
Wanaka Office
47 Ardmore Street
Wanaka 9305

Attention: Wanaka Planning Department

1.0 INTRODUCTION

Please find an application for Resource Consent to construct a residential unit at 1 Diver Lane, Wanaka which is in breach of the Large Lot Residential A standard for part of a building located within the road boundary setback.

The application includes a site description, description of the proposed activity and an assessment of how the proposal aligns with the relevant District Plan rules and assessment criteria.

2.0 APPLICATION DETAILS

APPLICANT	RICHARD THOMAS
SITE LOCATION	1 DIVERS LANE, WANAKA 9305
LEGAL DESCRIPTION	LOT 2 DP 624996
APPLICATION SITE AREA	2177M^2
ZONING	LARGE LOT RESIDENTIAL A

3.0 APPENDICES

APPENDIX A	RECORD OF TITLE & ENCUMBRANCES
APPENDIX B	PLAN SET

4.0 SITE DESCRIPTION AND PROPOSAL

4.1 SITE DESCRIPTION

The subject site is zoned Large Lot Residential A under the Proposed District Plan (PDP), with surrounding land use characterised by low density residential occupation to the east. Topographically, the site is relatively flat, albeit falling very gentle towards the north-east.

The subject site is a bare land lot, void of built form and landscaped vegetation. There is a small bund along the northern boundary which will be used as fill for the proposed dwelling. The site is currently accessed from Divers Lane, however there is no formed vehicle crossing.



Figure 1: Aerial view of subject sites (outlined in yellow) and surrounds. Source: GRIP Map.



Figure 2: Site photo looking east.



Figure 3: Site photo looking west.



Figure 4: Site photo looking north.



Figure 5: Site photo looking south.

4.2 PROPOSAL

The proposal is to construct a 352.6m^2 residential dwelling which breaches standards relating to building within the road boundary setback and building coverage.

ROAD BOUNDARY SETBACK BREACH

The proposal includes a road boundary setback breach on the eastern road boundary. The area of the dwelling within the road boundary setback comprises 27.44m^2. This area consists of the front of the garage, and a small portion of Guest Bedroom 02.

The part of the building intruding into the setback the furthest is a concrete wingwall separating the garage from the front entrance way. This wingwall is located 7.069m from the road boundary. The southeastern corner of the garage is 7.454m from the eastern road boundary. The wedge of the building within the 10m road boundary setback reduces to the north, intruding 0.84m into the setback in the northeastern corner of the dwelling.

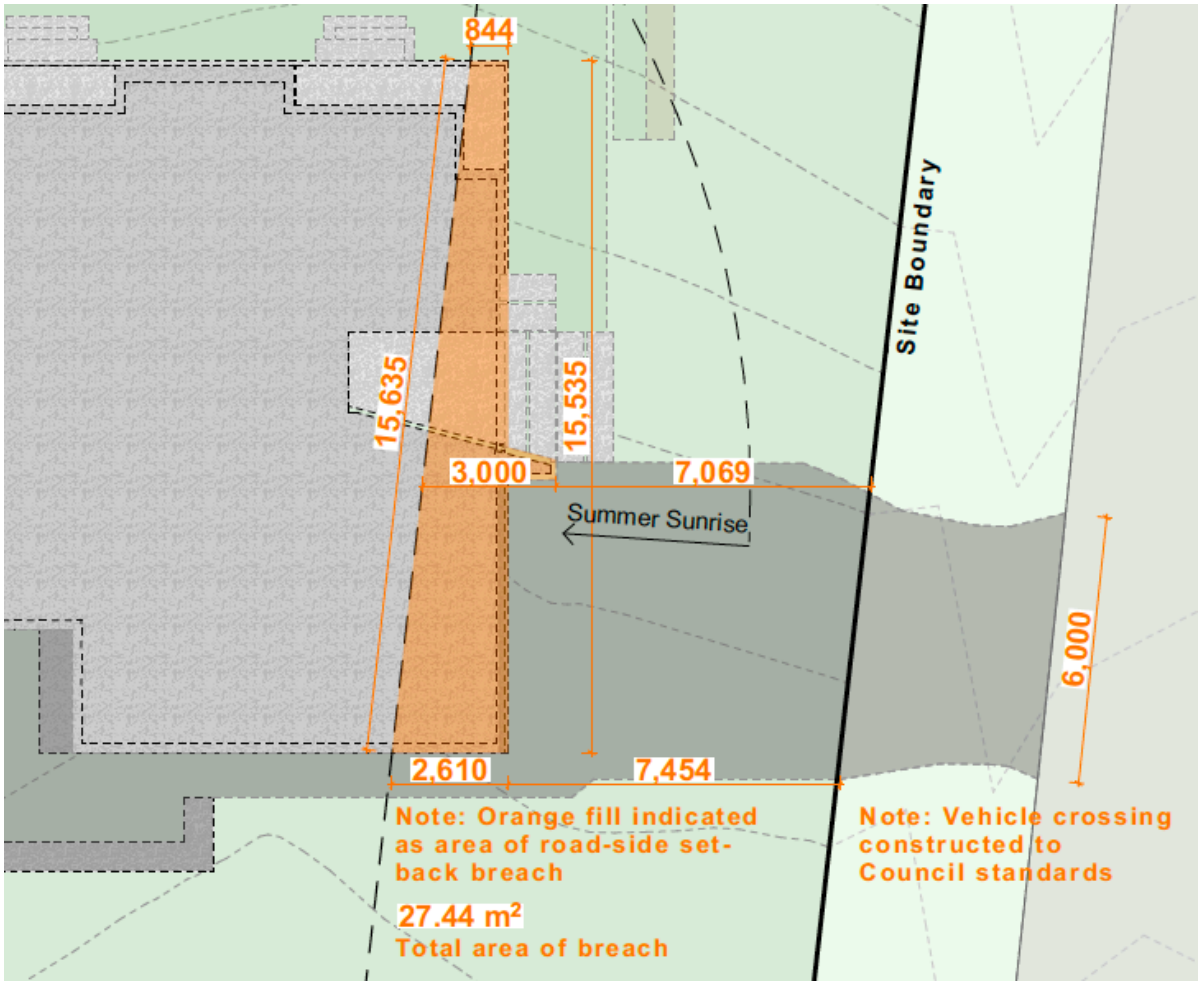


Figure 6: Proposed road boundary setback breach.

SITE COVERAGE BREACH

The proposal includes 352.6m^2 of built form for the residential unit within the site. The maximum building coverage for the Large Lot Residential A zone is 15% of the site area. The proposal is for 16.2% building coverage, which results in a breach of 1.2%.

This breach is largely due to the inclusion of large eaves which exceed the exclusion for eaves up to 600mm.

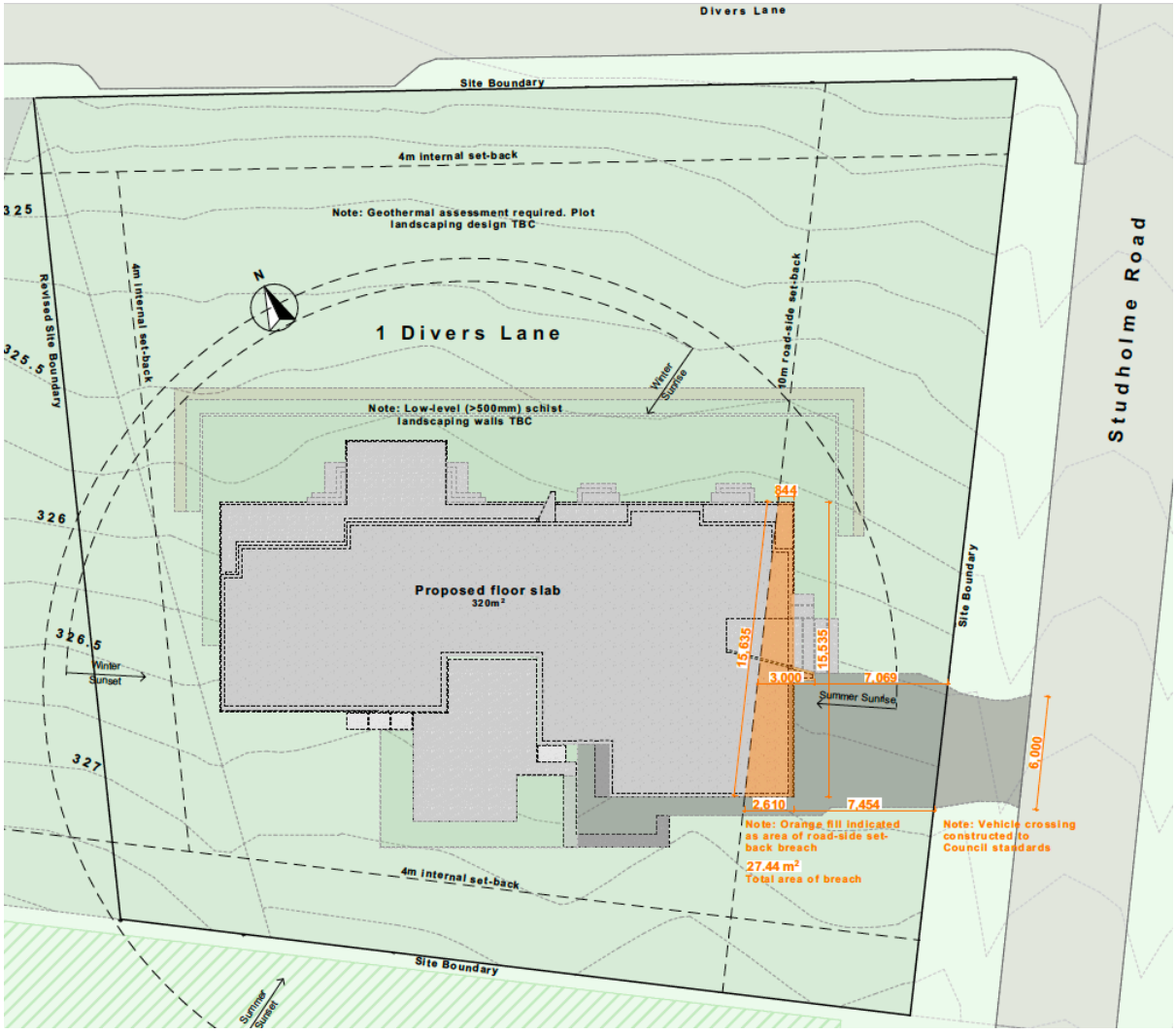


Figure 7: Proposed Site Plan, full plan set attached as **Appendix B**.



Figure 8: Residential Dwelling Rendering.

5.0 NES FOR ASSESSING CONTAMINANTS IN SOIL

With respect to a preliminary site investigation (PSI) of soil contaminants, consistent with the published guidelines for assessing and managing contaminants in soil to protect human health, an investigation of known land use associated with the site was undertaken. Both the Queenstown Lakes District Council's GIS hazard register and Otago Regional Council records have been searched and there is no evidence of any activity which requires consent under the national standard. Residential occupation of the site has been approved by the underlying subdivision which created the site.

6.0 SITE HISTORY

The following consents are relevant to this application:

- **RM250580** – Approved resource consent for a boundary adjustment of the subject site and the neighbouring site and construct a dwelling in breach of building coverage at 3 Divers Lane, Wanaka.

7.0 RELEVANT PROVISIONS OF THE DISTRICT PLAN

7.1 ACTIVITY STATUS

Proposed District Plan

The subject site is zoned Large Lot Residential A under the Proposed District Plan, and therefore the proposed building activity requires the following consents:

- A **Restricted Discretionary Activity** pursuant to **Rule 11.5.2.1** which provides for a maximum building coverage of 15% of the net site area. The proposal is for 16.2% building coverage. Council discretion is restricted to the following:

    a) The effect on openness and spaciousness;
    b) Effects on views and outlook from neighbouring properties;
    c) Visual dominance of buildings;
    d) Landscaping.

- A **Non-Complying Activity** pursuant to **Rule 11.5.4** which seeks a minimum road boundary setback of any building of 10m. The proposal seeks to

construct 27.44m^2 of the dwelling within the road boundary setback with a minimum distance from the boundary of 7.069m.

Overall, under the Proposed District Plan, the proposal qualifies as a **Non-Complying Activity**.

8.0 ASSESSMENT OF ADVERSE EFFECTS

8.1 PERMITTED BASELINE

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 instance, the permitted baseline on each site includes:

- Residential activities;
- Home occupation;
- Establishment of residential dwellings, including a residential flat, at a density of one per 2,000m^2 and a minimum allotment size of 1,500m^2;
- Fencing;
- Landscape planting;
- Internal setbacks of 4m;
- Road setbacks of 10m;
- Maximum building height of 8m;
- Maximum building coverage of 15% of the net site area;
- Earthworks up to 400m^3.

8.2 EXISTING ENVIRONMENT

The existing environment is of relevance to the consideration of the proposed development. The existing environment includes the approved boundary adjustment under RM250850 and the existing right to drain wastewater easement.

8.3 RECEIVING ENVIRONMENT

In addition to the permitted baseline and existing environment it is important to consider the receiving environment which includes existing and consented Large Lot residential development adjacent to and in the vicinity of the application site, located to the north, west and south of the subject site.

The site adjacent to the north at 2 Divers Lane, is currently undeveloped. The neighbouring site at 6 Divers Lane has a small residential unit established.

The site adjoining to the south at 271 Studholme Road received an approved resource consent under RM250821 to construct an accessory building within the 10m road boundary setback.

The site adjoining to the east at 3 Divers Lane is also owned by the applicant and has an approved residential unit under construction situated on the site.

To the west on the opposite side of Studholme Road, is a large 11.7-hectare undeveloped lot.

It is important to note that approximately 35m to the west of the subject site on the opposite side of Studholme Road is the Low Density/Suburban Residential zone. This is relevant as the minimum road boundary setback distance is 4.5m and the maximum building coverage is 40%.

9.0 ASSESSMENT OF EFFECTS

ROAD BOUNDARY SETBACK BREACH

The proposed dwelling breaches the 10m road boundary setback, with the closest point of the building located 7.07m from the road boundary. This encroachment arises primarily from a small wing wall, while the bulk of the building within the setback is located approximately 7.45m from the boundary. From this point, the encroachment tapers northward to a width of approximately 0.84m and moves progressively further away from the boundary. In total, the area of the dwelling within the road setback is 27.44m^2, comprising the front portion of the garage and a small part of Guest Bedroom 02.

The extent of the breach is limited in scale and will not result in an overbearing built form when viewed from the road. Although 27.44m^2 of the dwelling is located within the setback, the building remains set back by over 7m from the road boundary, maintaining a clear sense of separation between the dwelling and the road. The encroaching portion is also low in profile, being single-storey in height, which further reduces any perception of dominance.

In addition, the road-facing façade incorporates varied cladding materials that visually break up the building form and soften its appearance. In particular, the use of natural cedar timber assists in integrating the dwelling with both the surrounding environment and the established architectural character of the locality, where similarly clad dwellings are present. This reduces the visual prominence of the breach when viewed from the public realm.

The breach is located along the eastern boundary of the site and is oriented toward the road, rather than toward neighbouring residential properties. The nearest residential unit is located to the south at 271 Studholme Road, approximately 50m from the portion of the dwelling within the setback. This separation distance is substantial and ensures the encroachment will not result in adverse dominance, shading, privacy, or outlook effects for neighbouring properties.

It is also relevant that, approximately 35m to the north-east of the site, land is zoned Low Density Suburban Residential, where the minimum road boundary setback is 4.5m. This indicates that built form substantially closer to the road is anticipated within the surrounding locality. In that context, a dwelling setback of approximately 7m remains generous and will appear consistent with the existing and anticipated character of development along Studholme Road.

Overall, the proposed road boundary setback breach is limited in extent, well-articulated in design, and maintains a meaningful setback from both the road and neighbouring properties. Accordingly, any adverse effects arising from the breach are considered to be less than minor.

SITE COVERAGE BREACH

The matters of discretion which Council can consider are as follows:

a) The effect on openness and spaciousness;
b) Effects on views and outlook from neighbouring properties;
c) Visual dominance of buildings;
d) Landscaping.

a) The effect on openness and spaciousness.

The subject site has an area of 2,177m², which is consistent with the anticipated low-density character of the Large Lot Residential A Zone. The proposal results in a minor exceedance of the building coverage standard, with coverage of 16.2% compared to the permitted 15%, representing a marginal breach of 1.2%.

Notwithstanding this exceedance, the site remains predominantly open, with approximately 84% of the site retained as open space. This ensures that the built form remains well spaced, visually recessive, and clearly subordinate to the surrounding open environment. The limited extent of the additional coverage does not give rise to any perception of crowding, overdevelopment, or site saturation.

The spatial arrangement of development further reinforces this outcome, with the majority of built form concentrated in defined areas and a substantial portion of the northern half of the site retained as open outdoor space. In the context of the surrounding environment, where sites exhibit similar building footprints and development patterns, the proposal remains consistent with the established character and expectations of the zone.

Accordingly, the proposed building coverage exceedance will not materially diminish openness or spaciousness, and any resulting adverse effects are considered to be less than minor.

b) Effects on views and outlook from neighbouring properties.

The proposed site coverage breach is minimal in extent, exceeding the District Plan standard by only 1.2%, and will be effectively indiscernible when viewed from neighbouring properties or other external vantage points.

The exceedance arises largely from generous eaves extending beyond 600mm over outdoor living areas. These areas remain open and unenclosed, which reduces the perceived bulk and dominance of the built form when viewed from adjoining sites. As such, the additional coverage does not translate to an equivalent increase in visual mass or built intensity.

Furthermore, as noted in relation to the road boundary setback breach, the site is located in close proximity to land zoned Low Density Suburban Residential, where a building coverage standard of up to 40% applies. This establishes an immediate built environment context where a greater level of site coverage is anticipated. In comparison, the proposed coverage of 16.2% remains substantially lower and will be perceived as consistent with, and even more spacious than, the wider pattern of development along the road.

Taking these factors into account, the proposal will not result in any material loss of outlook or visual amenity for neighbouring properties. The built form remains low in scale, well-articulated, and visually recessive within a predominantly open site.

Accordingly, any adverse effects on neighbouring views and outlook are considered to be less than minor.

c) Visual dominance of buildings.

The proposed dwelling has a maximum height of 5.325m, which is well below the permitted 8m standard. This reduced height, in combination with compliance with recession plane controls and internal setbacks, ensures that the building maintains a low profile and avoids any overbearing or dominant presence when viewed from adjoining properties.

The building design further mitigates potential dominance effects through articulation of the built form. Step-ins, variation in wall planes, and a mix of materials break up the overall mass of the dwelling and avoid the appearance of large, continuous façades. The incorporation of large glazed sliding doors contributes to a more visually permeable and recessive frontage, reinforcing the indoor-outdoor relationship while reducing the perceived bulk of the structure.

The use of natural timber cladding, alongside plaster and concrete finishes, provides visual variation and assists in integrating the dwelling with its surroundings. This combination of materials and design detailing softens the overall appearance of the building and reduces its visual prominence within the site.

Accordingly, the dwelling will not result in adverse visual dominance effects, and any effects in this regard are considered to be less than minor.

d) Landscaping.

No landscape plan is proposed as part of this application in response to the site coverage exceedance. This is considered appropriate given the minor scale of the breach, which is limited to 1.2% above the permitted standard and does not give rise to any appreciable adverse visual or amenity effects that would require mitigation through additional landscaping.

The site retains a substantial proportion of open space, and the dwelling design is well-articulated and visually recessive. As such, the absence of a formal landscape plan does not result in any loss of visual amenity or screening for neighbouring properties or the road frontage.

Accordingly, any adverse effects in relation to landscaping are considered to be less than minor.

Overall, on a 20177 m^2 Large Lot Residential A zoned site, the proposed building coverage exceedance of 1.2% is minor and does not give rise to any discernible adverse effects. When assessed against the relevant matters of discretion, the proposal results in less than minor effects on openness and spaciousness, neighbouring outlook, visual dominance, and landscaping, and remains fully consistent with the intended character and amenity outcomes of the zone.

10.0 EFFECTS ON PERSONS

The proposed dwelling has been carefully designed such that any effects on neighbouring properties are appropriately avoided, remedied, or mitigated.

The building height is limited to 5.325m, which is significantly below the permitted 8m standard. In combination with compliance with recession planes and internal setbacks, this ensures the dwelling maintains a low profile and does not result in any overbearing or dominant presence when viewed from adjoining sites.

While a breach of the 10m road boundary setback is proposed, the extent of this infringement is limited, with the closest point of the building located 7.07m from the boundary and the majority of the encroachment set further back at approximately 7.45m. The encroachment is minor in scale, confined in area, and oriented toward the road rather than neighbouring properties. The nearest dwelling is approximately 50m away from the locality of the breach within the site, ensuring a substantial separation distance that avoids any adverse effects relating to dominance, shading, privacy, or outlook.

The minor exceedance of the site coverage standard (16.2% compared to 15%) does not translate to increased dominance or loss of amenity. The additional coverage largely relates to eaves over outdoor living areas, which remain open and relatively visually permeable. The site retains approximately 84% open space, maintaining a strong sense of spaciousness and separation between built form.

In terms of design, the dwelling incorporates articulation through step-ins, varied wall planes, and a mix of materials, including natural timber cladding, which assists in visually breaking up the building form and reducing its perceived bulk. Large glazed openings further soften the façade and reinforce a recessive appearance within the site.

The surrounding context is also relevant. Nearby land zoned Low Density Suburban Residential anticipates a greater level of built form, including reduced setbacks and higher site coverage. In this context, the proposed development remains consistent with the anticipated character of the locality and will not appear out of scale or intensity.

Overall, the proposal will not result in any material loss of privacy, outlook, sunlight access, or visual amenity for neighbouring properties. Accordingly, adverse effects on persons are considered to be less than minor.

Summary

For the reasons outlined above, the adverse effects on neighbouring properties will be less than minor. Accordingly, no parties are considered to be adversely affected by the proposed development.

11.0 OBJECTIVES AND POLICIES OF THE PROPOSED DISTRICT PLAN

Proposed District Plan (PDP)

CHAPTER 3 - STRATEGIC DIRECTION

The relevant strategic objectives and policies in Chapter 3 (Strategic Direction) are addressed below.

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

Policy 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.*

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

Policy 3.2.3.2 *– Built form integrates well with its surrounding urban environment.*

In regard to Objectives 3.2.2 and 3.2.3 and the associated relevant policies, the proposed development is consistent with appropriate urban growth within the urban growth boundary, and is in line with the anticipated Large Lot Residential outcomes. The proposal appropriately blends with the existing development in the immediate area to provide a well-designed residential dwelling that utilises the site effectively to create a residential living opportunity for the owners of the subject site. The proposal is consistent in regard to these objectives and policies.

Objective 3.2.4 *- The distinctive natural environments and ecosystems of the District are protected.*

Policy 3.2.4.1 *- Development and land uses that sustain or enhance the life-supporting capacity of air, water, soil and ecosystems, and maintain indigenous biodiversity.*

The proposal is consistent with the objective and policy above. The proposal will ensure that the life supporting capacity of air, water, soil and ecosystems will be maintained. All earthworks undertaken will be completed without significant adverse effects on air, water, soil and ecosystems.

CHAPTER 11 – LARGE LOT RESIDENTIAL

Objective 11.2.1 – A high quality of residential amenity values are maintained within the Large Lot Residential Zone.

Policy 11.2.1.1 - Maintain low density residential character and amenity through minimum allotment sizes that efficiently utilise the land resource and infrastructure (Area A).

Policy 11.2.1.2 – Maintain or enhance residential character and high amenity values by controlling the scale, location and height of buildings.

Objective 11.2.2 - Predominant land uses are residential. Where appropriate, community and recreational activities also occur.

Policy 11.2.2.1 - Provide for residential and home occupation as permitted activities, and recognise that depending on the location, scale and type, community activities may be compatible with and enhance the zone's amenity values.

The proposal is consistent with the objectives and policies above. The proposed built form maintains the large lot character of the zone whilst achieving a high quality residential amenity that is appropriate in the context of the zone and surrounding sites. The land use is entirely residential and as such is consistent with the relevant objectives and policies.

Overall, the proposed development is consistent with the objectives and policies of the relevant chapters of the Proposed District Plan.

12.0 PART II OF THE RESOURCE MANAGEMENT ACT 1991

In consideration of the relevant principles outlined in Sections 5, 6, 7 and 8 of the Act, it is considered that if approved, the proposed development will continue to achieve the purpose of the Act as presented in Section 5. The proposal will provide for the owners social well-being, which is appropriate for its residential purpose and the liveability of the site, while ensuring any adverse effects are avoided, remedied or mitigated.

13.0 GATEWAY TEST

Section 104D of the RMA requires that applications for a non-complying activity must pass the "gateway" test, which requires that the proposal be demonstrated to be either not contrary to relevant objectives and policies of any relevant plan or proposed plan or be shown to have an effect on the receiving environment that can be deemed to be no more than minor. The assessment of the relevant objectives and policies in Section 11 determines that the proposal is not contrary to these objectives and policies. The assessment of effects in Section 9.0 determines that any adverse effects associated with the proposal would be no more than minor.

It is therefore considered that the proposal passes the "gateway" test in both respects.

14.0 CONCLUSION

This application seeks Resource Consent to construct a residential unit at 1 Divers Lane, Wanaka which breaches rules relating to site coverage, and building within the road boundary setback.

When aligned against the relevant assessment criteria of the District Plan, it is considered that the proposal will promote outcomes encouraged by the relevant rules, assessment criteria, objectives, and policies of the PDP. It is also considered that the application represents sustainable development as sought within Part 2 of the Act.

It is therefore respectfully requested that Council approve this proposal subject to appropriate conditions of consent.

Kind Regards,

Cameron Stobie
IP Solutions Ltd



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BRIDGING THE GAP BETWEEN PROCESS & YOUR OBJECTIVES

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