LAND USE CONSENT APPLICATION
73 POUNAMU AVE, HIKUWAI, WANAKA

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REV. A

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1.0 Introduction

This application is for landuse consent to construct a new residential unit on a site in the Hikuwai subdivision. The proposed development requires consent for the northern internal boundary setback, the continuous building length on the southern elevation, colour of materials and the vehicle crossing location.

2.0 The Land

2.1 Location and Legal Description

The land is located at 73 Pounamu Ave, Hikuwai, Wanaka. The site is part of a new subdivision development located east of Outlet Road and the greater Northlake zone.

The subject site comprises 559m^2 in area. The allotment is legally described as Lot 132 Deposited Plan 587915, and held in Record of Title 1133366.

Subdivision consent RM220008 created the subject site and a consent notice is registered on the new Title (copy attached) covering aspects of vehicle crossing location and foundation conditions.

2.2 Topography and Vegetation

The vacant site is flat in topography and comprises grass as groundcover.

3.0 The Proposal

3.1 Building

The applicant proposes to construct a new 210m^2 residential unit on the site, including a double garage. The construction involves the following breaches of standards:

- The dwelling extends 1.35m into the northern boundary setback, where a 4.5m setback is required. This includes a two post pergola, 2.5m high, with an open slatted roof, comprising either timber or pre-coated steel to match roofing or wall cladding colour; and
- The continuous building length (CBL) on the southern boundary is 19.05m. The aggregate length of the building, including garage and eaves, exceeds 16m; and
- The wall cladding colours for the plaster and Colorsteel exceed 36% LRV.

The dwelling is a maximum height of 5.5m and comprises the following external materials (refer to separate attached Colours & Materials palette):

- Colorsteel roofing, Grey Friars (LRV 10%);
- Wall cladding: Cedar weatherboard cladding, finished with Resene Woodsman natural stain; and Rockcote EIFS Plaster, colour Dulux Stonepeak (LRV 48%); and Colorsteel Stonepeak Matte (LRV 48%);
- Garage door, Scoria (LRV 10%).

3.2 Earthworks and Landscaping

Earthworks to prepare the site for construction are a site scrape only, given the flat topography.

A proposed landscape plan is provided. This includes mixed low plantings and bushes toward the four site corners and the road frontage of Pounamu Ave.

A 1.8m high timber fence, tapering to 1.2m high, will be constructed along the southern boundary.

3.3 Access and Consent Notice

A sealed vehicle crossing is to be located toward the site's southern boundary. A consent notice condition requires the vehicle crossing to be located against the boundary farthest from the nearest intersection. For Lot 132: this is against the northern boundary.

Andy Carr, of Carriageway Consulting Ltd, has provided a transport assessment in relation to the proposed vehicle crossing location.

A consent notice condition on the Title requires Specific Engineering Design (SED) for building foundations. It is anticipated that the foundation requirements can be covered by the Building Consent process. The proposed SED for the foundations is intended to comply with the consent notice.

4.0 District Plan & RMA Provisions

4.1 Operative District Plan (ODP)

The site is zoned Northlake Special Zone in the Operative District Plan. The site is within Activity Area B5. The proposal requires resource consent for the following:

- A **discretionary** (**restricted)** activity consent pursuant to Rule 12.34.2.4(i) as the proposal breaches the site standard 12.34.4.1(iii) for setbacks from internal boundaries. The dwelling extends into the northern internal boundary 4.5m setback by 1.35m; and

- A **discretionary** (**restricted)** activity consent pursuant to Rule 12.34.2.4(i) as the proposal breaches the site standard 12.34.4.1(iv) for continuous building length exceeding 16m. The aggregate length of the building along the southern elevation, including garage, is 19.05m; and

- A **non-complying** activity consent pursuant to Rule 12.34.2.5(xi) as the proposal breaches the zone standard 12.34.4.2(vii)(c) for Lighting, Glare and Controls on Building Materials.

  (c) External building materials shall either:
  (i) be coated in colours which have a reflectance value of between 0 and 36%; or

(ii) consist of unpainted wood (including sealed or stained wood), unpainted stone, unpainted concrete, or copper;

except that:

(i) architectural features, including doors and window frames, may be any colour; and

(ii) roof colours shall have a reflectance value of between 0 and 20%.

The proposed plaster and Colorsteel wall cladding have an LRV of 48%, which exceeds the required 36%.

Chapter 14 - Transport

- A **discretionary (restricted)** activity pursuant to Rule 14.2.2.3 for a breach of Site Standard 14.2.4.2(vi) in regard to minimum distances of vehicle crossings from intersections. The proposed vehicle crossing will be located 17.7m from the Pounamu Avenue / Moonstone Street intersection, in breach of the required 25m.

4.2 Consent Notice Variation

A change to the consent notice is required for the location of the proposed vehicle crossing.

- A **discretionary** activity pursuant to Section 221(3A) of the RMA 1991 for the variation of condition 1) a) of consent notice 12761365.2, as it relates to Lot 132 DP 587915, comprised in Record of Title 1133366.

It is proposed to alter Condition 1) a), as follows (deleted text struck through, added text underlined):

1) The following conditions apply to Lots 84 - 86, 88, 89, 94, 95, 101, 102, 109, 110, 113, 114, 125 – 132, 135 and 166 - 172 on DP 587915:

   a) At the time a residential unit is constructed the owner for the time being shall construct a sealed vehicle crossing to the site to Council's standards. The design of the vehicle crossing shall be subject to approval by Council under a 'Connection to Council Service Application'. The approval should be obtained and construction of the crossing approved by a Council Inspector prior to occupation of the residential unit. The vehicle crossings to the following lots shall be in the locations specified below:

      i) Lot 84: within 500mm of the eastern or northern boundary;
      ii) Lot 88: within 500mm of the eastern or northern boundary;
      iii) Lot 89: within 500mm of the eastern or southern boundary;
      iv) Lot 94: within 500mm of the western or southern boundary;
      v) Lot 95: within 500mm of the western or northern boundary;
      vi) Lot 101: within 500mm of the eastern or northern boundary;
      vii) Lot 102: within 500mm of the eastern or southern boundary;

viii) Lot 109: within 500mm of the western or southern boundary;
ix) Lot 110: within 500mm of the eastern or northern boundary;
x) Lot 135: within 500mm of the eastern or northern boundary.

The sealed vehicle crossing to Lots 85, 86, 113, 114, 125 – 132, 166 – 169, & 170 – 172 shall be to Council's standards and against the boundary farthest from the nearest intersection (e.g. for Lot 169: against the northern boundary); with the exception of the location approved by RM260589, for Lot 132.

5.0 Effects on Persons

The landowner to the south of the subject site, at 71 Pounamu Avenue, has provided a written approval for the proposal. Therefore, any potential adverse effects on this party can be disregarded. There are not considered to be any other parties who will be adversely affected by the application, to a minor or more than minor degree, and therefore no further consultation has been undertaken.

The subject site is situated between two roads, east and west. An unformed legal road is located on the western boundary, with Pounamu Avenue forming the eastern boundary. This has constrained the site development to a smaller building envelope, given that a 4.5m road setback is required along both road boundaries. Internal boundary setbacks are then required to be one of 4.5m and the remaining 2m.

The breach of the northern boundary setback is over a portion of the bedrooms and bathrooms, and pergola, with the remainder of the dwelling, including living areas, recessed back beyond an outdoor deck. A pergola is also located partly in the setback. A 3.15m setback is still maintained. The encroaching component of the building is of a lower height, comprising a mono-pitch roof, than the remainder of the building. In terms of potential loss of access to daylight/sunlight, and reduced privacy through being overlooked on the adjoining property, it is noted that the subject site is located to the south. This reduces the likelihood of shading, and also it is reasonable to assume that the adjoining lot will orient main living areas toward the other side of their land, maximising sunlight access. The north elevation of the proposed dwelling does not have expansive glazing which also assists with privacy.

In terms of the southern elevation and continuous building length, the breach of the rule is a length of 1.75m for the wall length, and 3.05m including the eaves. A proposed 1.8m high timber fence will largely obscure views of the southern building elevation (approximately to the level of the bottom of the garage window). It is considered that the building length will be adequately mitigated by the fencing, in views from the adjoining property. The adjoining landowner has provided written approval. Any other private views of the breach in building length are well distanced and unlikely to be a dominant feature.

The proposed light grey wall cladding would not be too dissimilar to unpainted concrete walls which are an accepted material under the building materials standard for the zone. The building comprises mixed colours and materials, where the different textures and appearances will provide visual interest. Dark roofing, cedar weatherboards and feature doors assist with breaking up the elevations. It is noted that the surrounding residential area contains at least six other residential

units with external colours of brighter/white tones (Rua Street, Onyx Street and Pounamu Ave). Therefore, the cladding colour being a light grey will not appear out of context within the local neighbourhood. Combined with fencing and landscaping, the overall development will not detract from the coherence and attractiveness of the site as viewed from adjoining sites.

Given the low traffic speed and volume, appropriate sightlines and assumed resident familiarity with local roading, the traffic assessment from Carriageway Consulting deems the proposed vehicle crossing location is acceptable. The proposed vehicle crossing location will not give rise to adverse road safety or roading efficiency issues.

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

6.0 Assessment of Environmental Effects

6.1 Permitted Baseline

The permitted baseline for the B5 Activity Area in Northlake Special zone is that a residential unit can be constructed as a permitted activity, provided it complies with the relevant site and zone standards. These include road setbacks of 4.5m, internal boundary setbacks of one of 4.5m and the rest 2m, coverage of 40%, CBL of 16m, height 8m, and garages and carports setback at least level with the front façade of the residential unit. Further, an accessory building (e.g. garage) could be constructed within the setback where the walls do not exceed 7.5m and there are no windows or openings.

The permitted baseline is considered relevant to assessment of this application.

6.2 Assessment Matters

The Assessment Matters in 12.34.5.2 are relevant and have been taken into consideration in the following assessment.

6.2.1 Internal Setback

12.34.5.2 (viii)Setbacks from Internal Boundaries

- *(a) The ability to mitigate adverse effects of the proposal on adjoining sites.*
- *(b) The extent to which a lower building coverage may offset or reduce the need to infringe upon the setback.*
- *(c) The purpose of the building or part of the building located within the setback.*
- *(d) The extent to which topography is considered in regard to the layout of adjoining sites and effects on access to daylight and sunlight.*

The subject lot is constrained by having a dual road frontage, both west and east, where a setback of 4.5m is required for each side. This limits the building envelope on an already small sized lot, reducing design options. Building coverage proposed is 37.9% which is slightly below the level of the zone allowance (40%), and therefore does not provide an opportunity for offsetting the setback

infringement. The design however does optimise outdoor living space with large north and west facing outdoor areas.

Assessment of this aspect has been addressed in the earlier section, however for completeness will be included here also.

The breach of the northern boundary setback is over a portion of the bedrooms and bathrooms, and pergola, with the remainder of the dwelling, including living areas, recessed back beyond an outdoor deck. A 3.15m setback is still maintained. The encroaching component of the building is of a lower height, comprising a mono-pitch roof, than the remainder of the building. In terms of potential loss of access to daylight/sunlight, and reduced privacy through being overlooked on the adjoining property, it is noted that the subject site is located to the south. This reduces the likelihood of shading, and also it is reasonable to assume that the adjoining lot will orient main living areas toward the other side of their land, maximising sunlight access. The north elevation of the proposed dwelling does not have expansive glazing which also assists with privacy.

6.2.2 Continuous Building Length

12.34.5.2 (ix) Continuous Building Length

- *(a) Any adverse effects of the continuous building length in terms of visual dominance by building(s) of the outlook from the street and adjoining sites, which is out of character with the local area.*
- *(b) The ability to mitigate any adverse effects of the continuous building length through increased separation distances, screening or use of other materials.*

The proposed breach of the continuous building length rule is an extended length of 3.05m. A proposed 1.8m high timber fence will largely obscure views of the southern building elevation (approximately to the level of the bottom of the garage window). It is considered that the building length will be adequately mitigated by the fencing, in views from adjoining properties, and from the street. The immediately adjoining landowner to the south has provided a written approval.

Given the permitted baseline for accessory buildings being allowed within an internal setback (where the walls do not exceed 7.5m and there are no windows or openings), an alternative permitted design along this southern façade could be potentially more dominant on the site.

6.3 External Building Materials

The proposed light grey wall cladding would not be too dissimilar to unpainted concrete walls which are an accepted material under the building materials standard for the zone. The building comprises mixed colours and materials, where the different textures and appearances will provide visual interest. Dark roofing, cedar weatherboards and feature door colours assist with breaking down the built form as viewed in the streetscape. It is noted that the surrounding residential area contains at least six other residential units with external colours of brighter/white tones (Rua Street, Onyx Street and Pounamu Ave). Therefore, the cladding colour being a light grey will not appear out of context within the local neighbourhood. The road setbacks to both the unformed legal road and Pounamu Avenue are readily achieved, providing good separation distances. Combined with

fencing and landscaping, the overall development will not detract from the coherence and attractiveness of the site as viewed from the street.

6.4 Vehicle Crossing

The traffic assessment (Carriageway Consulting) considers that the sight distances for the proposed driveway location will be appropriate for the operating speeds of approaching vehicles, given that the posted speed limit for the area is only 40km/hr.

Mr Carr provides a detailed assessment in relation to the rules of Chapter 29 of the Proposed District Plan (Transport). I note that for this site, the Operative District Plan and Chapter 14 are the relevant provisions, however the distance to intersections for vehicle crossings is the same for the ODP and PDP for local roads, being 25m. Therefore, the assessment would be the same. Given the low traffic speed and familiarity of local residents with the road environment, Mr Carr considers the proposal is appropriate. In summary it is concluded that the proposed vehicle crossing location will not give rise to adverse road safety or roading efficiency issues.

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

7.0 Section 104 Assessment

7.1 Effects (s104(1)(a))

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

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

Chapter 12 – Special Zones
The proposal is in accordance with the relevant objectives and policies contained within Part 12.33 (Northlake Special Zone) of the Operative District Plan. Neighbouring residential developments and the streetscape are unlikely to be unduly dominated by the proposed building.

Constraints with the land having two road frontages have limited the building envelope and hence the design options. However, combined with mitigating factors, being fencing, landscaping and use of varied materials, it is not considered that the proposed breaches will have adverse effects on adjoining properties or the environment in terms of amenity, outlook or visual dominance. Suitable landscaping contributes to an attractive streetscape. The proposed dwelling is in character with the local environment where similar residential developments exist.

Chapter 14 - Transport
The location of the vehicle crossing will have minimal adverse effects on the safety and operation of the adjacent local road network. Given the low traffic speed and volume, familiarity of road users in the vicinity, and appropriate sightlines, the proposal will not be contrary to the Chapter 14 objectives and policies.

The proposal maintains the character consistent with that anticipated for the zone. Overall, the amenity values of the zone are protected with a proposal that will complement and be coherent with the existing residential streetscape. The proposal is in accordance with the relevant objectives and policies of the District Plan.

7.3 Particular Restrictions for Non-Complying Activities (S104(D))

The assessment in Section 6 above indicates that the first threshold test for a non-complying activity can be met. The application is not considered to create any actual or potential adverse effects which are more than minor.

With respect to the second threshold test under Section 104D it is considered that the proposal is not contrary to the relevant policies and objectives of the District Plan.

8.0 Conclusion

This application seeks approval to construct a new residential unit on a lot within the Hikuwai subdivision. The proposal includes several design breaches, mainly due to constraints with the two road frontages and setbacks required. The design of the overall development makes efficient and practical use of the site. The minor breaches are appropriately mitigated by varied use of building materials, fencing and landscaping treatment.

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



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