RESOURCE CONSENT APPLICATION TO ESTABLSIH A RESIDENTIAL UNIT & ACCESSORY BUILDINGS

94A West Meadows Drive,
Wanaka

R & M Hewitt
September 2026

WILLIAMS & CO.
PLANNING / URBAN DESIGN / DEVELOPMENT
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1.0 THE APPLICANT AND PROPERTY DETAILS

Site Address:	94A West Meadows Drive, Wanaka
Legal Description	Lot 6 Deposited Plan 581138
Applicants Name:	R & M Hewitt
Address for Service	R & M Hewitt C/- Williams & Co. tim@williamsandco.nz
District Plan Zoning:	Suburban Residential (PDP)
Brief Description of Proposal:	Establish a residential dwelling and accessory buildings
Summary of Reasons for Consent:	Discretionary Activity

The following is an assessment of environmental effects that has been prepared in accordance with Schedule 4 of the Resource Management Act 1991. The assessment of effects corresponds with the scale and significance of the effects that the proposed activity may have on the environment.

List of Information Attached:

Appendix [A]	Record of Title
Appendix [B]	Plans
Appendix [C]	EMP

2.0 SITE DESCRIPTION AND ENVIRONMENT

The subject site is located at 94A West Meadows Drive, Wanaka and is 760m² in area, currently vacant. The site is legally described as Lot 6 Deposited Plan 581138 and is a residential lot situated within the Wanaka residential area (and UGB) to the southwest of the Wanaka town centre (**Figure 1**).



Figure 1: Subject Site within Wanaka Residential Context (QLDC GIS)

The site is a rear lot and accessed via a shared access lot to West Meadows Drive. The site is bound to the south, east and west by sites zoned Suburban Residential (SRZ). To the north is located the access lot. This zoning is illustrated in **Figure 2** below:



Figure 2: Subject Site Zoning (QLDC GIS)

As illustrated in **Figure 1** above, the site generally forms part of the area of residential development which sits south-south-west of the Wanaka town centre. Sites have orientation to the north towards the lake and solar access. The area is generally a newer developing area of the suburban area of Wanaka.

2.1 Site History

The site was created via subdivision RM200754 (West Meadows Stage 7) which established the subject site along with the surrounding residential sites, and the private access lots.

3.0 DESCRIPTION OF THE PROPOSED ACTIVITY

Consent is sought to establish a residential unit on the subject site, including associated earthworks, and inclusive of accessory buildings (pool and spa).

The proposed residential unit will be single storied, a four-bedroom dwelling with mono-pitch roof and attached double garage. The dwelling will be clad in vertical metal (T-Rib), stacked brick veneer and feature areas of vertical cedar. The roof will be dark colour steel metal. Total building coverage is 41.8% and permeable area is 31.8%.

The dwelling will include a breach of the recession plane taken from the western boundary of the site, through a small area of the mono-pitch roof eave as illustrated in Figure 3 below (shown Red):

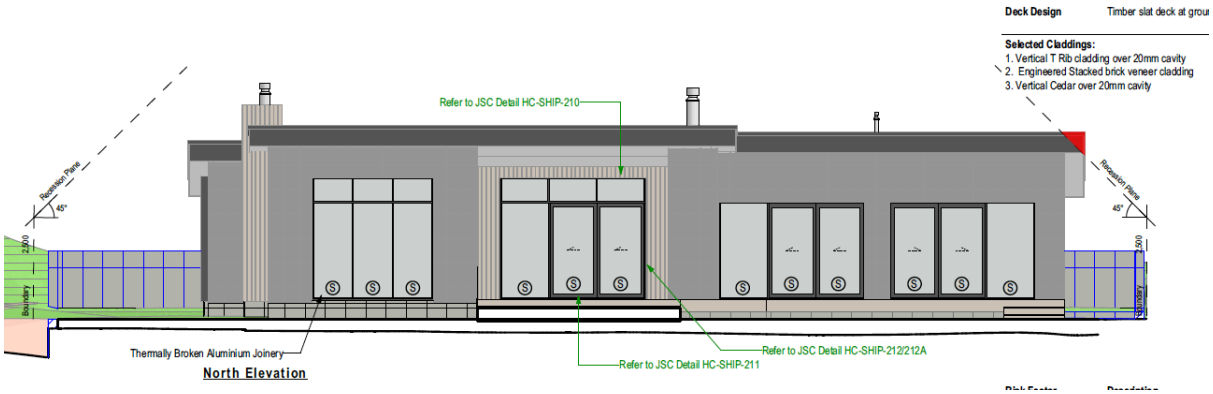


Figure 3: Northern Elevation (Recession Plane Breach shown)

Earthworks are proposed to establish the dwelling and access on the site, including fill and retaining to the front of the dwelling (fronting the access lot to the north) and cut and retaining to the rear of the dwelling to locate the southern portion of the dwelling within the slope of the site here.

The total earthworks volume proposed is 155m² over a total area of 259m² which comply with volume and area requirements. The proposed cut height is 1.4m at maximum, with retaining of this cut located on the southern boundary of the site, and the proposed fill height is 1.4m at maximum, with retaining of this cut located on the northern boundary. In both cases the returns will be located on the western boundary.

Within the internal boundary setbacks from the north and western boundaries of the site, it is proposed to locate an in-ground pool and a spa (accessory buildings). The pool will be located within the 2m internal boundary setback taken

from the northern boundary (boundary with the access lot) and the spa will be located within the 2m internal boundary setback taken from both the northern boundary, and from the western boundary of the site.

4.0 STATUTORY CONSIDERATIONS

4.1 The site is zoned **Suburban Residential** under the Proposed District Plan (UIV) and as such:

Land Use Consent to establish the dwellings on the site is sought in terms of the following provisions:

- A *restricted discretionary* activity consent pursuant to Rule 7.5.5.2 whereby:

  The proposed residential unit will include a breach of the recession plane taken from the western boundary of the site at the northern corner of the roofline.

  Council's discretion is restricted to:

  a. Sunlight, shading or privacy effects created by the proposal on adjacent sites and/or their occupants
  b. External appearance, location and visual dominance of the buildings as viewed from the street(s) and adjacent properties

- A discretionary activity consent pursuant to Rule 7.5.6.2 with regard to the accessory buildings (in-ground pool & spa) being located within the 2m boundary setbacks taken from the western and northern boundary of the site. Council's discretion is with respect to this matter.

- A discretionary activity consent pursuant to Rule 7.5.3 Building coverage where the maximum of 40% will be exceed with 41.8% proposed.

- A *restricted discretionary* activity consent pursuant to Rule 25.5.18.2 (a) whereby the proposed retaining walls in proximity to the boundaries of the site are not set back the equivalent distance as the height (1.4m) of the retaining.

  Council's discretion is restricted to the matters set out within 25.7.1 (1-9)

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

There are no records suggesting that a HAIL activity has taken place on the site subject to this application. Therefore the application does not necessitate further consideration under the NES.

5.0 PUBLIC NOTIFICATION ASSESSEMENT (SECTIONS 95A, 95C TO 95D)

5.1 Assessment of Steps 1 to 4 (Section 95A)

Section 95A specifies the steps the Council is to follow to determine whether an application is to be publicly notified. These are addressed in statutory order below.

5.1.1 Step 1: Mandatory public notification is required in certain circumstances

Step 1 requires public notification where this is requested by the applicant; or the application involves the exchange of recreation reserved land under s15A of the Reserves Act 1977.

The above does not apply to the proposal

5.1.2 Step 2: If not required by step 1, public notification precluded in certain circumstances

Step 2 describes that public notification is precluded where all applicable rules and NES preclude public notification; or where the application is for a controlled activity or a prescribed activity under section 360H(1)(a)(i).

The proposal is a discretionary activity - public notification is not precluded

5.1.3 Step 3: If not required by step 2, public notification precluded in certain circumstances

Step 3 describes that where public notification is not precluded by step 2, it is required if the applicable rules or NES require public notification, or if the activity is likely to have adverse effects on the environment that are more than minor.

As noted under step 2 above, public notification is not precluded, and an assessment in accordance with s95A is required which is set out in section 7.0 below. As described below, any adverse effects are anticipated to be minor.

5.1.4 Step 4: Public notification in special circumstances

If an application is not required to be publicly notified as a result of any of the previous steps, then the council is required to determine whether special circumstances exist that warrant it being publicly notified.

The proposal is to undertake residential development of the site in a manner anticipated by the zoning. Having regard to the above it is not considered that there is anything exceptional or outside the common run of applications that may be made of this nature in this location (and can be assessed on their merits), which would give rise to special circumstances.

5.2 Section 95D Statutory Matters

In determining whether to publicly notify an application, section 95D specifies a council must decide whether an activity will have, or is likely to have, adverse effects on the environment that are more than minor.

In determining whether adverse effects are more than minor:

- Adverse effects on persons who own or occupy the land within which the activity will occur, or any land adjacent to that land, must be disregarded.

The land to be excluded from the assessment is all adjacent lots being access lot, 94, 94B, 94C, 94D and 90D, West Meadows Drive, and the private access lot.

☐ Adverse effects permitted by a rule in a plan or NES (the permitted baseline) may be disregarded.

The permitted baseline includes earthworks of a similar nature to those proposed (without retaining), and for the establishment of a residential unit and a stand-alone residential flat on the subject site, including accessory buildings which meet listed exemptions.

☐ Trade competition must be disregarded.

This is not considered to be a relevant matter in this case

☐ The adverse effects on those persons who have provided their written approval must be disregarded.

No persons have provided their written approval

6.0 ASSESSMENT OF ENVIRONMENTAL EFFECTS

The matters that must be addressed pursuant to Clauses 6 and 7 of the Schedule 4 of the Resource Management Act 1991 are detailed below.

6.1 If it is likely that the activity will result in any significant adverse effect on the environment, a description of any possible alternative locations or methods for undertaking the activity:

The proposed activity will not result in any significant adverse effects on the environment. Any effects there are, will be adequately remedied and mitigated. Alternative locations are therefore not considered necessary.

6.2 An assessment of the actual or potential effect on the environment of the proposed activity.

6.2.1 Introduction

Subject to Part 2 of the Resource Management Act 1991, the Council in considering this application pursuant to Section 104(1)(a) of the Act, shall have regard to any actual or potential effects on the environment of allowing the proposed development to proceed.

Recession Plane

The establishment of a residential unit on the subject site as is proposed is anticipated given the Suburban Residential zoning and the nature of the site. Generally, the built form is compliant with the form expected to be established on

the site, with one small exception, being the breach of recession plane at the north-western corner of the roofline, in relation to the recession plane taken from the western boundary of the site.

Given the nature of the property, which is set back from the road by other residential lots and oriented to the north, this proposed breach will not be perceivable from the public realm and will not have any adverse effects on the wider environment. The proposed breach is small, and the dwelling generally will be low in height and will not appear out of character in the immediate or wider residential context. The breach will not be possible to identify as compared to compliant built form. As such, no adverse effects on the environment will result.

Accessory Buildings

The proposed accessory buildings will be low scale and will not be dominant in the wider public environment. The in-ground pool and spa will sit to the front of the residential unit and will be perceived as part of the anticipated general residential use of the residential site. There will be no impact on the public realm and these accessory buildings will be difficult to see from West Meadows Drive generally due to intervening development and the distance from the street.

No adverse effects on the environment will result.

Building Coverage

An exceedance of 1.8% is proposed whilst the permeable area will still comply. Given the very small nature of this infringement it is considered it will be indistinguishable and not result in a building that is out of character or scale with that anticipated within the zone. Therefore any adverse effects would be less than minor.

Earthworks

The proposed earthworks will be undertaken on the site as typical for preparation of a residential site for dwelling construction. Given the nature of the site, retaining will be undertaken at the rear in order to cut the existing slope, and at the front of the site in order to retain the FFL of the dwelling towards the existing access lot. These earthworks will be in character with and of a similar nature to many other works within the area, and are logical and anticipated in order to create a level building and site area for residential use. The consent is required for the position of the retaining walls in relation to property boundaries (and otherwise the earthworks are permitted given volumes and area). The retaining walls will not have any adverse effect being located as proposed, as they will be appropriately designed so that they will not impact any adjoining land. The retaining walls being located in the positions proposed will not appear out of character or dominant in the local or wider residential environment. Overall, adverse effects on the environment will be less than minor.

Summary

Overall, any adverse effects on the environment will be less than minor.

7.3 If the activity includes the use of hazardous substances and installations, an assessment of any risks to the environment which are likely to arise from such use

N/A

7.4 I the activity includes the discharge of any contaminant, a description of:

1. **The nature of the discharge and the sensitivity of the proposed receiving environment to adverse effects; and**
2. **Any possible alternative methods of discharge, including discharge into any other receiving environment.**

N/A

7.5 A description of the mitigation measures (including safeguards and contingency plans where relevant) to be undertaken to help prevent or reduce actual and potential effects:

In addition to the resource consent conditions anticipated, no other mitigation measures are necessary in addition to those incorporated into this proposal.

7.6 Identification of the persons affected by the activity, any consultation undertaken, and any response to the views of any person consulted:

The development proposed will not result in adverse effects on any party when considered in the context of the zone expectations. The breaches of relevant standards in relation to any neighbouring property have been considered as follows:

The recession plane taken from the western boundary of the site results in a small breach of the end of the mono-pitch roof of the dwelling. The roofline still sits below the relevant height plane and the extent and nature of the recession plane breach is of a small area such that it will be indiscernible, including with regard to the neighbouring property to the west.

The proposed accessory buildings (in-ground pool & spa) are not considered to result in adverse effects on the property to the west considering the anticipated use of the area to the front of the dwelling for residential activity. The spa will be located within the 2m setback from the western boundary, but set back from this boundary, and with this in conjunction with standard residential fencing, and the orientation of the adjacent dwelling, will maintain privacy to a standard which avoids adverse effects.

The pool and spa will be located within 2m from the boundary of the site with the access lane. This is not considered to result in any privacy effects given that the breach is to an access lot (not a sensitive environment) and this lot provides a buffer between the subject site and residential lots to the north. The accessory buildings will be low scale and will appear as anticipated residential elements of a residential site. They will also be at a higher level than the access lane which provides for vertical separation and avoids dominance or character impacts for users of the access lot or further north. Overall adverse effects will be appropriately avoided by the nature of the accessory buildings, the access lot and general northerly orientation of properties to the north. No persons are considered affected.

The earthworks will be undertaken in a manner and the retaining designed so to avoid any adverse effect on any adjacent land. The works will be compliant with standard conditions of consent which govern this outcome, and as such any adverse effects on any adjacent land can be considered avoided.

No persons are considered affected.

7.7 If the scale or significance of the activities effects are such that monitoring is required, a description of how and by whom the effects will be monitored if the activity is approved.

No monitoring is required other than standard conditions of consent.

7.8 If the activity will, or is likely to, have adverse effects that are more than minor on the exercise of a protected customary right, a description of possible alternative locations or methods for the exercise of the activity (unless written approval for the activity is given by the protected customary rights group).

The proposed activity will have no effect on any customary rights.

7.0 NOTIFICATION CONCLUSIONS

8.1 Public Notification Conclusion

The applicant has not requested public notification of the application (s95A(2)(b)), no rule or national environmental standard requires public notification of the application (s95A(8)(a)), and there are no special circumstances that exist in relation to the application that would require public notification (s95A(9)(b)).

The applicant has not requested public notification of the application (s95A(2)(b)), no rule or national environmental standard requires public notification of the application (s95A(8)(a)), effects on the environment will be less than minor (s95A(8)(b) and there are no special circumstances that exist in relation to the application that would require public notification (s95A(9)(b)).

Therefore as per section 95A(9)(b) the application should not be publicly notified. Determination of the application under s95B is then to be made.

8.1 Limited Notification Conclusion

Section 95B(1) requires a decision whether there are any affected persons (under s95E) in relation to the activity. The Council must follow the steps set out in s95B as follows:

7.1.1 Step 1: Certain affected protected customary rights groups must be notified

Step 1 requires limited notification where there are any affected protected customary rights groups or customary marine title groups, or affected persons under a statutory acknowledgement affecting the land.

The above does not apply to this proposal

7.1.2 Step 2: If not required by step 1, limited notification precluded in certain circumstances

Step 2 describes that limited notification is precluded where all applicable rules and NES preclude limited notification; or the application is for a controlled activity (other than the subdivision of land) or a prescribed activity under section 360H(1)(a)(ii).

The above does not apply

7.1.3 Step 3: If not precluded by step 2, certain other affected persons must be notified

Step 3 requires that where limited notification is not precluded under step 2 above, a determination must be made as to whether any of the following persons are affected persons:
In the case of a boundary activity, an owner of an allotment with an infringed boundary;
In the case of a prescribed activity under s360H(1)(b), a prescribed person; and
In the case of any other activity, a person affected in accordance with s95E.

The application for land use consent is not for a boundary or prescribed activity, and therefore assessment in accordance with s95E is required and has been completed in the above analysis which concluded that no persons were considered to be affected in accordance with section 95E

8.1.4 Step 4: Further notification in special circumstances

In addition to the findings of the previous steps, the council is also required to determine whether special circumstances exist in relation to the application that warrant notification of the application to any other persons not already determined as eligible for limited notification.

Having regard to the assessment in section 6.1.4 above, it is considered that special circumstances do not apply.

8.0 SECTION 104 (1)(b) ASSESSMENT

Clause 2(1)(g) of Schedule 4 of the Resource Management Act 1991 requires an assessment against any relevant planning documents that are referred to in Section 104(1)(b) of this legislation. In this case the relevant planning documents are the:

Proposed District Plan

Relevant objectives and policies are contained within Chapters 7 *Suburban Residential* and 25 *Earthworks* of the Proposed District Plan (as varied by the Urban Intensification Variation).

Chapter 7 – Suburban Residential

The objectives and policies of Chapter 7 have an overall direction to enable compatible suburban densities while maintaining reasonable amenity values and ensuring efficient use of infrastructure, it is considered that the proposal is aligned with the Chapter 7 provisions given that the establishment of the proposed residential unit on this site proposed responds appropriately to its immediate residential context and is not visible from public realm.

The proposal will align with Policy 7.2.1.2 whereby it provides for development which maximises efficient use of the land, doing this in a way that is compatible with the character of existing suburban development and maintains amenity values, in particular in regard to building heights. No externalities will result in terms of privacy or access to sunlight (Policy 7.2.1.3) given the very small nature of the recession plane breach and the nature and location of the accessory buildings.

As such the proposal is giving effect to *Objective 7.2.3* which looks to encourage higher density development where it responds to the context and character of the locality and is designed to maintain amenity values.

The proposed development is located within a urban area that is serviced by Council reticulated services and is designed in a manner consistent with available infrastructure capacity, aligning with Policy 7.2.1.1.

Overall, for the reasons outlined above, the proposal is consistent with, and encouraged by the relevant objectives and policies of Chapter 7.

Chapter 25 - Earthworks

The proposal will align with Objective 25.2.1: given that the earthworks on the site are standard, typical of preparation of a site for residential development and will be avoid adverse effects on the environment whereby the proposed retaining, while located adjacent to property boundaries will be undertaken in a manner which ensures that the stability of adjacent sites is maintained (policy 25.2.1.6).

The earthworks will recognise the opportunities of the site by providing for a level building platform which enables a positive orientation of the dwelling to the north (solar access) and living space on the site to facilitate the site advantages (Policy 25.2.1.5).

The earthworks will avoid adverse effects, and will not be located in any area of hazard risk, public access to lakes & rivers, heritage sites, landscape overlays or rural character.

The proposal will give effect to Objective 25.2.2 given that it will provide for a level, logical and positive building platform upon which to establish a residential dwelling as per the zoning.

<u>PDP - Summary</u>

Overall the proposal aligns with the outcomes sought within the provisions and is a form of residential development encouraged within the objectives and policies of the plan in order to give effect to strategic objectives in relation to urban growth.

10.0 AN ASSESSMENT OF THE ACTIVITY AGAINST MATTERS IN PART 2

The proposal is consistent with Part 2 of the Act, being the sustainable management of natural and physical resources, whilst also protecting the life supporting capacity of ecosystems, and avoiding, remedying or mitigating adverse effects on the environment.

11.0 CONCLUSION

Consent is sought to provide for the establishment of a residential unit on the subject site at 94A West Meadows Drive, Wanaka, with consent required in relation to a recession plane breach, building coverage, internal boundary setbacks in relation to accessory buildings, and the earthworks associated with placement of the residential unit on the site.

The activity is assessed as a discretionary activity.

The actual and potential effects on the environment have been outlined in Section 7 of this report where it is concluded that the proposed activity is not likely to have any adverse effects on the environment that are minor or more than minor. The proposed development is consistent with the relevant objectives and policies of the relevant District Plan and meets the purpose and principles of the Resource Management Act 1991.

Overall, and in accordance with the assessment contained in this report, it is requested that the application for land use is granted as proposed with appropriate conditions in order to give effect to and suitably execute the application as outlined in this AEE.